

OFFICE OF COURT ADMINISTRATION

Instructions Concerning the Official Model Jury Summons and Questionnaire

The Office of Court Administration (OCA) is required by Government Code §62.0131 and §62.0132 to develop and maintain a model for a uniform written jury summons and questionnaire. Use these instructions and forms when the court orders prospective jurors notified by written summons.

A written jury summons must conform to OCA's model jury summons and include a copy of the questionnaire developed by OCA or the electronic address of the court's Internet website from which the questionnaire developed by OCA may be easily printed or completed online. (See Gov't Code §§62.0131(c), 62.0132(b), 62.0132(d))

Upon the court's direction, the clerk, sheriff, or constable can notify prospective jurors by written summons sent by registered mail, certified mail, return receipt requested, or first-class mail. Qualifying counties may adopt an alternative *method of service* if they meet the requirements of Government Code §62.014. (See Gov't Code §§62.013(b)(2), 62.014)

These instructions discuss 3 options for the written jury summons and questionnaire. (Counties wishing to utilize a method not included in these instructions should contact OCA's general counsel at (512) 463-1625.)

I. County Mails Jury Summons and Questionnaire to Prospective Jurors

The updated OCA model that was originally designed to be printed on an 8 ½" by 11" card with a fold in the middle to result in an 8 ½" by 5 ½" mail piece should be used if a county wishes to mail both the jury summons and the questionnaire. Page one of the model is designed to be on the front of the card while page 2 is designed to be on the back.

Please note the following instructions to ensure that you modify the model in an appropriate manner for your county:

- (1) The four blanks in the sentences on the top of page 2 should be filled in with the title of the appropriate clerk (*e.g.*, district clerk);
- (2) Exemptions 8 and 9 should not be listed in counties with populations of less than 200,000;
- (3) Exemption 9 should not be listed in counties with populations of less than 250,000;
- (4) Exemption 8 should not be listed in any county in which the county uses a jury plan under Government Code §62.011 and the period authorized under §62.011(b)(5) exceeds two years;
- (5) Exemption 9 should not be listed in any county in which the county's jury wheel has been reconstituted prior to the time that a person who has previously served as a petit juror in the county has again been summoned for jury service; and
- (6) Complete the contact information in the area designated as "Clerk Contact Information" on the top of page two.

Understanding that each Texas county is different, OCA believes counties may format the text of the model to meet their particular needs. Maps, parking information, internet access information, and other similar information may be added to the model. The top portion of page one is especially flexible. Counties may reorganize or delete, with the exception of time, date, and place, information on the top portion of page one to fit their particular needs.

II. County Mails Jury Summons Which Directs Prospective Jurors to the Court's Internet Website to Print the Questionnaire

Texas Gov't Code Sec. 62.0131(b)(4)(B) permits a county to direct prospective jurors to the electronic address of the court's internet website from which the juror questionnaire *may be easily printed*. Rather than provide a model "form" for a jury summons that accomplishes this, **OCA has developed a list of the minimum requirements to be included on such a summons.**

The summons must:

- 1) be 3 ½" by 5" or larger in size;
- 2) provide the time and place for the appearance of the prospective juror for jury service;
- 3) include the following statements (at a minimum) regarding the penalty for failure to comply with the jury summons and information relating to the duties of an employer with regard to an employee who is summoned for jury service:

Failure to respond may subject you to a fine of \$100 to \$1,000. (Gov't Code Sec. 62.0141)

Your employer may not take adverse action against you for serving as a juror. (Civ. Prac. & Rem. Code, Ch. 122)

- 4) provide the address of the court's internet website where the juror can print the mandatory model juror questionnaire;
- 5) include one of the following:
 - a. a list of the exemptions and restrictions governing jury service under Subchapter B of Chapter 62 of the Government Code (§§62.102 and 62.106); or
 - b. the electronic address of the court's internet website on which these exemptions and restrictions are posted; and
- 6) provide, at a minimum, a phone number that a prospective juror may call if they do not have access to the internet, need assistance, or have questions.

If applicable, clerks should confirm that the designated website lists the exemptions and qualifications for jury service and that the questionnaire can be easily printed from the website.

Counties may format the text of the model to meet their particular needs and **are free to provide more information than the minimum requirements listed above** (e.g., more detailed information regarding the penalty for failure to respond and the duties of an employer regarding jurors, QR codes linking to the court's internet website, email addresses for prospective jurors to contact clerk staff, maps, and parking information).

III. County Mails Written Jury Summons Which Directs Prospective Jurors to the Court's Internet Website to Complete the Questionnaire Online (Electronic Plan)

Texas Gov't Code Sec. 62.0131(b)(4)(C) permits certain counties to provide the electronic address of the court's internet website where a prospective juror can access and *complete* the mandatory model juror questionnaire. Rather than provide a model "form" for a jury summons that accomplishes this, **OCA has developed a list of the minimum requirements to be included on such a summons.**

Note: *In order to use this method, a county must have adopted an electronic method of selecting the names of prospective jurors for jury service as authorized under Government Code §62.011. (See Gov't Code §62.0132(d))*

The summons must:

- 1) be 3 ½" by 5" or larger in size;
- 2) provide the time and place for the appearance of the prospective juror for jury service;
- 3) include the following statements (at a minimum) regarding the penalty for failure to comply with the jury summons and information relating to the duties of an employer with regard to an employee who is summoned for jury service:

Failure to respond may subject you to a fine of \$100 to \$1,000. (Gov't Code Sec. 62.0141)

Your employer may not take adverse action against you for serving as a juror. (Civ. Prac. & Rem. Code, Ch. 122)

- 4) provide the address of the court's internet website where the juror can access and complete the mandatory model juror questionnaire;
- 5) include one of the following:
 - a. a list of the exemptions and restrictions governing jury service under Subchapter B of Chapter 62 of the Government Code (§§62.102 and 62.106); or
 - b. the electronic address of the court's internet website on which these exemptions and restrictions are posted; and
- 6) provide, at a minimum, a phone number that a prospective juror may call if they do not have access to the internet, need assistance, or have questions.

If applicable, clerks should confirm that the designated website lists the exemptions and qualifications for jury service.

Counties may format the text of the model to meet their particular needs and **are free to provide more information than the minimum requirements listed above** (e.g., more detailed information regarding the penalty for failure to respond and the duties of an employer regarding jurors, QR codes linking to the court's internet website, email addresses for prospective jurors to contact clerk staff, maps, and parking information).

If you have any questions concerning these instructions or the *Official Model Jury Summons and Questionnaire*, please contact OCA's Legal Department to speak with Brandon Bellows or Margie Johnson.