

CHAPTER 15

(Senate Bill 28)

AN ACT to repeal and re-enact, with amendments, Section 12 of Article 51 of the Annotated Code of Maryland (1965 Supplement), title "Juries", subtitle "Qualification and Selection of Jurors", correcting an error in certain laws relating to grand and petit juries in this State.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 12 of Article 51 of the Annotated Code of Maryland (1965 Supplement), title "Juries", subtitle "Qualification and Selection of Jurors", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12. Of the forty-eight jurors drawn and summoned, the court at the beginning of the term for which they were drawn and summoned shall select and appoint one as foreman of the grand jury (except that in Montgomery County the foreman shall be selected from the original panel of five hundred names, with his name being included among the jurors drawn and summoned and in Washington County the foreman shall be selected from the list of names presently being used as a panel in said county, as provided in Section 9 of this article), and shall direct the clerk of said court to legibly write upon ballots the names of the remaining jurors, and after carefully folding said ballots separately to place them in a box with a sliding top, and said clerk shall draw said ballots therefrom one at a time without looking into said box and the first twenty-two names drawn, with the foreman previously appointed, shall constitute the grand jury, and the remaining twenty-five names (or, in Harford, Montgomery and Washington counties the remaining number of names) shall constitute the petit jury for said term of court; whenever a vacancy shall occur in the position of foreman of the grand jury, either temporary or permanent, by death, absence, sickness or any other cause the court shall have power to appoint some other member of the grand jury foreman as often as the necessity for such appointment shall occur. If for any reason any person or persons drawn as grand juror or grand jurors shall fail to attend and be present at the conclusion of the drawing or be disqualified or excused for cause the court shall forthwith proceed to fill such vacancies from the aforesaid remaining number of twenty-five names of those who are present in the order in which the names were drawn from the box and may thereupon in its discretion fill such vacancy or evidence thus made in the petit jury by drawing the necessary number of additional names therefor in manner provided by Section 10 of this article. In Charles, St. Mary's and Prince George's counties the "pellet system" set out in Section 10 (f) and Section 10 (g) shall be used in the selection of grand and petit jurors. In Calvert County the system of marbles, balls or pellets, as set out in Section 10 (a-1) shall be used in the selection of grand juries and petit juries. This section is modified as to Allegany County, Dorchester, Wicomico, Somerset and Worcester [County] counties. This section shall not apply to Baltimore, Cecil, Caroline, Kent, Queen Anne's and Talbot counties, as to which special provision is made by the local law therefor, nor to Charles or St. Mary's counties for which provision is made in Section 10 (f) of this article, nor to Prince George's County for which provision is made in Section 10 (g) of this article.