

SEC. 8-302. STRIKING EXCESS JURORS.

(A) COURT TO STRIKE EXCESS NAMES.

IF A PARTY NEGLECTS OR REFUSES TO STRIKE THE NUMBER OF JURORS ALLOWED BY THE MARYLAND RULES, OR IF FOR ANY REASON MORE THAN THE REQUIRED NUMBER OF NAMES REMAIN ON THE LIST AFTER ALL STRIKES HAVE BEEN MADE, THE COURT SHALL STRIKE THE EXCESS NAMES.

(B) RIGHT TO CHALLENGE ARRAY OR POLLS.

NEITHER THIS SECTION NOR THE MARYLAND RULES DEPRIVE ANY PERSON OF THE RIGHT TO CHALLENGE FOR CAUSE THE ENTIRE PANEL OR AN INDIVIDUAL MEMBER OF THE PANEL OR JURY.

REVISOR'S NOTE: Subsections (a) and (b) presently appear as Art. 51, §16. Since this section apparently applies to both civil and criminal cases, references to Rule 746, which applies only to criminal cases, are proposed for deletion.

The British Statute of 33 Edward 1 stat. 4 was repealed by Ch. 648, H.B. 1587, Acts of 1973. It required the State to show a reason for peremptorily challenging jurors, and has long been superseded by the Code and the Rules.

The legislature may choose to retain the terms of art "array" and "polls" or substitute "modern" language.

The only other changes made are in style.

SEC. 8-303. DISPENSING WITH FULL PANEL.

IF THE PARTIES AGREE, THE DRAWING OF A PANEL OF AT LEAST 20 JURORS IN ANY CASE MAY BE DISPENSED WITH.

REVISOR'S NOTE: This section presently appears as Art. 51, §17. The implication that a panel must consist of 20 jurors has been changed to allow panels of more than 20. This brings the section into conformity with modern practice of using larger panels. The phrase "parties or their counsel" has been changed to "parties"; Rule 3 provides that where a party is to do an act, it may be done by his