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### Amending Article 3 of Chapter 78, Colorado Revised Statutes 1963, Concerning Juries and Jurors in Certain Counties.

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#### Recommended Citation

Colorado General Assembly, "Amending Article 3 of Chapter 78, Colorado Revised Statutes 1963, Concerning Juries and Jurors in Certain Counties." (1965). *Session Laws 1951-2000*. 3901. <https://scholar.law.colorado.edu/session-laws-1951-2000/3901>

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## CHAPTER 208

## JURIES AND JURORS

## JURY COMMISSIONERS—COUNTIES OVER 100,000

(Senate Bill No. 39, By Senators Stockton and Vullback; also Representatives Lisco and Skelton.)

## AN ACT

AMENDING ARTICLE 3 OF CHAPTER 78, COLORADO REVISED STATUTES 1963, CONCERNING JURIES AND JURORS IN CERTAIN COUNTIES.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. 78-3-2 (3), Colorado Revised Statutes 1963, is hereby amended to read:

78-3-2.—**Bond — salary — expenses — deputy.**—(3) The jury commissioner or the deputy jury commissioner shall be empowered to administer an oath or affirmation in relation to any matter embraced within the provisions of this article. The jury commissioner ~~shall be at his office during all the time any court of record is in session in the county, and he shall keep a record of all the proceedings of his office.~~

Section 2. 78-3-4, Colorado Revised Statutes 1962, is hereby amended to read:

78-3-4.—**Preparation of petit jury list.**—The jury commissioner shall prepare a list of persons in his county upon February first and September first of each year, who by law are qualified to serve as petit jurors and not exempt from jury service. Such list shall include not less than one **NOR MORE THAN FOUR** such ~~person~~ **PERSONS** for every one hundred inhabitants of said county, ~~and not more than one such person for every seventy-five of said inhabitants,~~ according to the last ~~state or~~ federal census. The names of said jury list shall be entered alphabetically in a suitable book, to-

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

gether with the occupation and place of residence of each person named on said list, and his place of business, if any.

Section 3. 78-3-7, Colorado Revised Statutes 1963, is hereby amended to read:

78-3-7.—**Ballots—drawing.**—(1) When such jury list has been made up, the jury commissioner shall cause the name and the residence of each person thereon to be written or printed upon a separate slip of paper. These slips shall be uniform and shall be so folded as not to permit the writing or printing thereon to be seen. The jury commissioner, in the presence of ~~the county clerk~~ and one or more of the members of the appointing board, shall deposit these slips in a box prepared therefor, and the jury commissioner ~~county clerk~~ and one or more of the members of the appointing board shall lock and seal, each using his own separate seal, and deliver said box to the ~~county clerk~~ JURY COMMISSIONER to be held by him in accordance with the provisions of this article, and from it, or the names remaining therein, all petit jurors for service in courts of record in such county shall thereafter be drawn. In cases of need, persons whose names are not in said box, as well as persons whose names are contained therein, may be summoned upon an open venire according to law.

(2) The several courts of record, OR ANY JUDGE THEREOF, shall signify from time to time, to the clerk of such court the number of jurors required to be summoned, and the clerk shall then ~~go to the office of the county clerk~~ NOTIFY, IN WRITING, THE JURY COMMISSIONER THE NUMBERS OF JURORS REQUIRED and THE JURY COMMISSIONER in the presence of ~~the jury commissioner, the county clerk~~ and one or more of the members of the appointing board shall open the box and draw the required number of names and shall summon them for jury duty according to law. The box shall be cylindrical in form, of adequate size, suspended in a suitable frame, and so devised as to be turned with a crank, and thoroughly to mix the slips. Inside the box there shall be affixed to spokes surrounding the axle stationary rods extending out nearly to the rim. The box shall be provided with an opening only large enough to admit a man's hand. The ~~clerk~~ COMMISSIONER, before drawing therefrom, shall turn the crank a sufficient number of times thoroughly to mix the slips. He shall then, without seeing the names on any slip, draw out of the box one slip, and continue to draw in like manner, one slip at a time, until the required number has been drawn. When the drawing is finished, the box shall be

locked and sealed by the jury commissioner, the county clerk and one or more of the members of the appointing board, each using his own separate seal, and shall not again be opened nor the seals be broken until another drawing, except in pursuance of law.

(3) All drawing of jurors under the provisions of this article shall take place not more than ~~ten~~ TWENTY-ONE days before the time the jurors are summoned to attend for service. At the close of each term of court, the clerks of the several courts shall immediately certify to the jury commissioner the names of all persons impaneled at said term and the names of all persons excused from jury service during said term with a statement of the causes for which they were excused.

Section 4.—**Safety clause.**—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 3, 1965.