

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2013-28

Michael F. Cavanagh
Stephen J. Markman

Amendment of Rule 2.510 of
the Michigan Court Rules

Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment having been provided, and consideration having been given to the comments received, the following amendment of Rule 2.510 of the Michigan Court Rules is adopted, effective May 1, 2014.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 2.510 Juror Personal History Questionnaire

(A) [Unchanged.]

(B) Completion of Questionnaire.

(1) The court clerk or the jury board, as directed by the chief judge, shall supply each juror drawn for jury service with a questionnaire in the form adopted pursuant to subrule (A). The court clerk or the jury board shall direct the juror to complete the questionnaire ~~in the juror's own handwriting~~ before the juror is called for service.

(2) [Unchanged.]

(C) Return of Filing the Questionnaire.

(1) On completion, the questionnaire shall be ~~filed with~~ returned to the court clerk or the jury board, as designated under subrule (B)(1). The only persons allowed to examine the questionnaire are:

(a)-(d) [Unchanged.]

- (2) [Unchanged.]
- (3) The questionnaires must be maintained ~~kept on file~~ for 3 years from the time they are returned ~~filled out~~. They may be created and maintained in any medium authorized by court rules pursuant to MCR 1.109.
- (D) **Summoning Jurors for Court Attendance.** The court clerk, the court administrator, the sheriff, or the jury board, as designated by the chief judge, shall summon jurors for court attendance at the time and in the manner directed by the chief judge ~~or the judge to whom the action in which jurors are being called for service is assigned~~. For a juror's first required court appearance, service must be by written notice addressed to the juror at the juror's residence as shown by the records of the clerk or jury board. The notice may be by ordinary mail or by personal service. For later service, notice may be in the manner directed by the court. The person giving notice to jurors shall keep a record of the notice and make a return if directed by the court. The return is presumptive evidence of the fact of service.
- (E) [Unchanged.]

Staff Comment: The amendments of MCR 2.510 allow courts to authorize prospective jurors to complete and return questionnaires electronically, and allow courts to create and maintain them electronically (i.e., in any medium authorized by court rules pursuant to MCR 1.109). The change also deletes language in MCR 2.510(D) to clarify that the chief judge is responsible for initiation of the court's policies for summoning prospective jurors.

The staff comment is not an authoritative construction by the Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2014

Clerk