

Juror Selection Process

U.S. District Court Western District of Texas

The random selection of names of prospective jurors to serve on grand and petit juries are drawn from the General Election Voter Registration Lists (“voter registration lists”) of the counties comprising each of the seven divisions in the Western District of Texas.

A request is made for the General Election Voter Registration Lists from the office of the Secretary of State (State of Texas). Requested is the complete data on all registered voters for all counties that fall within each of the seven divisional offices for the Western District of Texas. The Secretary of State extracts the information requested onto CD-Roms. The CD-Roms are then forwarded to the Director of Information Technology, Consolidated Automation Department for the United States District Court, Western District of Texas, in San Antonio. Several tests are run to verify the compatibility of the CD-Roms to ensure a proper reading of the material.

The Clerk of Court, or a designated deputy clerks, calculates the number of names needed to fill the master jury wheel for each division. A random selection of names¹ to fill each master jury wheel is now performed.

Once all master wheels are filled, the process of randomly drawing names to build the seven qualified jury wheels begins. The first step in building qualified jury wheels requires that a calculation be made of the anticipated number of qualified jurors needed in each division for the two-year life cycle of that qualified wheel. The estimated number of projected qualified jurors is based on numerous considerations; e.g., past history of previous wheels, increases or decreases in case filings, judgeships assigned to the division, numbers of disqualified, exempted and excused persons from previous wheels, rates of non-response to juror qualification questionnaires, etc.

A sufficient number of names are included in each master jury wheel in the event a second or third qualification process becomes necessary should the number of qualified jurors run low in a particular division. As a general rule, approximately one-half (1/2) of the persons whose names appear in the master jury wheel will be involved in the qualification process.

Since the entire master jury wheel is not qualified at one time, randomness must be ensured when selecting names¹ for persons to be qualified from the master jury wheels. The standard juror qualification questionnaire, as drafted and approved by the Administrative Office of the United States Courts, is mailed to each person whose name is randomly drawn for qualification purposes from the master jury wheel for that division. The recipients of the qualification questionnaires are

¹ The random selection of names is commenced by a purely randomized process through routines approved by the National Institute of Standards and Technology (“NIST”).

required to complete and return the questionnaire to the Executive Offices of the Clerk in San Antonio. The completed and returned questionnaires are sorted by division and then scanned to determine if a person is qualified, unqualified, exempt, or to be excused or excluded from jury service.

When a majority of the questionnaires have been returned and scanned, the data relating to those persons who, based upon their responses as set forth in the questionnaire, appear to be qualified for federal jury service, are then transferred into the Qualified Jury Wheel for each division. It is from this wheel that actual prospective jurors for grand or petit jury service in the particular division of this court are drawn for the two-year life cycle of that qualified wheel.

By court order, a judge will direct that a new panel of prospective jurors be drawn from the qualified jury wheel. Again, a random selection of names¹ from the qualified jury wheel is followed.

Prospective jurors in each division may be summoned separately to serve exclusively as either grand or petit jurors; or prospective jurors may be summoned to appear at the same time for later assignment to either the grand jury or the petit jury panel. In the latter event, the Clerk shall draw at random the names of all persons summoned for service as either grand or petit jurors, a sufficient number to be then and there sworn as grand jurors, and the remainder shall be sworn as petit jurors.

When the Court orders a grand and/or petit jury to be drawn for any division or divisions, the Clerk shall issue summonses for the required number of jurors. Service of summonses is performed by first class mail.