

JURY COMPOSITION RULE

1. Purpose. The purpose of this Rule is to establish reasonable standards for the preparation, dissemination, and technological improvements of inclusive statewide and county master jury lists. See OCGA § 15-12-40.1 (i).

2. Business Rules. The statewide and county master jury lists shall be compiled substantially in accordance with the process and business rules set forth in the Appendix to this Rule.

3. Inclusiveness.

a. Each county master jury list should be no less than 85% inclusive of the number of citizens in the county population age 18 years or older as indicated in the most recent available year of the ACS Demographic and Housing Estimates of the American Community Survey 5-Year Estimates (Table DP05) from the United States Census Bureau (“USCB”) at the time the list is generated. The calculation shall be made by dividing the number of persons in the county master list by the number of persons in the category of “Citizens, 18 and over population” in the applicable census data for the county. If a transient institutional population exists within the county, the transient institutional population number shall be deducted from the census-based county population estimate. A county transient institutional population is defined as follows:

- i. The military quarters population for the county as shown in the most recent USCB PCT20 (“Military barracks and dormitories (non-disciplinary) (601)” data cell), if available;
- ii. The state prisoner population as counted in the “offenders in beds” for facilities within the county in a Statewide Bed Utilization Report by Facility Type extract issued by the Georgia Department of Corrections;
- iii. The federal prisoner population for the county as shown in the most recent USCB PCT20 (“Federal prisons (102)” data cell), if available; and
- iv. Such other additional military quarters, prisoner populations, or group quarters that have been verified by the Council of Superior Court Clerks (“Council”).

b. The inclusiveness percentage may nevertheless be below the 85% threshold for certain counties. Upon request, the Council shall provide to any such county data collected pursuant to OCGA § 15-12-40.1 and applicable census data so that the chief judge of the superior court for the county may determine whether the county master jury list was produced in compliance with the procedures set forth in this Rule and may order such compliance if necessary.

c. Nothing in this Rule shall deprive any party of the right to raise a constitutional challenge to the use of the list in that party’s own case.

4. Certification.

a. Upon completion of the statewide and county master jury lists, the Council or its list vendor shall electronically certify to the Supreme Court that it has complied with the process and

business rules for preparation of the master jury list and that the county master jury lists do or do not meet the 85% inclusiveness threshold.

b. The Council or its list vendor shall provide electronic certification of the county master jury list to each county after payment of the subscription invoice presented to the county in conjunction with the delivery of the county master jury list as provided by OCGA § 15-12-40.1. This certification shall include:

- i. The year the list was created;
- ii. The name of the county;
- iii. Certification that the process and business rules established by this Rule have been followed; and
- iv. The inclusiveness percentage of the county master jury list as certified to the Supreme Court.

5. Local Jury Management – Additions, Deferrals, Excusals, and Inactivations.

a. A county master jury list may be subjected to additions, deferrals, excusals, and inactivations at the local level only as authorized in this Rule.

b. Definitions. As used in this paragraph and as related to local jury management, the term:

- i. “Clerk” means the superior court clerk or appointed jury clerk. See OCGA § 15-12-1 (3).
- ii. “Defer” or “deferral” means a temporary postponement of a person’s jury service until a specific date within the current or next succeeding term of court or as provided for by court order. See OCGA § 15-12-1 (6).
- iii. “Excuse” or “excusal” means the grant of a person’s request for temporary exemption from jury service without rescheduling the juror’s appearance. See OCGA § 15-12-1 (7). An excusal shall only be effective until the next county master jury list is certified.
- iv. “Exemption” means a statutory reason that a prospective juror may be granted a deferral or excusal pursuant to OCGA § 15-12-1.1.
- v. “Inactivate” or “inactivation” means permanently removing a person’s name and identifying information who has been identified on the county master jury list as a person who is permanently prevented from being chosen as a trial or grand juror because such person is statutorily ineligible or incompetent to serve as a juror or is deceased. See OCGA § 15-12-1 (8).

c. A clerk shall supervise any local jury management vendor or local technology department supplying software or services for local jury management. The clerk shall require any software provider or service provider to comply with all provisions of this Rule, its Appendix, and relevant statutory provisions. The clerk shall ensure that any such vendor, department, or provider has a copy of the current version of this Rule and its Appendix.

d. Local additions, deferrals, excusals, and inactivations shall be performed and maintained in a

manner that preserves the record of the juror, the reason for the action, and the relevant dates related to the action.

e. A clerk shall not add names to the county master jury list except where a prospective juror has obtained an order from the chief judge of the superior court for the county directing that the juror's name be added to the list because the juror has demonstrated that he or she is eligible to serve as a juror in the county notwithstanding the operation of this Rule.

f. In accordance with a local jury management court order, a clerk may excuse or defer a juror:

- i. Pursuant to OCGA § 15-12-1.1.
- ii. Who has previously served as a juror pursuant to OCGA § 15-12-4 (a). Such a person shall be excused.
- iii. Determined by the clerk as having an address that is undeliverable.
- iv. Determined by the clerk as not being a resident of the county.
- v. Determined by the clerk as being ineligible due to not being a citizen of the United States.
- vi. Determined by the clerk as being ineligible due to a conviction without having had his or her civil right to serve as a juror restored.

g. A clerk may inactivate a juror:

- i. Who is ineligible due to permanent mental or physical disability. See OCGA §§ 15-12-1.1 (a) (1) and 15-12-40.
- ii. Who is 70 years of age or older and has been granted an inactivation as the result of his or her age.
- iii. Who is identified by the clerk as being deceased.
- iv. Who is identified by the clerk as ineligible due to having been declared mentally incompetent by order of a court.

h. A clerk may subject the county master list, or lists of jurors selected for summoning, to processing performed by an authorized United States Postal Service ("USPS") National Change of Address ("NCOA") service provider. In the event such processing is performed, these requirements shall be followed:

- i. The NCOA vendor shall do all processing in-house and shall not outsource any part of the NCOA processing.
- ii. The clerk shall require the NCOA vendor to protect master list data possessed by the vendor.
- iii. The NCOA vendor must use the 48-month USPS NCOA database.

iv. Jurors with reported addresses reflecting in-county moves shall have their records updated and summonses sent to their updated addresses.

v. Jurors with reported addresses reflecting out-of-county moves shall be excused.

vi. If the NCOA vendor reports a juror address as invalid or undeliverable and there is no other valid address for such juror in the juror's record in the county master jury list, the juror shall be excused.

vii. A juror shall not be excused as the result of a reported NCOA/Federal Information Processing Standards ("FIPS") change of county unless there is also a change of address for the record.

viii. All local jury management issues not addressed by this Rule shall be addressed as authorized by law or by local court order.

6. Use of New Master Lists. The Council shall certify new county master jury lists on July 1 of each year, unless the Council has obtained an order from the Supreme Court extending that deadline. A new county master jury list shall be used by the clerk to summon jurors by the later of:

i. Three months after list certification, or

ii. The first summoning of jurors after list certification.

7. No Opinions Expressed. By promulgating this Rule, the Supreme Court does not express an opinion on any issue regarding jury selection, the operation of the Rule, or compliance with the Rule.

APPENDIX: INCLUSIVE SOURCE LIST; PROCESS AND BUSINESS RULES

PRIMARY RECORDS SOURCES

The following shall be used as the three sources of data for the creation of the statewide and county master jury lists. Such sources are referred to in this Appendix as “Primary Records Sources.”

Department of Driver Services

Records shall be secured from the Georgia Department of Driver Services (“DDS”). Such records shall include data relating to all persons 18 years of age or older and residents of this state with any of the following:

- (a) Valid driver’s licenses;
- (b) Driver’s licenses expired for 730 days or less;
- (c) State issued personal identification documents; or
- (d) Convictions for driving without a license in Georgia or another state.

The records provided by DDS exclude persons whose driver’s licenses have been suspended or revoked due to a felony conviction, persons whose driver’s licenses have been expired for more than 730 days, and persons who have been identified as not being citizens of the United States. See OCGA § 15-12-40.1 (b).

Secretary of State Voter Registration Records

Voter registration records shall be secured from the Georgia Secretary of State. Such records shall include data relating to all persons registered to vote within the state, including persons identified by the Secretary of State as “active” and “inactive.”

Previous Year Statewide Master Jury List

The preceding year’s statewide master jury list shall be used as a primary record source for the purposes of maintaining continuity of the Statewide Juror Number from year to year.

LIMITING RECORD SOURCES

The following record sources shall be used as sources of data to be applied to purge persons from the lists as indicated:

Department of Public Health Death Certificates

Death certification data shall be obtained from the Department of Public Health, including data

relating to available Georgia death certificates. Data shall include first name, last name, middle name, gender, date of birth, address/county of death, and address/county of residence.

List of Convicted Felons

(a) A list shall be obtained from the Department of Corrections of all persons who have been convicted of felonies in this state who have previously been or are actively managed by the Department.

(b) A list shall be obtained from the Department of Community Supervision of all persons who have been convicted of felonies in this state who have previously been or are actively managed by the Department.

(c) A list shall be obtained from the State Board of Pardons and Paroles of persons convicted of felonies who have had the right to serve as a juror restored.

Secretary of State: List of Persons Declared Mentally Incompetent

A list shall be obtained from the Secretary of State of all persons who have been declared mentally incompetent.

County Exception Lists

A request shall be made of each superior court clerk or appointed county jury clerk (“clerk”) for an electronic listing of all persons within such county who have been inactivated from jury service as follows:

- (a) Persons who have been inactivated due to permanent mental and/or physical disability;
- (b) Persons who are 70 years of age or older and who have been granted inactivation as the result of their age;
- (c) Persons who have been identified by the clerk as being deceased; and
- (d) Persons who have been identified by the clerk as ineligible due to their having been declared mentally incompetent by order of a court.

The county exception lists shall include the data elements specified by the Council of Superior Court Clerks (“Council”). These listings shall be submitted by such deadlines as determined by the Council for use in compiling the master jury lists.

MATCHING METHODOLOGY

Unless provided otherwise, record matching shall be made using more deterministic methods as provided below. This matching process is referred to in this Appendix as “deterministic matching.”

Matching shall be made using the following data fields as presented by the sources:

1. Surname;
2. First two characters of the first given name;
3. Gender; and
4. Date of birth.

ORDER OF TASKS

The procedures described in Tasks One through Six below need not be performed in that order or as separate or independent processes. After Tasks One through Six are completed, Task Seven shall be performed.

TASK ONE SOURCE LIST PREPARATION

Data Filters

Ineligible records shall be purged from the DDS source data using these six data fields:

1. License status;
2. License or personal identification field indicating license (L) or state issued personal identification (I);
3. DDS driver's license number or personal identification number;
4. Address date;
5. Date of driver's license or personal identification expiration; and
6. Address state.

DDS Source Data Filter Rule #1:

Purge from the DDS data any record where the license status equals "No License" and the license or personal identification field equals "L."

Do not purge records where the license or personal identification field equals "I."

DDS Source Data Filter Rule #2:

Purge all DDS records, including state issued personal identification records, where the address state is not equal to "GA."

DDS Source Data Filter Rule #3:

Do not purge from the DDS data any record of a state issued personal identification, even if it appears expired.

DDS Source Data Filter Rule #4:

Purge from the DDS data record(s) when two or more records have the same license/personal ID number.

Only one record shall be retained, which shall be the record containing the most recent:

- (a) Address date;
- (b) Expiration date; or
- (c) Document issue date.

DDS Source File Duplicate Removal

Identification of duplicates within the DDS file shall be performed, and duplicates shall be removed leaving one record in the resulting file.

Matching shall be made using deterministic matching.

Only one record shall be retained, which shall be the record containing the most recent:

- (a) Address date;
- (b) Expiration date; or
- (c) Document issue date.

Voter Source File Duplicate Removal

Identification of duplicates within the Voter source file shall be performed, and duplicates shall be removed leaving one record in the resulting file.

Matching shall be made using deterministic matching.

**TASK TWO
REMOVAL OF INELIGIBLE PERSONS FROM PRIMARY SOURCES**

Department of Public Health Death Certificates

Records shall be purged from both the DDS and the Voter Primary Records Sources relating to all persons found in the death certification data files when such records match using deterministic matching.

List of Convicted Felons

(a) Records of felons from the Department of Corrections and the Department of Community Supervision shall be purged where those records match records received from the Board of Pardons and Paroles of felons who have had the right to serve as a juror restored.

(b) The remaining persons from subparagraph (a) – namely, felons without a reported restoration of the right to serve on a jury – shall be purged from the DDS and the Voter Primary Records Sources.

Matching shall be made using deterministic matching.

List of Mentally Incompetent Persons

Records shall be purged from the DDS and the Voter Primary Records Sources relating to all persons found in the state agency list of mentally incompetent persons.

Matching shall be made using deterministic matching.

County Exception Lists

Records shall be purged from the DDS and the Voter Primary Records Sources relating to all persons found in the county exception lists for the following:

- (a) Persons who have been inactivated due to permanent mental and/or physical disability;
- (b) Persons who are 70 years of age or older and who have been granted inactivation as the result of their age;
- (c) Persons who have been identified by the clerk as being deceased; and
- (d) Persons who have been identified by the clerk as ineligible due to their having been declared mentally incompetent by order of a court.

Matching shall be made using deterministic matching.

To the extent that a county does not timely submit its county exception list to the Council, the Council shall nevertheless provide a county master jury list.

This provision shall not limit the authority of the local court or clerk to defer, excuse, or inactivate such persons locally pursuant to Paragraph 5 of the Jury Composition Rule.

TASK THREE ELIMINATING DUPLICATE RECORDS IN MERGED DDS AND VOTER FILES

Identifying Duplicate Records

Identification of duplicate records shall be performed on the merged DDS and Voter files, and

duplicates shall be removed leaving one record for matched records in the resulting file.

Matching shall be made using deterministic matching.

Selection of the Record to be Retained

Compare the DDS address-change date and/or date of license/personal identification issue and Voter date-of-last-contact. The source record with the most current date shall be selected.

TASK FOUR LINKING TO PRIOR YEAR MASTER LISTS

Linking Selected Records to Previous Year's Master Jury List for Statewide Juror Number

After duplicate DDS and Voter records have been eliminated, the remaining records shall be compared to the previous year's statewide master jury list for the purposes of linking the current year's records to the previous year's Statewide Juror Numbers. Matching shall be performed using deterministic matching.

Assignment of Statewide Juror Number

The Statewide Juror Numbers shall be assigned to the final records as follows:

- (a) The Statewide Juror Number in the previous year's record shall be assigned to the final file for a single pair of matched records.
- (b) If there are multiple record matches, the lowest Statewide Juror Number in the previous year's record shall be selected and assigned.
- (c) If there is no matching record(s), a new unique Statewide Juror Number shall be assigned to the new record. Such new Statewide Juror Number shall be the next incremental number greater than the highest number assigned to a record in the previous year's master jury list.
- (d) Due to the change from probabilistic record matching to deterministic matching, in compiling the 2018 statewide and county master jury lists, the Council is authorized to make appropriate adjustments to the records to resolve issues related to duplicated Statewide Juror Numbers, including the reassignment of Statewide Juror Numbers or the removal of records that are clearly duplicates of the same person.

TASK FIVE NAME AND ADDRESS STANDARDIZATION AND CLEANING

Name and address standardization procedures shall be performed prior to United States Postal Service ("USPS") National Change of Address ("NCOA") processing. The Council may authorize the NCOA vendor to perform one or more of these data cleaning services. The procedures shall be as follows:

(a) Apply software algorithms to extract, parse, and standardize DDS and Voter addresses from text fields to ensure the addresses are consistent with the national USPS Address Information System Standards.

(b) Match standardized addresses to the USPS Address Information System to identify potentially invalid addresses.

(c) If a DDS or a Voter record address is missing a ZIP code, use the USPS Automated Address System to add the 5-digit ZIP code and 4-digit ZIP code suffix.

(d) Although DDS and Voter records have separate first, last, and middle name data elements, standardization algorithms will standardize special cases (hyphenation, apostrophes).

(e) The NCOA report shall return the Federal Information Processing Standards (“FIPS”) codes to all DDS and Voter records necessary to reassign any NCOA reported moves to a new county within the state. Do not change county codes as originally received from the source records unless NCOA reports a move within the state to a new county.

TASK SIX NATIONAL CHANGE OF ADDRESS PROCESSING

NCOA Rule #1

(a) The NCOA vendor must use the 48-month USPS NCOA database.

(b) The selected NCOA vendor must do all processing in-house and cannot outsource any part of the DDS or Voter file matching.

NCOA Rule #2

The NCOA vendor shall report whether a residence move is an out-of-state, out-of-county, or in-county move.

(a) All records indicating out-of-state moves shall be purged.

(b) All records indicating out-of-county moves within Georgia shall be retained and the addresses corrected.

(c) All records indicating in-county moves shall be retained and the addresses corrected.

NCOA Rule #3

If NCOA indicates that an address is invalid or undeliverable:

(a) If there is only a single address in the record and that address is undeliverable, the record shall be purged.

(b) If there are two addresses in the record and both addresses are undeliverable, the record shall be purged.

(c) If there are two addresses in the record and one is undeliverable and one is deliverable, the undeliverable address shall be removed from the record and the deliverable address shall remain in the record.

TASK SEVEN FINALIZING JURY LISTS

The Council is authorized to use an electronic geocoding application to assist in determination of the final county assignment of the records.

The statewide master jury list and the county master jury lists shall contain at least the following data. At least one set of address fields shall be present. When data are not present when required as shown below, the record shall be purged.

1. Surname (data required);
2. First name (data required);
3. Middle name (field may be empty);
4. Birth day (data required);
5. Birth month (data required);
6. Birth year (data required);
7. A deliverable residence address or mailing address (one address required).

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