

HOUSE No. 477

By Mr. O'Flaherty of Chelsea, petition of Eugene L. O'Flaherty relative to the examination of jurors. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO THE EXAMINATION OF JURORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding the provisions of section twenty-eight of
2 chapter two hundred and thirty-four of the General Laws, in all
3 jury trials, both criminal and civil, in Bristol, Middlesex and
4 Worcester counties, there shall be a pilot program in which the
5 following procedures shall govern for two years following the
6 effective date of this act.

7 (1) In addition to whatever jury voir dire of the jury venire is
8 conducted by the court, and subject to the provisions in subpara-
9 graph (3) of this act for the commonwealth in criminal cases
10 involving multiple defendants, the court shall permit, upon the
11 request of any party or his attorney, a minimum of one hour for
12 the party or his attorney to conduct, under the direction of the
13 court, an oral examination of the jury venire.

14 (2) The court may impose reasonable limitations upon the ques-
15 tions allowed during such examination. Additional time may be
16 granted in the discretion of the court.

17 (3) In criminal cases involving multiple defendants, the com-
18 monwealth shall be entitled to the same amount of time as that to
19 which all defendants together are entitled.

20 (4) The chief justice for administration and management for the
21 trial court shall establish a procedure to keep, maintain and pub-
22 lish records for the pilot program, including, but not limited to,
23 the number of oral examination requests made pursuant to the pro-
24 visions of this act and the length of voir dire conducted.