



I.C.A.R. 62. Qualification of Prospective Jurors and Summons Process

Idaho Court Administrative Rule 62. Qualification of Prospective Jurors and Summons Process.

(a) All summonses and summons letters for jury service must be mailed to or personally served upon the prospective juror. A summons or a summons letter shall direct the prospective juror how and when to respond, which in addition to personally appearing may include contacting the jury commissioner for instructions on when and where to appear.

(b) If a prospective juror fails to report for jury service as directed, the juror may be required to appear and show cause for the failure to appear. A juror may also be held in contempt for failure to appear.

(c) The questions contained in the qualification questionnaire must be limited to those which elicit answers that may disqualify a person from jury service. The qualification questionnaire shall be in a form prescribed by the Supreme Court which form is attached hereto as Appendix A; provided however a supplemental administrative questionnaire addressing questions which are developed for administrative purposes only may be used if approved by the Administrative District Judge. The elected clerk or designated deputy clerk, or jury commissioner may provide an opportunity to prospective jurors to complete and return the qualification questionnaire and supplemental administrative questionnaire forms through email or other electronic means in lieu of mailing.

(d) A supplemental voir dire questionnaire addressing questions which are developed for the purpose of voir dire may be used if approved by the judge assigned to the case or the Administrative District Judge. The elected clerk or designated deputy clerk, or jury commissioner may provide an opportunity to prospective jurors to complete and return the supplemental voir dire questionnaire form through email or other electronic means in lieu of mailing.

(e) Responses to all juror questionnaires, including supplemental questionnaires, are confidential in accordance with IRCP 47(a) and ICR 23.1.

(f) If the one step method is used, service of the qualification questionnaire may be included in the mailing of the summons issued by the clerk or the jury commissioner; or the qualification questionnaire may be sent electronically or provided on-line at the same time as the summons or summons letter is mailed to the prospective juror.



(g) If the two step method is used, qualification questionnaires may be sent or provided, and completed and returned by mail, email or other reliable means of communication.

(h) The determination of disqualification of a prospective juror as well as the term of the disqualification shall be in accordance with Rule 62.1 below. A person who is disqualified shall be removed from the statewide master jury list or county master jury list, or both as appropriate.

(i) A prospective juror who fails to complete and return a juror qualification questionnaire within ten (10) days of the mailing thereof shall be directed by the jury commissioner or clerk to appear forthwith before the clerk or the jury commissioner to complete the qualification questionnaire. A prospective juror who fails to appear and complete the qualification questionnaire shall be ordered by the court to appear and show cause for failure to appear and complete the qualification questionnaire as directed. Contempt proceedings may also be initiated and the prospective juror's service may be postponed to a new prospective jury panel as set by the presiding judge.

(j) If a prospective juror is unable to complete the qualification questionnaire, another person may do so on behalf of the prospective juror and shall indicate that such person completed the qualification questionnaire and the reason therefor.

(k) If it appears there is an omission, ambiguity, or error in a returned qualification questionnaire, the clerk or the jury commissioner shall again send the qualification questionnaire with instructions and require the qualification questionnaire to be completed and returned within ten (10) days after the second mailing.

(l) All prospective jurors who are not disqualified following review of the qualification questionnaires shall be eligible for jury selection.

(Adopted November 17, 2021, effective January 1, 2022; amended February 25, 2022, effective February 28, 2022.)

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