

THE JUDICIAL COUNCIL OF THE FIFTH CIRCUIT

REVIEWING PANEL --- JURY SELECTION PLAN

General Order
No. 2000-8

The Middle District of Louisiana has proposed an amendment to its Jury Selection Plan as outlined in the attached letter dated September 18, 2000. The amendment, having been reviewed by the Reviewing Panel of this Circuit, is approved.

Entered for the Reviewing Panel at New Orleans, Louisiana, this 30th day of November, 2000.

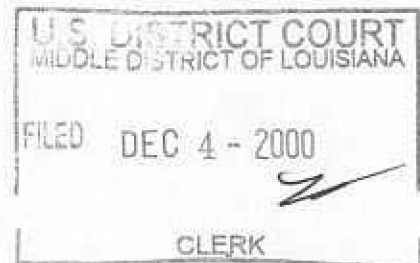


Gregory A. Nussel
Secretary to the Judicial Council
of the Fifth Circuit

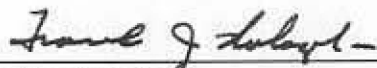
The following judges comprised and acted as the Reviewing Panel:

(a) The Judicial Council of the Fifth Circuit:

Carolyn Dineen King
E. Grady Jolly
W. Eugene Davis
Edith H. Jones
Jerry E. Smith
Rhesa H. Barksdale
Emilio M. Garza
Fortunato P. Benavides
Carl E. Stewart
Edith Brown Clement
Ralph E. Tyson
Richard T. Haik
Glen H. Davidson
Tom S. Lee
A. Joe Fish
George P. Kazen
Richard A. Schell
W. Royal Furgeson, Jr.



(b) United States District Judge:



Frank J. Polozola
Chief United States District Judge
Middle District of Louisiana

United States District Court

Middle District of Louisiana

Baton Rouge, La. 70801

Chambers of
Frank J. Polozola
Chief Judge

September 18, 2000

RECEIVED
U.S. COURT OF APPEALS
FIFTH CIRCUIT

SEP 20 2000

CIRCUIT EXECUTIVE

Mr. Gregory A. Nussel
Circuit Executive
Fifth Judicial Circuit
600 Camp Street, Room 300
New Orleans, LA 70130

Dear Greg:

I am submitting the enclosed amendment to Paragraph 7 of the Jury Plan for the Middle District of Louisiana for approval by the Circuit Council. The only change made is the inclusion of the words "unless the period of service is extended by the court" in two separate sentences. The proposed amendment is set forth in bold type.

The purpose of the amendment is to allow the court to extend the term of a jury panel. As you know, this court recently had to seek Judicial Council approval to extend a jury term because our plan did not provide that the Middle District judges had the authority to extend the term.

I shall be happy to answer any questions you or the Council may have on this issue.

Very truly yours,

Frank J. Polozola
Frank J. Polozola
Chief Judge
Middle District of Louisiana

FJP/jg

Enclosure

cc: Chief Judge Carolyn Dineen King
Judicial Officers

AMENDMENT TO JURY PLAN FOR MIDDLE DISTRICT OF LOUISIANA

Paragraph 7 of the Jury Plan for the Middle District of Louisiana is hereby amended as follows:

"DRAWING OF NAMES FROM MASTER JURY WHEEL FOR SELECTION, SUMMONING AND ASSIGNMENT OF PETIT OR GRAND JURY PLANS

A properly programmed electronic data processing system or a combination system employing both manual and electronic machine methods may also be used to select names of persons to be sent questionnaires, to select names of persons to be summoned for grand and petit jury service and to perform other clerical and record keeping functions as the court deems necessary. All selections of potential grand or petit jurors shall be made in purely random fashion, using the properly programmed automated system when possible. In the event of any failure in the automated system such names may be randomly selected manually by the clerk with a record maintained of the method used for such manual selection and the reason why manual, rather than automated, selection was used.

Every four months, or at such earlier time as may be ordered by the court, the clerk shall publicly draw at random from the master jury wheel a sufficient number of names, determined by the clerk after consultation with the chief judge, to be sufficient to provide for all grand or petit jury service within the next four month period **unless the period of service is extended by the court.** Qualification questionnaires will be generated from the automated system and mailed to jurors in the manner as provided for in this Plan. These questionnaires shall be returned by the individual to the clerk and shall be used by the court to determine if the individual qualifies to be a juror under this Plan. All

individuals so qualified will be placed into a pool which shall be known as the "qualified juror pool." Individuals who will be summonsed for service as either grand or petit jurors during this period will be randomly selected from this qualified juror pool. Upon termination of the four month period for which the qualified juror pool was selected, **unless the period of service is extended by the court** or at such earlier time as the court may order, all individuals constituting said pool, whether previously selected for service or not, shall be excused from further service for the remainder of the period during which that master wheel remains effective."

Purpose of Amendment

The added language allows the court to extend the term of the jury panel without the necessity of seeking Judicial Council approval.

UNITED STATES COURTS
FIFTH JUDICIAL CIRCUIT
600 CAMP STREET, ROOM 300
NEW ORLEANS, LOUISIANA 70130

GREGORY A. NUSSEL
CIRCUIT EXECUTIVE

PHONE: (504) 589-2730
FAX: (504) 589-2722

November 30, 2000

Honorable Frank J. Polozola
Chief U. S. District Judge
Middle District of Louisiana
777 Florida Street, Suite 313
Baton Rouge, LA 70801-1712



Re: Proposed Amendment to Jury Selection Plan -
Middle District of Louisiana

Dear Chief Judge Polozola:

The reviewing panel of the Fifth Circuit has approved the proposed amendment to the Jury Selection Plan for the Middle District of Louisiana as detailed in your letter dated September 18, 2000.

After signing the enclosed reviewing panel's certification form, please file the form and the amended Plan with the following offices:

Director, Administrative Office of the United States Courts;

Attorney General of the United States;


Circuit Executive, Fifth Circuit;

Clerk, United States Court of Appeals for the Fifth Circuit; and

Clerk, United States District Court for the Middle District of Louisiana.

Best regards.

Sincerely,


Kyle M. Boudreau
Assistant Circuit Executive

Enclosure

cc: All Judicial Council Members
Mr. Lawrence Talamo, Clerk