

HOUSE No. 1628

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 Seven.

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 jury
3 trials, both criminal and civil, there shall be a pilot program in which
4 the following procedures shall govern for two years following the
5 effective date of this act:—

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

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

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

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