

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA**

**ORDER REGARDING PROCEDURE            )**  
**FOR REFILLING DIVISIONAL            )** **STANDING ORDER NO. 36**  
**MASTER JURY WHEELS                 )**

This District Court’s Plan for the Qualification and Random Selection of Grand and Petit Jurors (the “Jury Plan”) provides for the periodic emptying and refilling of the divisional master jury wheels. Specifically, Section 4.03 of the Jury Plan provides that “[u]nless otherwise ordered by the Court, the Clerk is directed to empty and then refill the divisional master jury wheels every four years and this process shall be completed not later than March 31 of the year following a general presidential election year.”

The Clerk of Court has recommended, and this Court has determined, that the current procedure of refilling the master jury wheels in their entirety every four years is unwieldy in several respects. It is cumbersome for Clerk’s Office personnel to be obligated to perform the entire refilling procedure all at once, rather than in incremental steps. Moreover, this procedure creates inefficiencies as a result of the high and increasing incidence of stale, invalid addresses and contact information for prospective jurors late in the four-year period, thereby imposing escalating burdens on Clerk’s Office staff to identify and resolve those issues.

In the interest of ameliorating these imbalances, smoothing workflow, reducing the frequency of prospective jurors with stale addresses, and allocating resources in a prudent and efficient matter, the Clerk of Court is hereby directed to amend the procedure for emptying and refilling the divisional master jury wheels as follows: The divisional master wheels are to be completely emptied every four years, and refilled to one-half their current full levels, with such process to be completed not later than March 31 of the year following a general presidential election year. Not later than two years after that initial halfway refilling, the Clerk is directed to supplement the names within the divisional master jury wheels by filling them to their current full levels. Pursuant to this incremental, two-stage refilling process, the master jury wheels will be refilled halfway not later than March 31 of the year following a general presidential year, then refilled to the top within two years thereafter. Consistent with current practice, the master jury


wheels will then be emptied entirely and the refilling process commenced anew not later than March 31 of the year following the next general presidential year.

This Standing Order is authorized by Section 4.03 of the Jury Plan, which sets forth the refilling procedure “[u]nless otherwise ordered by the Court;” by Section 5.02 of the Jury Plan, which provides that the Chief Judge or other Supervising Judge “may order the Clerk to obtain additional names ... to be placed into the divisional master jury wheel;” and by 28 U.S.C. § 1863(b)(4), which provides that “[t]he chief judge of the district court, or such other district court judge as the plan may provide, may order additional names to be placed in the master jury wheel from time to time as necessary.”

To comply with Section 5.01 of the Jury Plan and 28 U.S.C. § 1863(b)(4), the Clerk’s initial refilling stage must result in each divisional master jury wheel containing at least one-half of 1 per centum of the total number of persons on the lists used as a source of names for such division. It is expressly understood that the two-stage refilling procedure set forth herein will not cause the total number of prospective jurors in any master jury wheel to fall below that 0.5% minimum threshold, even at the initial refilling stage.

DONE this 12<sup>th</sup> day of January, 2017.

FOR THE COURT:



William H. Steele  
Chief United States District Judge