

JURY SELECTION PLAN WEBB COUNTY

A plan for the method of selecting jurors by mechanical and electronic means was originally adopted in 1984, amended in 1988, amended in 2003, amended in 2019, and amended as an “emergency” plan in 2020. The District Court Judges hereby submit this newly amended plan for the method of selecting jurors to continue complying with the following administrative, constitutional and statutory duties which apply to all of the judges with jurisdiction in Webb County and shall supersede any plan previously adopted:

WHEREAS the District Court Judges of Webb County acknowledge their statutory duties to provide all litigants access to the courts; and

WHEREAS the District Court Judges of Webb County acknowledge their administrative duties to efficiently manage their respective caseloads; and

WHEREAS the District Court Judges of Webb County acknowledge their constitutional duties to administer and dispense justice; and

WHEREAS the District Court Judges of Webb County also recognize their statutory duty to provide a fair, impartial, and objective method of selecting names of persons for jury service pursuant to Texas Government Code Sections 62.001, 62.011 (b)(2), and 62.102.

IT IS THEREFORE ORDERED that the method of selecting jurors in Webb County shall be amended, and that all prior Plans and Methods, including the “Emergency” Plan previously adopted on May 20, 2020, shall be superseded by this order and by the following jury selection plan and method:

I. SOURCE OF NAMES

Pursuant to Section 62.001, Texas Government Code, the source of which names of prospective jurors will be taken, shall be:

1. The names of all persons on the current voter registration list from all the precincts in the county; and
2. All names on a current list to be furnished by the Texas Department of Public Safety, showing the citizens of Webb County who hold a valid Texas driver’s license, and the citizens of the county who hold personal identification card or certificate issued by the department, other than persons who are disqualified from jury service; and
3. Any other person who requests to be added to the list of prospective jurors, and is not otherwise disqualified pursuant to Section 62.102, Texas Government Code.

Moreover, the course of names shall not include those persons listed in a register of:

1. Persons exempt from jury service under Govt. Code 62.108, permanent exemption because of age.

2. Persons exempt from jury service under Govt. Code 62.109, permanent exemption because of physical or mental impairment or inability to comprehend English.
3. Persons exempt from jury service under Govt. Code 62.113, because the person is not a citizen of the United States.
4. Persons convicted of a felony, residing outside the country or who has been duplicated on the source list as a potential juror. Govt. Code 62.001 (f)

II. METHOD

Persons shall be selected for jury service at random with the aid of electronic equipment in a fair, impartial and objective manner from the source of names as specified above.

III. OFFICIAL IN CHARGE

The Clerk of the District Courts of Webb County, Texas is designated by the District Court Judges as the official to be in charge of the selection process and shall have the duties and authority set forth herein.

IV. SELECTION OF JURORS

The District Clerk shall notify by first class mail a court juror notification to all persons randomly selected to complete a qualification questionnaire.

The selection of the names of persons for jury service will be made with the aid of electronic equipment. Once the prospective jurors for the year have been loaded in the system and have been pre-qualified, the presiding judge from time to time shall order the District Clerk to summon however many jurors are needed for a particular jury day or week. Upon receipt of instructions from a District Judge, County Court at Law Judge, the County Judge or a Justice of the Peace or a designee to select a list of prospective jurors for a certain day or week, the District Clerk or the designee will program the computer application and/or software to randomly summon the number of jurors ordered to be selected. The jurors so selected and pre-qualified may serve interchangeably in all courts of Webb County in accordance with Texas Statutes and/or Texas Supreme Court Administrative Rules and Orders.

V. NOTICE OF JURY SERVICE

The Judges of the District Courts, County Courts at Law, County Court and Justice Courts shall provide, in a timely manner to the District Clerk, information regarding the required jury panels for the respective courts, consistent with the local rules as adopted by the Webb County Board of Judges.

A true and complete list showing the names and addresses of the persons summoned to begin service on a date specified by the courts shall be printed and kept by the District Clerk until said list has been used.

The District Clerk shall notify by electronic mail/message all persons randomly selected and listed for a particular day or week in a particular court to appear as jurors.

Jurors selected under this plan and Govt. Code 62.0111(b) may appear in response to a summons by (1) contacting the county officer, a designee responsible, or a member of the court staff of which juror has been

summoned to by computer [electronic mail], (2) by calling the county office, a designee responsible, or member of the court staff of which juror has been summoned to, or (3) by appearing in person as designated and provided by the District Court Judges or as per the local rules as adopted by the Webb County Board of Judges.

A juror under this plan, the county officer or a designee and the Court or a designee may provide or exchange information as allowed above to: (1) determine qualifications under 62.102, (2) determine exemptions under 62.106, (3) submit requests for postponement or excuses under 62.110, and (4) exchange information of juror reassignment under 62.106.

All costs incident to this plan shall be paid from the appropriate designated fund maintained by the county for paying the costs of jury trials.

VI. ADDITIONAL JURORS

If the Presiding Judge determines that the number of jurors previously selected for any designated date is insufficient, he shall direct the District Clerk to prepare a supplemental list containing a specified number of persons to be called for jury service in addition to those previously selected. Such additional persons shall be selected, listed and summoned in the same manner as those previously selected.

VII. JUDICIAL EXCUSES

As provided by Section 62.110, Texas Government Code, a court may hear any reasonable excuse of a prospective juror and release said juror from jury service entirely or until another day of the term.

In all cases, except a capital murder case, the Court's designee may hear any reasonable excuse of a prospective juror and discharge the juror or release him/her from jury service until a specified day of the term. During any and all jury selection proceedings on any capital murder case, the District Clerk and the Judges shall follow all applicable rules pursuant to the Texas Code of Criminal Procedure. For the purpose of this jury selection plan, the District Judges appoint the District Clerk and their respective Court Administrator as their designees.

A prospective juror may not be excused for an economic reason unless each party of record is present and approves the release of the juror for that reason or the Presiding Judge makes a good cause determination.

VIII. POSTPONED JURORS

The District Clerk may hear requests for and grant a postponement if the person summoned has not been granted a postponement within the preceding year. The substitute date shall be within six months of the date the person was originally summoned.

IX. RECONSTITUTION OF JURY SERVICE

The list of prospective jurors shall be reconstituted before the end of the Judicial Calendar year or when the list is exhausted, whichever occurs first. The District Clerk shall keep the District Court Judges apprised of the number of prospective jurors used and the number of names remaining on the list. The District Clerk, in his or her discretion, may order the reconstitution of the Voter Registration list or the Department of

Public Safety list and the addition of new names to the lists as provided above, but in no event may the duration of the list be more than 2 years.

X. RECOMMENDATION

It is hereby ordered that this plan for the selection and management of persons for jury service with the aid of electronic or mechanical equipment pursuant to Government Code 62.011 be submitted to the Commissioner’s Court of Webb County for approval and entry in the minutes of the Court. The plan will become effective November 1, 2023.

IT IS THEREFORE ORDERED that the District Court Judges of Webb County hereby implement a new judicial plan of selecting the course names of persons provided for prospective jury service in Webb County by amending the current method and plan to include solely the names of all prospective jurors previously pre-qualified pursuant to IV. Selection of Jurors, of this plan, and by excluding all persons exempted and/or deemed disqualified by the District Court Judges or their assigns during previously conducted juror qualification hearings; and

IT IS THEREFORE ORDERED that the District Court Judges of Webb County hereby authorize all prospective jurors summoned during the judicial year to participate, and respond, to the courts’ jury summons by appearing in person or via remote broadcast method made available, and as designated, by the District Court Judges of Webb County.

Signed on this 1st day of November, 2023.

Joe Lopez, Judge
49th Judicial District Court

Monica Z. Notzon, Judge
111th Judicial District Court

Beckie Palomo, Judge
341st Judicial District Court

Oscar J. Hale, Jr., Judge
406th Judicial District Court

WHEREAS, the District Judges of Webb County have recommended to the Commissioner’s Court of Webb County that the herein proposed “Webb County Jury Selection Plan” be officially approved and adopted for Webb County, Texas; and

NOW, THEREFORE, IT IS ORDERED by the Commissioner’s Court of Webb County, Texas that the proposed “Webb County Jury Selection Plan” is hereby officially approved and adopted to become effective November 1st, 2023 and ORDERED to be recorded in the official minutes of this Court on the 13th day of November, 2023.

Tano E. Tijerina, Webb County Judge

**Jesse Gonzalez
Commissioner, Precinct 1**

**Rosaura “Wawi” Tijerina
Commissioner, Precinct 2**

**John Galo
Commissioner, Precinct 3**

**Ricardo Jaime
Commissioner, Precinct 4**

Attest:

Margie Ibarra, Webb County Clerk