

SENATE BILL NO. 5—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED DECEMBER 13, 2010

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the selection and summoning of grand jurors in certain counties. (BDR 1-319)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to grand juries; revising provisions governing the selection and summoning of grand jurors in certain counties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides for the selection and summoning of grand jurors in any
2 county having a population of 100,000 or more (currently Clark and Washoe
3 Counties). (NRS 6.110) This bill revises the process for selecting prospective grand
4 jurors, increases the number of alternate grand jurors and requires the court, rather
5 than the sheriff, to summon proposed grand jurors in any such county.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 6.110 is hereby amended to read as follows:
2 6.110 1. In any county having a population of 100,000 or
3 more, the selection of persons as proposed grand jurors must be
4 made in the manner prescribed in this section upon notice from any
5 district judge as often as the public interest may require and at least
6 once in each 4 years. The clerk of the court under the supervision of
7 the district judge presiding over the impaneling of the grand jury
8 shall select at random the names of at least 500 ~~qualified~~ persons
9 to be called as prospective grand jurors. The clerk shall ~~then~~



1 prepare and mail to each person whose name was selected a
2 questionnaire prepared by the district judge stating the amount of
3 pay, the estimated time required to serve and the duties to be
4 performed. Each recipient of the questionnaire must be requested to
5 complete and return the questionnaire, indicating ~~{thereon}~~ **on the**
6 **questionnaire** his or her willingness and availability to serve on the
7 grand jury. The clerk shall continue the selection of names and
8 mailing of questionnaires until a panel of 100 **qualified** persons who
9 are willing to serve is established.

10 2. A list of the names of persons who indicated their
11 willingness to serve as grand jurors must be made by the clerk of the
12 court and a copy furnished to each district judge. The district judges
13 shall meet within 15 days thereafter and shall, in order of seniority,
14 each select one name from the list until **at least** 50 persons have
15 been selected. A list of the names of the persons selected as
16 proposed grand jurors must be made by the clerk, certified by the
17 **chief judge of the** district ~~{judges making the selection}~~ **court** and
18 filed in the clerk's office. The clerk shall immediately issue a venire,
19 ~~{directed to the sheriff of the county, commanding the sheriff to}~~
20 **and the court shall** summon the proposed grand jurors to attend in
21 court at such time as the district judge directs.

22 3. The ~~{sheriff}~~ **court** shall summon the proposed grand jurors,
23 and the district judge presiding over the impaneling of the grand
24 jury shall select at random from their number 17 persons to
25 constitute the grand jury and ~~{12}~~ **14** persons to act as alternate
26 grand jurors. If for any reason ~~{eight or more}~~ **an insufficient**
27 **number of** proposed grand jurors fail to appear, additional proposed
28 grand jurors sufficient to complete the panel of grand jurors and
29 alternates must be selected from the list of prospective grand jurors
30 by the district judge presiding over the impaneling, and the persons
31 so selected must be summoned to appear in court at such time as the
32 district judge directs.

33 4. Every person named in the venire as a grand juror must be
34 served by the ~~{sheriff}~~ **court** mailing a summons to the person
35 commanding the person to attend as a juror at a time and place
36 designated ~~{therein.}~~ **in the summons.** The summons must be
37 registered or certified and deposited in the post office addressed to
38 the person at his or her usual mailing address. The receipt of the
39 person so addressed for the registered or certified summons must be
40 regarded as personal service of the summons upon the person and no
41 mileage may be allowed for service. ~~{The postage and fee for~~
42 ~~registered or certified mail must be paid by the sheriff and allowed~~
43 ~~him or her as other claims against the county.}~~

44 5. If for any reason a person selected as a grand juror is unable
45 to serve on the grand jury until the completion of its business, the



- 1 district judge shall select one of the alternate grand jurors to serve in
- 2 his or her place. ~~[An alternate must be served by the sheriff in the~~
- 3 ~~manner provided in subsection 4.]~~
- 4 **Sec. 2.** This act becomes effective upon passage and approval.

