

## CHAPTER 607A

## JURIES

Referred to in §602.1209, 602.8102(92)

See also R.C.P. 1.915 - 1.917 and R.Cr.P. 2.18

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**607A.1 Declaration of policy.**

It is the policy of this state that all persons be selected at random from a fair cross section of the population of the area served by the court, and that a person shall have both the opportunity in accordance with the provisions of law to be considered for jury service in this state and the obligation to serve as a juror when selected.

[86 Acts, ch 1108, §9](#)

**607A.2 Prohibition of discrimination.**

A person shall not be excluded from jury service or from consideration for jury service in this state on account of age if the person is eighteen years of age or older, race, creed, color, sex, national origin, religion, economic status, physical disability, or occupation.

86 Acts, ch 1108, §10

**607A.3 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Clerk*” means clerk of the district court or the clerk’s designee.
  2. “*Court*” means the district court of this state and includes, when the context requires, a judicial officer as defined in [section 602.1101](#).
  3. “*Electronic data processing system*” means an electronic jury management system as designated by the state court administrator.
  4. “*Identification*” means the random drawing of names in a manner immune to any subjective bias so that no recognizable class of the population from which names are being randomly drawn can be purposefully included or excluded.
  5. “*Juror*” means any person identified for service on either the grand or petit jury who attends court when originally instructed to report or is deferred to a future date uncertain, or is on-call and available to report to court when so needed and so requested by the court.
  6. “*Jury pool*” means the sum total of prospective jurors reporting for service.
  7. “*Jury wheel*” means a physical device or electronic data processing system for storage of the names and addresses or identifying numbers of prospective jurors.
  8. “*Master jury list*” means the list of names taken from the source lists for possible jury service.
  9. “*Motor vehicle operators list and nonoperators identification list*” means the official records maintained by the state of the names and addresses of those individuals in the respective counties retaining valid motor vehicle driver’s licenses or nonoperator’s identification cards.
  10. “*Panel*” means those jurors drawn or assigned for service to a courtroom, judge, or trial.
  11. “*Person with a disability*” means a person who is not physically able to operate a motor vehicle or use public transportation without assistance due to a physical disability.
  12. “*Source lists*” means the voter registration list, the motor vehicle operators list, the nonoperators identification list, and other comprehensive lists of persons residing in a county as identified pursuant to [section 607A.22](#).
  13. “*Term of service*” means the period of time a juror is requested to serve.
  14. “*Voter registration list*” means the official records maintained by the state of names and addresses of persons registered to vote.
- 86 Acts, ch 1108, §11; 87 Acts, ch 85, §1, 2; 90 Acts, ch 1233, §37; 96 Acts, ch 1163, §1; 96 Acts, ch 1219, §31; 2017 Acts, ch 133, §10 – 12

Section amended and subsections editorially renumbered

**607A.4 Jury service — minimum qualifications — disqualification — documentation.**

1. To serve or to be considered for jury service, a person must possess the following minimum qualifications:

- a. Be eighteen years of age or older.
- b. Be a citizen of the United States.
- c. Be able to understand the English language in a written, spoken, or manually signed mode.
- d. Be able to receive and evaluate information such that the person is capable of rendering satisfactory juror service.

2. However, a person possessing the minimum qualifications for service or consideration for service may be disqualified for service or consideration for service if the person has, directly or indirectly, requested to be placed on a list for juror service.

3. A person who claims disqualification for any of the grounds identified in [this section](#)

may, upon the person's own volition, or shall, upon the court's volition, submit in writing to the court's satisfaction, documentation that verifies disqualification from juror service.

[86 Acts, ch 1108, §12](#)

Referred to in [§48A.30](#)

**607A.5 Automatic excuse from jury service.**

A person shall be excused from jury service if the person submits written documentation verifying, to the court's satisfaction, that the person is solely responsible for the daily care of a person with a permanent disability living in the person's household and that the performance of juror service would cause substantial risk of injury to the health of the person with a disability, or that the person is the mother of a breastfed child and is responsible for the daily care of the child. However, if the person is regularly employed at a location other than the person's household, the person shall not be excused under [this section](#).

[86 Acts, ch 1108, §13](#); [94 Acts, ch 1196, §22](#); [96 Acts, ch 1129, §104](#)

**607A.6 Discretionary excuse from jury service.**

The court may defer a term of grand or petit juror service upon a finding of hardship, inconvenience, or public necessity; however the juror may be required to serve at a later date established by the court. The court may excuse a person from grand juror service, considering the length of grand juror service, in part or in full, upon a finding that such service would threaten the person's economic, physical, or emotional well-being, or the well-being of another person who is dependent upon the person, or other similar findings of extreme hardship. The courts shall exercise this authority strictly. However, in exercising this authority the court shall allow the employer of the person being asked to serve to give testimony in support of a request by the person for deferral or excuse. The court may dismiss a juror at any time in the interest of justice.

[86 Acts, ch 1108, §14](#)

**607A.7 False excuse — prohibited requests — penalty.**

A person who knowingly makes a false affidavit, statement, or claim, for the purpose of relieving the person or another person from juror service, or a person who requests the court to select the person as a juror for a particular case, commits contempt.

[86 Acts, ch 1108, §15](#)

**607A.8 Fees and expenses for jurors.**

1. A grand juror and a petit juror in all courts shall receive thirty dollars as compensation for each day's service or attendance, including attendance required for the purpose of being considered for service. The supreme court may adopt rules that allow additional compensation for jurors whose attendance and service exceeds seven days.

2. A grand juror and a petit juror in all courts shall receive reimbursement for mileage expenses at the rate specified by the supreme court for each mile traveled each day to and from the residence of the juror to the place of service or attendance, and shall receive reimbursement for actual expenses of parking, as determined by the clerk of the district court. A juror who is a person with a disability may receive reimbursement for the costs of alternate transportation from the residence of the juror to the place of service or attendance. A juror shall not receive reimbursement for mileage expenses or actual expenses of parking when the juror travels in a vehicle for which another juror is receiving reimbursement for mileage and parking expenses.

3. A grand juror or a petit juror in all courts may waive the right of the juror to receive compensation under [subsection 1](#) or reimbursement under [subsection 2](#).

[86 Acts, ch 1108, §16](#); [96 Acts, ch 1163, §2](#); [96 Acts, ch 1219, §32](#); [2005 Acts, ch 171, §8](#); [2007 Acts, ch 210, §4](#); [2010 Acts, ch 1159, §11](#)

Referred to in [§602.11101](#)

**607A.9 Ex officio commissions.** Repealed by 2017 Acts, ch 133, §25.

**607A.10 Appointive commission — master list.** Repealed by 2017 Acts, ch 133, §25.

**607A.11 Limitation on appointment.** Repealed by 2017 Acts, ch 133, §25.

**607A.12 Manner of appointment.** Repealed by 2017 Acts, ch 133, §25.

**607A.13 Clerk to notify.** Repealed by 2017 Acts, ch 133, §25.

**607A.14 Vacancy.** Repealed by 2017 Acts, ch 133, §25.

**607A.15 Qualification — tenure.** Repealed by 2017 Acts, ch 133, §25.

**607A.16 Instructions to appointive commission.** Repealed by 2017 Acts, ch 133, §25.

**607A.17 Compensation and expenses.** Repealed by 2017 Acts, ch 133, §25.

**607A.18 Assistants.** Repealed by 2017 Acts, ch 133, §25.

**607A.19 Jury commissions not required.** Repealed by 2017 Acts, ch 133, §25.

**607A.20 Jury manager.**

The chief judge of the judicial district shall appoint an individual to serve as the jury manager for each county in that district. A jury manager shall be responsible for the implementation of [this chapter](#) for the jury manager's county and shall assist the state court administrator in implementing [this chapter](#). A jury manager shall retain proper records to document, as directed by the chief judge or state court administrator, that the procedures used to randomly identify prospective jurors meet the requirements of [this chapter](#).

[86 Acts, ch 1108, §28; 2017 Acts, ch 133, §13](#)

Section amended

**607A.21 Master jury list.**

The electronic data processing system shall create a master jury list by merging all of the names from the source lists and removing duplicative entries. The state court administrator shall ensure the electronic data processing system updates the master jury lists from the source list at least once every year. The names entered in the master jury lists constitute the grand and petit master jury lists, from which grand and petit jurors shall be identified.

[86 Acts, ch 1108, §29; 87 Acts, ch 85, §5; 2017 Acts, ch 133, §14](#)

Section stricken and rewritten

**607A.22 Use of source lists — information provided.**

1. The state court administrator shall ensure the following source lists are merged in the electronic data processing system when preparing grand and petit master jury lists:

- a. The current voter registration list.
- b. The current motor vehicle operators list and nonoperators identification list.

2. A jury manager may use any other current comprehensive list of persons residing in the county which the state court administrator or the jury manager determines are useable for the purpose of a juror source list.

3. The applicable state and local government officials shall furnish, upon request, the state court administrator or the jury manager with copies of lists necessary for the formulation of source lists at no cost.

[86 Acts, ch 1108, §30; 87 Acts, ch 85, §6; 92 Acts, ch 1093, §1; 2013 Acts, ch 30, §184; 2017 Acts, ch 133, §15](#)

Referred to in [§607A.3](#)

Section amended

**607A.23 Judicial division of county.**

In counties which are divided for judicial purposes, and in which court is held at more than one place, each division shall be treated as a separate county, and the grand and petit jurors,

selected to serve in the respective courts, shall be drawn from the division of the county in which the court is held and at which the persons are required to serve.

[86 Acts, ch 1108, §31](#)

**607A.24 Certification.** Repealed by 2017 Acts, ch 133, §25.

**607A.25 Storing and security of master jury lists.**

The master jury lists shall be stored in the electronic data processing system, and shall be accessible to only the state court administrator or state court administrator's designee, or the jury manager or jury manager's designee.

[86 Acts, ch 1108, §33; 2017 Acts, ch 133, §16](#)

Section stricken and rewritten

**607A.26 Preservation of records.**

The clerk or jury manager shall preserve all records and lists compiled and maintained in connection with the identification and service of jurors for four years, or for any longer period ordered by the state court administrator or chief judge of the judicial district.

[86 Acts, ch 1108, §34; 2017 Acts, ch 133, §17](#)

Section amended

**607A.27 Preparation for drawing of panels.** Repealed by 2017 Acts, ch 133, §25.

**607A.28 Ballot boxes — sealed and custody — security of programs.** Repealed by 2017 Acts, ch 133, §25.

**607A.29 Length of service.**

In any two-year period, a person shall not be required:

1. To serve or attend court for prospective juror service for more than a term of service ordered by the court, not to exceed three months, unless necessary to complete service in a particular case.

2. To serve on more than one grand jury.

3. To serve or attend as both a grand and a petit juror.

[86 Acts, ch 1108, §37](#)

**607A.30 Drawing of jury pools.**

1. At times necessary for the identification of grand and petit jurors, the jury manager shall arrange for the electronic data processing system to draw the necessary number of grand and petit jurors from the master jury list.

2. The chief judge of the judicial district may by order prescribe the time for the drawing by the jury manager.

3. The jurors identified constitute the jury pool and shall be notified by the clerk or jury manager by regular mail when called.

[86 Acts, ch 1108, §38; 2017 Acts, ch 133, §18](#)

Section amended

**607A.31 Notice of drawing.** Repealed by 2017 Acts, ch 133, §25.

**607A.32 Absence of commissioner.** Repealed by 2017 Acts, ch 133, §25.

**607A.33 Electronic data processing system — identifying jurors.**

The designated electronic data processing system shall be used for the identification of jurors.

[86 Acts, ch 1108, §41; 2017 Acts, ch 133, §19](#)

Referred to in [§607A.35](#)

Section stricken and rewritten

**607A.34 Resealing of box.** Repealed by 2017 Acts, ch 133, §25.

**607A.35 Notice to report.**

After the list or lists have been drawn in the manner provided in [section 607A.33](#), and immediately upon the request of the court, the clerk shall issue a notice to report, by regular mail, to the persons identified to appear at the courthouse at times as the court prescribes, for service as petit or grand jurors.

[86 Acts, ch 1108, §43; 2017 Acts, ch 133, §20](#)

Section amended

**607A.36 Contempt.**

If a person fails to appear when notified to report or at a regularly scheduled meeting, without providing a sufficient cause, the court may issue an order requiring the person to appear and show cause why the person should not be punished for contempt, and unless the person provides a sufficient cause for the failure, the person may be punished for contempt.

[86 Acts, ch 1108, §44](#)

**607A.37 Cancellation for illegality.**

If the court determines that the petit or grand jurors have been illegally identified or notified to report, the court may set aside the order under which the jurors were identified or notified and direct that a new identification and notification of a sufficient number of replacement jurors take place.

[86 Acts, ch 1108, §45; 2017 Acts, ch 133, §21](#)

Section amended

**607A.38 Discharged jurors — notification.**

Jurors who have been discharged for any reason may, during the calendar quarter, be instructed to again report if the business of the court necessitates such action.

[86 Acts, ch 1108, §46](#)

**607A.39 Additional jurors.**

The court may order as many additional jurors identified for a jury pool or panel as the court deems necessary.

[86 Acts, ch 1108, §47; 2017 Acts, ch 133, §22](#)

Referred to in [§607A.41](#)

Section amended

**607A.40 Discharge of panel.**

The court may at any time discharge the panel of jurors, or any part of it, and order a new panel, or the number of jurors as deemed necessary, to be drawn.

[86 Acts, ch 1108, §48](#)

Referred to in [§607A.41](#)

**607A.41 Method of subsequent drawing.**

The names of the jurors identified under [sections 607A.39](#) and [607A.40](#) shall be drawn by the electronic data processing system that was used to draw the original jury pool or panel.

[86 Acts, ch 1108, §49; 2017 Acts, ch 133, §23](#)

Section amended

**607A.42 Disposition of names drawn.** Repealed by 2017 Acts, ch 133, §25.**607A.43 Correcting illegality in original lists.**

If the court for any reason determines that there has been such substantial failure to comply with the law relative to jury identification, preparation, or return of grand or petit lists that lawful grand or petit jurors cannot be drawn, or that the lists are exhausted or insufficient for the needs of the court, the court shall order the jury manager or state court administrator to use electronic data processing techniques to prepare lists in lieu of the lists which have been found to be illegal, or an additional list or lists as the court deems necessary.

[86 Acts, ch 1108, §51; 2017 Acts, ch 133, §24](#)

Section amended

**607A.44 Notice to ex officio jury commission or jury manager.** Repealed by 2017 Acts, ch 133, §25.

**607A.45 Employer prohibited from penalizing employee — penalty — action for lost wages.**

1. An employer shall not deprive an employee of employment or threaten or otherwise coerce an employee with respect to the employee's employment because the employee receives a notice to report, responds to the notice, serves as a juror, or attends court for prospective juror service. An employer who violates [this subsection](#) commits contempt.

2. If an employer discharges an employee in violation of [subsection 1](#), the employee may within sixty days of the discharge bring a civil action for the recovery of wages lost as a result of the violation and for an order requiring the reinstatement of the employee. Damages recoverable shall not exceed lost wages for a period of six weeks. If the employee prevails, the employee shall be allowed reasonable attorney fees as determined by the court.

[86 Acts, ch 1108, §53](#)

**607A.46 Delinquency of officers.**

A judicial officer, court employee, or other governmental official who intentionally fails to perform a legal duty imposed by [this chapter](#), or who acts with willful malfeasance in the discharge of a legal duty imposed by [this chapter](#), commits a serious misdemeanor.

[86 Acts, ch 1108, §54](#)

**607A.47 Juror questionnaire.**

The court may, on its own motion, or upon the motion of a party to the case or upon the request of a juror, order the sealing or partial sealing of a completed juror questionnaire, if the court finds that it is necessary to protect the safety or privacy of a juror or a family member of a juror.

[2007 Acts, ch 210, §5](#)