

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

**IN THE MATTER OF
IMPLEMENTATION OF A REVISED
JURY PLAN FOR RANDOM JURY
SELECTION**

GENERAL ORDER 2011-11

ORDER

Pursuant to the Revised Jury Plan for Random Jury Selection (Jury Plan) adopted by the court on November 29, 2011; and under 28 U.S.C. § 1863, the summoning and qualifying of jurors for all grand and petit juries for Jury Divisions One, Two, Three and Four from the Master Jury Wheel shall follow the provisions set forth in the Jury Plan, which shall be effective on the date of approval by the Judicial Council of the Tenth Circuit Court of Appeals.

As Chief Judge of the district court I retain the authority under the Jury Selection and Service Act of 1968, as amended (28 U.S.C. §§ 1861-1878), to designate a district court judge to perform particular duties under the Act. Accordingly, I hereby designate and authorize District Court Judge Christine M. Arguello to perform the following functions pursuant to the Jury Plan.

1. To supervise the clerk of the court and designated deputies in the management of the prospective jury selection process, in accordance with Section Four, Jury Plan Management.
2. To enter the appropriate and necessary orders to draw, periodically add, empty or refill names to the master jury wheel, as set forth in Section Nine, Master Jury Wheel.

3. To require, when necessary, the United States Marshal to summon a sufficient number of petit jurors when there is an unanticipated shortage of available petit jurors drawn from the master jury wheel, pursuant to 28 U.S.C. § 1866(f), in accordance with Section Thirteen, Unanticipated Shortage of Jurors.
4. To manage the procedure to investigate and resolve juror complaints of retaliation by employers, in coordination with the clerk of the court, in accordance with Section Twenty-One, Penalty for Employers Who Retaliate Against Employee.

With the exception of special petit jury panels for which the determination of undue hardship excuses is reserved to each panel's presiding individual judicial officer, I furthermore designate and authorize Judge Arguello to make determinations to excuse individual prospective jurors requesting excuses based on undue hardship or claiming any other reason that would prevent a person from serving as a juror.

As Chief Judge of the district court I also retain the authority under the Jury Selection and Service Act of 1968, as amended (28 U.S.C. §§ 1861-1878), to designate the clerk of the court to perform particular duties under the Act. Accordingly, I hereby designate and authorize the clerk of the court and designated deputies to perform the following functions pursuant to the Jury Plan.

1. To manage the prospective jury selection process, subject to the supervision and control of Judge Arguello, in accordance with Section Four, Jury Plan Management.

2. To determine qualifications, disqualifications, exemptions and excuses of prospective jurors based on the information provided on the juror qualification questionnaire and other competent evidence, in accordance with Section Seventeen, Determination of Qualification, Disqualification and Exemption.
3. To make determinations to excuse individual prospective jurors requesting excuses as a result of being in one of the following occupational classes or groups of persons whose jury service would entail undue hardship or extreme inconvenience, in accordance with Section Eighteen, Excused From Jury Service On Individual Request:
 - a. persons who have served as grand or petit jurors in any court, within the last two years;
 - b. persons over 70 years of age;
 - c. persons who are essential to the care of a child or children under ten years of age wherein undue hardship exists;
 - d. persons who are essential to the care of an aged or infirm person wherein undue hardship exists;
 - e. persons who reside outside the jury divisions from which they were summoned; or
 - f. volunteer safety personnel serving a public agency, in an official capacity without compensation, such as firefighters or members of rescue squads or ambulance crews.

The Revised Jury Plan shall be effective as of December 15, 2011, after approval by the Judicial Council of the Tenth Circuit Court of Appeals.

It is so **ORDERED**.

Dated at Denver, Colorado, this 2nd day of December, 2011.

BY THE COURT:

 s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge