

IN THE IOWA DISTRICT COURT  
IN AND FOR THE FIFTH JUDICIAL DISTRICT

IN RE: SPECIAL JURY POOLS  
REQUIREMENTS AND PROCEDURES IN  
POLK COUNTY

ADMINISTRATIVE ORDER 2019 - 61

In 2011, the National Center for State Courts (NSC) performed a review of jury procedures in Polk County. Ultimately, the NSC found that Polk County consistently called too many jurors each Monday and Wednesday. This resulted in a significant expense for juror fees, parking, etc., and a tremendous inconvenience for the people called to the courthouse, who are then sent home without participating in jury selection. It also exacerbated the overcrowding problem for our other jurors. The conclusions from the NSC study remain relevant and, therefore, continue to affect the jury procedures that are currently in place.

The NSC study was also the genesis for special jury pools, commonly known as "special panels." In 2011, the decision was made to utilize special jury pools where the requested jury panel exceeded 50 jurors. In May 2019, a review of the special jury pool process was conducted. The overwhelming consensus was that special jury pools were being overutilized.

In calendar year 2019, 6,465 jurors were summoned for special jury pools. Of that number, 3,034 jurors actually reported. In total, twenty-six (26) special jury pools were called. Only fourteen (14) were used. Stated differently, only 54% of the special jury pools called to report were utilized. Section 5(e) of the Jury Management Policy, as promulgated by the Iowa Judicial Branch, suggests that figure should not be less than 90%.

Therefore, to utilize Fifth Judicial District's resources more effectively and to promote the ideal of efficient court administration within the Fifth Judicial District, IT IS HEREBY ORDERED:


I. Requirements:

- A. Only the following case types shall be eligible for a special jury pool: 1) Class A Felonies; 2) other felonies in which an expanded media request has been filed; and 3) large, multi-party civil litigation;
- B. If the parties conclude a special jury pool is necessary, the parties shall file a Motion requesting a special jury pool, along with a proposed questionnaire, if applicable, not less than six (6) weeks prior to the scheduled trial date. The trial court, including its staff, shall no longer inquire, sua sponte, as to whether a special jury pool is necessary;
- C. Special jury pools shall be utilized only after consultation with and authorization from the Chief Judge or Assistant Chief Judge.

II. Procedures:

- A. If a special jury pool has been confirmed, a trial continuance shall be granted only after consultation with and authorization from the Chief Judge or Assistant Chief Judge.
- B. All special jury pool members shall report by 8:00AM on the Friday immediately preceding the scheduled trial date, at which time the trial court shall complete jury orientation and distribute jury questionnaires, if applicable;
- C. The trial court shall commence individual jury selection, with counsel present, at 1:30PM on the Friday immediately preceding the scheduled trial date. If individual jury selection is not completed by 4:30PM Friday afternoon, the trial court is strongly encouraged to complete individual jury selection by 12:00PM on Monday, but in no event later than 4:30PM.
- D. If individual jury selection is completed by 4:30PM Friday afternoon, jury selection for the entire panel shall commence the following Monday at 1:30PM. If individual jury selection is not completed by 4:30PM Friday afternoon, jury selection for the entire panel shall commence the following Tuesday at 9:00AM.

So Ordered this 19<sup>th</sup> day of December, 2019.



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MICHAEL D. HUPPERT, CHIEF JUDGE  
FIFTH JUDICIAL DISTRICT OF IOWA

Copies to:  
Acting Chief Justice David Wiggins, Iowa Supreme Court  
Todd Nuccio, State Court Administrator  
Christopher Patterson, District Court Administrator  
Asst. District Court Administrators  
All District 5 Judges  
Anne Sheeley, Polk Co Clerk of Court  
Jury Manager, Polk County