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ORDINANCE NO. 599-0

ORDINANCE OF THE CITY OF TROUTDALE RELATING TO JURIES IN THE MUNICIPAL COURT, AMENDING ORDINANCE 156 (CODIFIED AS TROUTDALE MUNICIPAL CODE 2.16 ARTICLE II)

- 6 WHEREAS, the present ordinance relating to jury trials reflects out of date jury selection7 criteria and procedures; and
- 8 WHEREAS, more streamlined and current procedures will give better direction to the9 Municipal Court and staff; now therefore
- 10 BE IT ORDERED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:
- 11 Ordinance 156 is amended as follows:
- 12 1. Section (1) (now section .040) shall be amended to read as follows:
- 13Any person accused of any offense defined and made punishable as a crime14by the charter or any ordinance of this city shall have the right to trial by15jury in the municipal court. The jury shall consist of six persons, selected as16provided in this article.
- 172.Section (2) (now section .050) shall be deleted in its entirety and replaced18to read as follows:
 - The clerk of the court shall, each month, compile a jury list from persons within the corporate limits of the City of Troutdale qualified to serve as jurors. These jurors shall serve until a new list is selected. The jurors shall be selected from voter registration lists of residents of the City of Troutdale. The list shall contain the names of no less than forty (40) qualified persons.
 - A juror is qualified to act as a juror unless the person:

25	a. Is not a citizen of the United States;
26	b. Does not live within the corporate limits of the City of Troutdale;
27	c. Is less than eighteen (18) years of age; or
28	d. Has had rights and privileges withdrawn as an effect of a felony
29	conviction which rights and privileges have not been restored.

1	3.	Section 3 (now section .060) shall be deleted in its entirety.
2	4.	Section 4 (now section .070) shall be amended to read as follows:
3 4 5 6 7	• •	"The court clerk [municipal judge] is hereby authorized to select and make this [such] jury list. [If the municipal judge so desires, he may call to his aid two freeholders of the City, qualified to serve as jurors therein, and such freeholders, together with the judge, may make such list.]"
8	5.	Section 6 (now section .090) shall be amended to read as follows:
9 10 11 12		The jury list shall contain the first and surname and [the] place of residence [and occupation] of each person named therein and shall be certified by the court clerk [municipal judge] at the time the list is prepared.
13	6.	Section 7 (now section .100) shall be amended to read as follows:
14 15 16 17 18		The municipal judge or, under his direction, his clerk, shall keep a [secured] jury box. After the jury list has been made, the municipal judge shall prepare and deposit in such box separate ballots or slips containing the name and place of residence [and occupation] of each person on the jury list.
19	7.	Section 10 shall be deleted in its entirety.
20	8.	Section 12 (now section .150) shall be amended to read as follows:
21 22 23 24 25 26		"No jury shall be granted any defendant unless [except] the defendant or his attorney, not less than three days before the time fixed for [the] trial, [shall] gives notice to the municipal court clerk [judge] of the desire for a jury trial and confirms that request before 4:00 p.m. on the Friday preceding trial [and deposit with the municipal judge a jury fee of \$24.00].
27 28	9.	Section 13 (now section .160) shall be deleted in its entirety and replaced as follows:
29		"All jurors selected to try any cause must concur to render a verdict."

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10. Section 14 (now section .170) shall be deleted in its entirety.

["In case the defendant be acquitted by a jury, the jury fee shall be refunded."]

11. Section 16 (now section .190) shall be amended to read as follows:

"When a jury is drawn, summons [therefore] shall be issued by the municipal **court clerk** [judge] and the notices shall be served by **U.S. mail** [the City Marshal]. [Any person notified to appear as a juror and disregarding such notice may be adjudged in contempt of court by the municipal judge and fined a sum not exceeding \$25.00].

10	PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
11	19 DAY OF Chumber , 19/2.
12	$^{\prime}$ YEAS: <u>$$</u>
13	NAYS: <u>ø</u>
14	ABSTAINED: 🖉

ATTEST: Valerie J. Raglione, CMC **City Recorder** D:\JURORD.ORD

Dated: Dated: