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## A BILL FOR AN ACT

RELATING TO JURY SELECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 635, Hawaii Revised Statutes, is  
2 amended by amending the title, "IMPANELING, SEGREGATION OF  
3 JURY", to read as follows:

4           " ~~[IMPANELING, SEGREGATION OF JURY]~~ SIZE OF JURY"

5           SECTION 2. Section 635-26, Hawaii Revised Statutes, is  
6 amended to read as follows:

7           "**§635-26 Impaneling.** ~~[(+)]~~ At the trial of any cause  
8 requiring a jury in any circuit or district court, the clerk of  
9 the court shall draw a jury by lot~~[, to the number of twelve,~~  
10 ~~from the box containing the names of persons who have been duly~~  
11 ~~summoned to attend as trial jurors and who are not excused from~~  
12 ~~attendance. If any of the twelve are challenged and set aside,~~  
13 ~~the clerk shall continue to draw by lot from the box until~~  
14 ~~twelve impartial jurors are obtained, who then shall be sworn as~~  
15 ~~the jurors for the trial of the cause. If so directed by the~~  
16 ~~court, additional jurors shall be drawn and impaneled to sit as~~  
17 ~~alternate jurors.~~



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1        ~~(b) Upon the stipulation of the parties, the jury may~~  
2 ~~consist of a number less than twelve].~~    The trial jury shall  
3 consist of twelve jurors and sufficient alternate jurors."

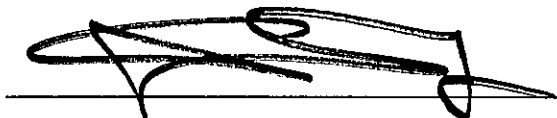
4        SECTION 3. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun before its effective date.

7        SECTION 4. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



JAN 16 2013



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**Report Title:**

Jury Selection; Jury Size

**Description:**

Removes the requirement that juries be selected by the strike-and-replace method of jury impanelment.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

