

QUESTIONNAIRE ~ CASE

Submitted by Amy Seydel, Monterey

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I am trying to determine how other courts retain case questionnaires that are completed by jurors. Are they kept with the case file, the exhibits or the jury records? I am trying to determine the necessary retention period. If you are aware of a code section related to this retention please provide it. Any assistance is appreciated.

1	Sherry Adelstein	Texas - we keep ours with the jury records
2	Debbie Cravea	In Napa - Unless it is a death penalty case we only retain the sworn juror originals, the rest are shredded. The originals we retain are kept with the case file. If it is a death penalty case, all originals are kept and they stay with the case file as well.
3	Carol Sharek	The clerk seals the questionnaires in an envelope/box and they are stored separately from the file. The file is marked where the exhibits/questionnaires can be found. CCP sections 205 (c) (d) and 207 may be of help.
4	Diane Collins	In Mendocino County the "sworn and alternate" jurors questionnaires are kept with the court case/file. Most times the judges put on the questionnaire that those who are not sworn jurors will have their forms shredded, because of any potential confidential information.
5	Joe Yniquez	Stanislaus handles them in a similar way.
6	Merced	Merced stores the impaneled juror's questionnaires with the exhibits. The remaining questionnaires are shredded.
7	Peggy Yost	In Ventura County the questionnaires for sworn jurors only are placed in an envelope and marked as a Court's Special Exhibit. At the conclusion of the trial they are delivered to our Exhibits Dept. for storage with all other trial exhibits. The questionnaires of the unsworn jurors are shredded.
8	Santa Barbara	Are you referring to a questionnaire that determines a prospective juror's identification, qualification and ability to serve (CCP 205(a))? Or an additional case specific juror questionnaire that might be used to assist the voir dire process (CCP 205(d))? In reviewing the AOC's <i>Trial Court Records Manual</i> (version 1.0), Juror Questionnaires of those jurors not called to the jury box for voir dire are records that are deemed to be confidential. A similar question regarding retention of the juror questionnaire for those not called to the jury box has come up in the past (2009) and posed to the JEM membership. Some courts will shred the questionnaire right away, others will box them up and retain for 3 years, and others will just keep them. Jury questionnaires for sworn jurors/alternates are part of the court case file. See CCP 237 regarding access to jury/juror information. See CCP 207 regarding retention of jury records.
9	Fran Johnson	Los Angeles - Juror Services is not responsible for questionnaires given to jurors in the courtroom, related to a particular case. I do not know how they are handle by the courtroom clerk.
10	Richard Goldner	Ventura - Off the top of my head CGC 68152 comes to mind. If considered a lodging, then beyond the appeal filing period.