

IN THE 15th JUDICIAL CIRCUIT OF THE STATE OF MISSOURI

IN RE: AVAILABILITY OF JUROR QUESTIONNAIRES TO PERSONNEL IN THE
OFFICE OF THE SALINE COUNTY PROSECUTING ATTORNEY

ADMINISTRATIVE ORDER
SETTING FORTH THE AVAILABILITY OF JUROR QUESTIONNAIRES TO THE
PERSONNEL IN THE OFFICE OF THE SALINE COUNTY PROSECUTING ATTORNEY

WHEREAS, on January 27, 2020 Timothy D. Thompson (Thompson) was present in court when case number 19SA-CR00152-01 was set for jury trial to begin July 14, 2020; and

WHEREAS, in the afternoon of July 10, 2020, Thompson had a member of his staff pick up a copy of the juror questionnaires for the individuals summoned to appear as jurors on July 14, 2020; and

WHEREAS, on July 10, 2020, at 3:29 p.m., Thompson filed a Memorandum of Nolle Proseque in which he dismissed the case without prejudice; and

WHEREAS, on July 10, 2020, after dismissal of the case, a member of the Saline County Circuit Clerk, at the direction of the circuit judge, went to Thompson's office to retrieve the juror questionnaires and was denied the return of the questionnaires; and

WHEREAS, on July 10, 2020, at 4:41 p.m. and after the Office of the Saline County Circuit Clerk was closed (normal business hours are 8:00 a.m. to 4:30 p.m.), Thompson sent an email to Becky Uhlich, Saline County Circuit Clerk, in which he stated as follows:

"I'm still in the office if you need the jury list. If you don't need it right now then I'll drop it off Monday or bring it to court. Thank you. Have a good weekend."

Thank you.

Tim"

WHEREAS, on July 13, 2020, despite being in court for both a morning and afternoon criminal docket, Thompson failed to drop the juror questionnaires off to the Saline County

Circuit Clerk's office or bring them to court but instead placed the questionnaires, which contain private and confidential information of jurors, in the county courthouse mail room which is accessible to all county courthouse employees; and

WHEREAS, on July 13, 2020 and July 14, 2020, the Court discussed with Thompson his need to obtain the juror questionnaires on a case he was planning on dismissing and his refusal to return them when requested by the Court, and he was unable to provide any credible reason for doing so; and

WHEREAS, the 15th Judicial Circuit Local Court Rule 52.1 provides as follows:

52.1 JURY QUESTIONNAIRES

(a) The jury questionnaire shall be delivered with the summons along with directions to fill it out and return it to the clerk's office within ten (10) days.

(b) Jury questionnaires shall be available by contacting the Circuit Clerk.

(c) The jury questionnaire may be inspected by the attorneys at any time that the court is in session.

(d) Attorneys shall not, as part of the voir dire examination, examine a member of the jury panel as to any matter contained on the jury questionnaire, without the permission of the court, except as to events that have occurred since the signing of the questionnaire.

(e) Copies of jury questionnaires provided to parties shall not be reproduced or disseminated and shall be returned to the Circuit Clerk once the jury has been selected.;

and

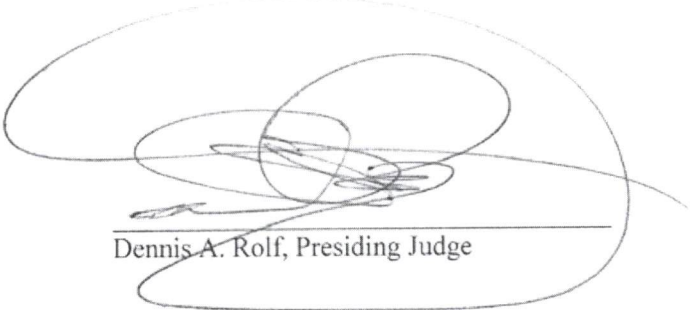
WHEREAS, it is important that the private and confidential information provided by prospective jurors be protected by the Court.

IT IS HEREBY ORDERED that for all future jury trials in which the Saline County Prosecuting Attorney represents a party, 15th Judicial Circuit Local Court Rule 52.1 notwithstanding, until further order of this Court or unless otherwise ordered by the judge in a

particular case, the Saline County Prosecuting Attorney's Office shall be allowed access to information contained in questionnaires of the jurors summoned for a case, only as follows:

- 1) A list containing the names of the jurors summoned;
- 2) Review in the Office of the Circuit Clerk of the juror questionnaires without copying or recording of any information contained therein; and
- 3) A copy of the juror questionnaires in the courtroom for use during voir dire until voir dire is completed, with the questionnaires to be kept in the courtroom and no copying or recording of any information to occur.

Dated: July 30, 2020



Dennis A. Rolf, Presiding Judge