

## PROPOSED NEW RULES REGARDING JUROR SUMMONS

The Joint Committee on Rules of Procedure for New Mexico State Courts has recommended proposed amendments to Rules 4-602 and 9-513 NMRA.

If you would like to comment on the proposed amendments set forth below before the Court takes final action, you may do so by either submitting a comment electronically through the Supreme Court's web site at <http://nmsupremecourt.nmcourts.gov>/ or sending your written comments by mail, email, or fax to:

Joey D. Moya, Clerk  
New Mexico Supreme Court  
P.O. Box 848  
Santa Fe, New Mexico 87504-0848  
nmsupremecourtclerk@nmcourts.gov  
505-827-4837 (fax)

Your comments must be received by the Clerk on or before April 6, 2016, to be considered by the Court. Please note that any submitted comments may be posted on the Supreme Court's web site for public viewing.

---

### 4-602. Juror summons, qualification, and questionnaire form.

[Rules 1-047, 2-603, 3-603 NMRA]

\_\_\_\_\_ COURT  
[Street Address]  
[City, NM, Zip Code]

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_ TO:

[Bar Code and Juror #]  
[Juror name]  
[Street Address]  
[City, State, Zip Code]  
[USPS Bar Code]

### JURY SUMMONS

PLEASE BRING SUMMONS  
TO ALL APPEARANCES

### FOR QUESTIONS CALL:

[Name]  
[Telephone Number]

## SUMMONS TO JURY SERVICE

Por favor preste atención a lo siguiente: Si no le es posible leer o llenar estos formularios, llame al número telefónico indicado en la primera página del citatorio para servir como jurado. Estos formularios están disponibles en español en <http://www.nmcourts.gov/jury/index.php>.

- In accordance with the law, Sections 38-5-1 and 38-5-10 NMSA 1978, you ~~[have been selected for]~~ are ordered to participate in jury service and must follow the Jury Service Instructions at the bottom of this page.
- You must first complete and SIGN the enclosed Juror Qualification and Questionnaire Form and return BY \_\_\_\_\_ (date) in the enclosed envelope, or in person.
- Your term of service ~~[is from]~~ begins on \_\_\_\_\_ (date) and runs through \_\_\_\_\_ (date).

~~[You are ordered to appear for qualification and orientation on \_\_\_\_\_ (date) at \_\_\_\_\_ (time) at the following address:~~

\_\_\_\_\_ (Court name)  
 \_\_\_\_\_ (Street Address)  
 \_\_\_\_\_ (City), New Mexico

**~~Complete and SIGN the enclosed Juror Qualification and Questionnaire Form and return by \_\_\_\_\_ (date) in the enclosed envelope.]~~**

\_\_\_\_\_ {or}

~~[You will be notified prior to the time you are required to appear. **Complete and SIGN the enclosed Juror Qualification and Questionnaire Form and return by \_\_\_\_\_ (date) in the enclosed envelope.]**~~

\_\_\_\_\_ {or}

~~[In order to comply with this summons you must go to our website \_\_\_\_\_ (insert web address) to complete and submit your online Juror Questionnaire and Qualification Form by \_\_\_\_\_ (insert date forms are due). If you do not have internet access, you must call our office at \_\_\_\_\_ (insert telephone number from top of page) by \_\_\_\_\_ (insert date to be determined), and request that the forms be mailed to you.]]~~

**Any person willfully failing to complete and submit these forms may be punished for contempt of court. Any person willfully failing to appear at the time ordered by the court may be punished under Section 38-5-10 NMSA 1978. Both contempt of court and failure to appear are criminal charges that may result in jail time, a fine, or both.**

The court complies with the Americans with Disabilities Act and also provides signed and spoken language interpreters at no cost to jurors. The court will make reasonable accommodations for jurors with special needs. Please notify the court at \_\_\_\_\_ (insert telephone number from top of page) of your need for an accommodation for a disability or for a signed or spoken language interpreter by \_\_\_\_\_ (insert same date forms are due).

Witness the Honorable \_\_\_\_\_ (Judge's name) of the \_\_\_\_\_ (court name) and the Seal of the Court, this \_\_\_\_\_ (date).

[SPACE RESERVED FOR A CUSTOMIZED MESSAGE FROM INDIVIDUAL COURTS]

**PLEASE READ ALL INSTRUCTIONS AND INFORMATION CAREFULLY. RETAIN THIS PAGE FOR YOUR RECORDS.**

### **General Information and Instructions for Jurors**

***THE RIGHT TO TRIAL BY JURY IS GUARANTEED TO ALL PERSONS BY BOTH THE UNITED STATES AND NEW MEXICO CONSTITUTIONS. THE SUCCESS OF THE JURY SYSTEM DEPENDS UPON CITIZENS PERFORMING THEIR SOLEMN DUTY TO SERVE AS JURORS, WHILE ACTING WITH INTEGRITY IN DISCHARGING THIS RESPONSIBILITY.***

#### **Reporting an Emergency Absence**

It is very important that you report as directed for jury service. Only the most urgent, unexpected, and unavoidable emergencies can be considered as valid reasons for your absence. If you **MUST** be absent, you **MUST** call the number at the bottom of this page as soon as possible. If you fail to report or call in, an order to show cause why you should not be held in contempt of court may be issued.

#### **Travel and Medical Appointments**

We understand that some jurors may have conflicts that occur during their term of service. We strive to accommodate all jurors. You **ONLY** need to notify the court if your preplanned vacation, work-related travel, or medical appointments **CONFLICT** with the dates you are scheduled to appear. Please send this information in writing to the court including your name, panel number if assigned, telephone number, and any other information necessary to expedite your request. Telephone calls or messages regarding these types of conflicts **will not** be accepted except in emergencies.

**Meals** will not be provided by the court, nor will meals be reimbursed, unless jurors are deliberating at the close of the case during the lunch hour or after 5:00 p.m.

## **Dress**

Please dress comfortably but befitting the dignity of the court. **Shorts, hats, sunglasses, tank tops, bare midriffs, sweats, and similar dress are not allowed.** Men are **not** required to wear coats and ties, nor are women required to wear similar business attire. Due to the variable temperature in the courtroom it is recommended that you dress in layers.

## **Juror Fees and Payments**

The court is authorized by Supreme Court order to reimburse for jury service at the rate of [~~\$6.25~~] \$6.75 per hour. In addition, round-trip mileage from your home to the courthouse will be paid at [~~\$0.41~~] \$0.46 per mile. Mileage is computed based upon the information you provide on the juror qualification form and your mailing zip code. Checks will be mailed to your mailing address. Your payment cannot be split between hourly and mileage reimbursement. Reimbursement payments take about six (6) weeks to process. If you have not received payment within ten (10) weeks of jury service, please call the number at the bottom of this page.

Employers are not required by law to reimburse employees for jury service. Contact your employer regarding its policy. The court does not compensate those employed by the public schools, local government, or the State of New Mexico.

**NO CITIZEN IS EXEMPT FROM JURY SERVICE BECAUSE OF HIS OR HER JOB, RACE, ETHNICITY, RELIGION, SEX, NATIONAL ORIGIN, SEXUAL ORIENTATION, ECONOMIC STATUS, OR LACK OF ENGLISH PROFICIENCY.**

**Request for Postponement:** If the date scheduled for your service will create a severe hardship for you, you may request a postponement and must complete and submit ALL forms. Please specify your reasons for requesting a postponement and submit the completed forms by the date noted above. Your request will be reviewed by the court, and you will be notified of the decision. Be assured that the court will work with you around scheduled vacations, medical appointments, etc., whenever possible.

**Request for Excusal:** If you have an extreme mental, physical, or financial hardship that prevents you from serving as a juror, you may request an excusal and must complete and submit ALL forms. *See* Section 38-5-1(A) NMSA 1978. Please specify your reasons for requesting an excusal and submit the completed forms by the date noted above. You also must submit a letter from a healthcare provider with any request for excusal for medical reasons. Until you have received notification from the court, you are not excused.

**Request for Exemption:** If you have served on a jury in state or federal court in the past three (3) years or are seventy-five (75) years of age or older, you may request an exemption from jury service and must complete and submit ALL forms. If you are requesting an exemption based on age you must also submit an affidavit form. *See* Sections 38-5-2(A) and (B) NMSA 1978. Until you have received notification from the court, you are not exempted.

**Employment Protections:** State law prohibits your employer from penalizing you for your jury service. *See* Sections 38-5-18 and -19 NMSA 1978.

**All Jury Service Statutes Cited in This Summons Can Be Found Online at  
www.nmcourts.gov/jury/index.php**

***First Step to Successful Jury Service***

Fill out all forms. Please answer all questions, taking special care to provide the court with contact information. Submit the completed forms by \_\_\_\_\_ (date on page 1 of summons).

**Part A. Juror qualification.**

**Dear Prospective Juror:**

Please answer each of the following questions completely. The contact information you provide will be used only by court employees and shall not be made available to the attorneys or parties in the cases that you may be selected to hear as juror.

Name as it appears on the summons: \_\_\_\_\_

Legal name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone numbers:

Home: \_\_\_\_\_

Business: \_\_\_\_\_ Ext: \_\_\_\_\_

Cell: \_\_\_\_\_

E-mail: \_\_\_\_\_

1. Do you want to be paid for roundtrip mileage from your home to the courthouse?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, what is your roundtrip mileage? \_\_\_\_\_
2. Are you employed by the public schools, local government, or the State of New Mexico?  
(Note: these public employees cannot be compensated by the court for their jury service.)  
Yes \_\_\_\_ No \_\_\_\_
3. Of which New Mexico county are you a resident? \_\_\_\_\_
4. Are you a United States citizen? Yes \_\_\_\_ No \_\_\_\_  
If no, country of citizenship: \_\_\_\_\_
5. Do you read, speak, and understand English? Yes \_\_\_\_ No \_\_\_\_  
If not, which language do you read, speak, and write? \_\_\_\_\_
6. Have you ever been convicted of a felony? Yes \_\_\_\_ No \_\_\_\_
  - a. If yes, please explain: \_\_\_\_\_
  - b. If yes, have you completed all conditions of parole or probation?  
Yes \_\_\_\_ No \_\_\_\_

- c. If yes, please enclose a copy of one of the following:
- Certificate or letter of completion issued by the Department of Corrections of New Mexico, or another state.
  - Certificate or letter of pardon from the Governor of New Mexico, or another state.

*Request for postponement, excusal, or exemption on back.*

**REQUEST FOR POSTPONEMENT, EXCUSAL, OR EXEMPTION**

**PLEASE NOTE:** If your jury service is scheduled for a date that conflicts with your schedule, please request a postponement for a more convenient time in the space below. Jurors may be postponed for up to six (6) months.

There are NO AUTOMATIC EXEMPTIONS. All exemptions must be requested, including exemptions based on age or prior jury service.

**ALL situations will be considered on a case-by-case basis. Please enclose a detailed explanation for cases of:**

- Prior jury service (provide appropriate date(s) of service and court)
- Medical (must submit a current letter on letterhead from healthcare provider)
- Financial hardship (not being compensated by your employer is not grounds for excusal)
- Age: \_\_\_\_\_ (persons seventy-five (75) and older may contact the court for an affidavit form requesting an exemption)
- Not a resident of the State of New Mexico or \_\_\_\_\_ County (please submit proof of residency, such as a utility bill in your name, a driver’s license, or a voter registration card)
- Caregiver: \_\_\_\_\_ (must submit a current letter on letterhead from healthcare provider)
- Nursing mother (a current letter on letterhead from healthcare provider required if requesting second postponement)
- Students and Teachers (request to be postponed until school breaks - please provide below the dates when your school break begins and ends):  
\_\_\_\_\_
- Other: \_\_\_\_\_

*(Select one)*

- I am requesting a postponement for the reasons noted above until the following date:  
\_\_\_\_\_
- I am requesting to be excused or exempted for the reasons noted above. I am submitting the required documents.

**PLEASE NOTE:** Unless you receive a letter from the court stating you are excused from attending jury service, you **MUST** appear on the date required by the court. Not showing up for jury duty when summoned is called Failure to Appear and can result in a fine of up to five hundred dollars

(\$500), up to six (6) months in jail, or both. Section 31-19-1 NMSA 1978. You can call the jury division to check on the status of your excusal.

I swear or affirm that the information I have provided is true and correct to the best of my knowledge. I am aware that failure to submit required documentation may result in the denial of my request.

---

Signature of the person requesting postponement, excusal, or exemption

---

Date

---

Signature of the person preparing this form, if different from prospective juror

---

Date

**Part B. Juror questionnaire.**

Please answer all questions, 1-35, and **SIGN**. The Juror Questionnaire will be provided to the attorneys, parties, and judges in all cases you may be selected to hear as a juror. The answers you provide will aid in the process of selecting a jury. If you do not understand a question, please place a question mark (?) next to the question. If you do not have enough room to answer the question, please use the space in question 35 or a separate sheet of paper. If there is a question you would rather discuss with the judge and attorneys in private, please indicate with an asterisk (\*). Thank you for your cooperation.

Date of jury service: day \_\_\_\_\_ month \_\_\_\_\_

1. Legal name and former names: \_\_\_\_\_  
\_\_\_\_\_
2. Gender: Male \_\_\_\_ Female \_\_\_\_
3. Date of birth: \_\_\_\_\_  
Birth place (*city and state; country if outside the United States*):  
\_\_\_\_\_
4. How long have you lived in New Mexico? \_\_\_\_\_
5. In which New Mexico county do you live? \_\_\_\_\_  
How long? \_\_\_\_\_
6. Which town or city do you live in? \_\_\_\_\_

- Neighborhood? \_\_\_\_\_  
What major intersection is closest to your home? \_\_\_\_\_
7. Where else have you lived (*city, state, country*)? \_\_\_\_\_
8. What is your marital status? single \_\_\_\_ married \_\_\_\_  
domestic partner \_\_\_\_ separated \_\_\_\_ divorced \_\_\_\_ widowed \_\_\_\_
9. What is your ethnic background? \_\_\_\_\_
10. Do you own or rent your home? own \_\_\_\_ rent \_\_\_\_
11. Your occupation: \_\_\_\_\_  
(*If retired or unemployed please state, and also state your previous occupation.*)
12. If employed please state:  
Name of employer and place of work: \_\_\_\_\_  
Job title and duties: \_\_\_\_\_  
Time worked there: \_\_\_\_\_  
Normal working hours: \_\_\_\_\_  
How many hours per week do you work? \_\_\_\_\_
13. Do you have a second job? Yes \_\_\_\_ No \_\_\_\_
14. What other jobs have you had as an adult? \_\_\_\_\_
15. How many years of schooling have you completed? \_\_\_\_\_  
Highest level completed? high school or GED \_\_\_\_ associate \_\_\_\_  
trade or vocational school \_\_\_\_ bachelor \_\_\_\_ master \_\_\_\_ Ph.D. \_\_\_\_ M.D. \_\_\_\_  
J.D. \_\_\_\_  
Major areas of study: \_\_\_\_\_
16. Have you served in the military? Yes \_\_\_\_ No \_\_\_\_  
Highest rank: \_\_\_\_\_
17. Do you belong to or participate in any religious, civic, social, union, professional,  
fraternal, political, or recreational organizations? Yes \_\_\_\_ No \_\_\_\_  
Organization: \_\_\_\_\_ Office held: \_\_\_\_\_
18. Current voter registration: Democrat \_\_\_\_ Republican \_\_\_\_  
Not registered \_\_\_\_ No party selected \_\_\_\_  
Other, please specify: \_\_\_\_\_
19. If you are married or in a domestic partnership, please provide spouse's/partner's full  
name and occupation: \_\_\_\_\_

20. Do you have any children or stepchildren? Yes \_\_\_\_ No \_\_\_\_  
How many? \_\_\_\_ ages \_\_\_\_ occupations \_\_\_\_\_
21. Have you ever been a witness in a court proceeding? Yes \_\_\_\_ No \_\_\_\_  
If yes, what type of case was it? civil \_\_\_\_ criminal \_\_\_\_  
What were the circumstances? \_\_\_\_\_
22. Have you ever served as a juror? Yes \_\_\_\_ No \_\_\_\_  
If yes, year: \_\_\_\_ court or location: \_\_\_\_ case type: \_\_\_\_\_  
If yes, year: \_\_\_\_ court or location: \_\_\_\_ case type: \_\_\_\_\_
- Were you ever the foreperson? Yes \_\_\_\_ No \_\_\_\_  
If yes, courts: \_\_\_\_\_ years: \_\_\_\_\_
23. Have you ever had an injury that required hospitalization or extended medical care?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, what was the injury? \_\_\_\_\_  
Did the injury cause you to lose time from work? Yes \_\_\_\_ No \_\_\_\_  
If yes, how long? \_\_\_\_\_
24. Have you or any member of your family ever filed a civil suit against someone?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, please explain: \_\_\_\_\_
25. Have you or any member of your family ever been sued? Yes \_\_\_\_ No \_\_\_\_  
If yes, please explain: \_\_\_\_\_
26. Have you or an immediate family member ever been an agent, employee, or representative of an insurance company? Yes \_\_\_\_ No \_\_\_\_  
If yes, who and relationship to you: \_\_\_\_\_
27. Have you or any member of your immediate family been the victim of a crime?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, who was the victim? \_\_\_\_\_  
What crime? \_\_\_\_\_ When? \_\_\_\_\_  
Was an arrest made? Yes \_\_\_\_ No \_\_\_\_
28. Have you or an immediate family member been a defendant in a criminal case?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, who and relationship to you? \_\_\_\_\_  
Crime accused of committing? \_\_\_\_\_  
Was there a conviction? Yes \_\_\_\_ No \_\_\_\_
29. Have you, any family member, or close friend ever been employed by, or volunteered for, any federal, state, or local law enforcement agency; a jail, prison or detention center; or a district attorney or other prosecuting attorney's office?

Yes \_\_\_\_ No \_\_\_\_  
If yes, who? \_\_\_\_\_  
Relationship to you: \_\_\_\_\_  
Position held: \_\_\_\_\_  
Dates of employment: \_\_\_\_\_  
Name of agency, or attorney and office: \_\_\_\_\_

30. Have you or any family member ever worked for any other attorney? Yes \_\_\_\_ No \_\_\_\_  
If yes, who? \_\_\_\_\_  
Relationship to you: \_\_\_\_\_  
Position held: \_\_\_\_\_  
Dates of employment: \_\_\_\_\_  
Name of attorney and office: \_\_\_\_\_

31. Have you or any family member ever been represented by an attorney or law office?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, name of attorney and office: \_\_\_\_\_

32. Do you have a physical disability of which we need to be aware? Yes \_\_\_\_ No \_\_\_\_  
If yes, are there any special accommodations, services, or assistance we can provide during your jury service? Yes \_\_\_\_ No \_\_\_\_  
Please explain: \_\_\_\_\_

33. Are you presently taking any medication that may affect your ability to serve as a juror?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, please explain: \_\_\_\_\_

34. Is there any reason you could not serve as a juror? Yes \_\_\_\_ No \_\_\_\_ (*If you are requesting an excusal or postponement for this reason, you must complete and submit the Request for Postponement, Excusal, or Exemption Form*)  
If yes, please explain: \_\_\_\_\_

35. Use this space for any additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
Signature of prospective juror

\_\_\_\_\_  
Date

\_\_\_\_\_

Signature of preparer, if different than prospective juror

\_\_\_\_\_  
Date

**PLEASE SUBMIT THE JUROR QUALIFICATION FORM AND THIS JUROR QUESTIONNAIRE TO:**

\_\_\_\_\_  
\_\_\_\_\_

[Approved, effective January 1, 1995; as amended by Supreme Court Order 06-8300-16, effective June 20, 2006; UJI 14-110 NMRA, recompiled in part as 4-602 NMRA by Supreme Court Order No. 13-8300-042, effective for all cases pending or filed on or after December 31, 2013; as amended by Supreme Court Order No. \_\_\_\_\_, effective \_\_\_\_\_.]

**9-513. Juror summons, qualification, and questionnaire form.**

[Rules 5-606, 6-605, 7-605 NMRA]

\_\_\_\_\_ COURT  
[Street Address]  
[City, NM, Zip Code]

**JURY SUMMONS**

PLEASE BRING SUMMONS  
TO ALL APPEARANCES

**STATE OF NEW MEXICO**  
**COUNTY OF \_\_\_\_\_ TO:**

**FOR QUESTIONS CALL:**

[Name]  
[Telephone Number]

[Bar Code and Juror #]  
[Juror name]  
[Street Address]  
[City, State, Zip Code]  
[USPS Bar Code]

**SUMMONS TO JURY SERVICE**

Por favor preste atención a lo siguiente: Si no le es posible leer o llenar estos formularios, llame al número telefónico indicado en la primera página del citatorio para servir como jurado. Estos formularios están disponibles en español en <http://www.nmcourts.gov/jury/index.php>.

- In accordance with the law, Sections 38-5-1 and 38-5-10 NMSA 1978, you ~~[have been selected for]~~ are ordered to participate in jury service and must follow the Jury Service Instructions at the bottom of this page.
- You must first complete and SIGN the enclosed Juror Qualification and Questionnaire Form and return BY \_\_\_\_\_ (date) in the enclosed envelope, or in person.
- Your term of service [is from] begins on \_\_\_\_\_ (date) and runs through \_\_\_\_\_ (date).



**PLEASE READ ALL INSTRUCTIONS AND INFORMATION CAREFULLY. RETAIN THIS PAGE FOR YOUR RECORDS.**

### **General Information and Instructions for Jurors**

***THE RIGHT TO TRIAL BY JURY IS GUARANTEED TO ALL PERSONS BY BOTH THE UNITED STATES AND NEW MEXICO CONSTITUTIONS. THE SUCCESS OF THE JURY SYSTEM DEPENDS UPON CITIZENS PERFORMING THEIR SOLEMN DUTY TO SERVE AS JURORS, WHILE ACTING WITH INTEGRITY IN DISCHARGING THIS RESPONSIBILITY.***

#### **Reporting an Emergency Absence**

It is very important that you report as directed for jury service. Only the most urgent, unexpected, and unavoidable emergencies can be considered as valid reasons for your absence. If you **MUST** be absent, you **MUST** call the number at the bottom of this page as soon as possible. If you fail to report or call in, an order to show cause why you should not be held in contempt of court may be issued.

#### **Travel and Medical Appointments**

We understand that some jurors may have conflicts that occur during their term of service. We strive to accommodate all jurors. You **ONLY** need to notify the court if your preplanned vacation, work-related travel, or medical appointments **CONFLICT** with the dates you are scheduled to appear. Please send this information in writing to the court including your name, panel number if assigned, telephone number, and any other information necessary to expedite your request. Telephone calls or messages regarding these types of conflicts **will not** be accepted except in emergencies.

**Meals** will not be provided by the court, nor will meals be reimbursed, unless jurors are deliberating at the close of the case during the lunch hour or after 5:00 p.m.

#### **Dress**

Please dress comfortably but befitting the dignity of the court. **Shorts, hats, sunglasses, tank tops, bare midribs, sweats, and similar dress are not allowed.** Men are **not** required to wear coats and ties, nor are women required to wear similar business attire. Due to the variable temperature in the courtroom it is recommended that you dress in layers.

#### **Juror Fees and Payments**

The court is authorized by Supreme Court order to reimburse for jury service at the rate of [~~\$6.25~~] **\$6.75** per hour. In addition, round-trip mileage from your home to the courthouse will be paid at [~~\$0.41~~] **\$0.46** per mile. Mileage is computed based upon the information you provide on the juror qualification form and your mailing zip code. Checks will be mailed to your mailing address. Your payment cannot be split between hourly and mileage reimbursement. Reimbursement payments take

about six (6) weeks to process. If you have not received payment within ten (10) weeks of jury service, please call the number at the bottom of this page.

Employers are not required by law to reimburse employees for jury service. Contact your employer regarding its policy. The court does not compensate those employed by the public schools, local government, or the State of New Mexico.

**NO CITIZEN IS EXEMPT FROM JURY SERVICE BECAUSE OF HIS OR HER JOB, RACE, ETHNICITY, RELIGION, SEX, NATIONAL ORIGIN, SEXUAL ORIENTATION, ECONOMIC STATUS, OR LACK OF ENGLISH PROFICIENCY.**

**Request for Postponement:** If the date scheduled for your service will create a severe hardship for you, you may request a postponement and must complete and submit ALL forms. Please specify your reasons for requesting a postponement and submit the completed forms by the date noted above. Your request will be reviewed by the court, and you will be notified of the decision. Be assured that the court will work with you around scheduled vacations, medical appointments, etc., whenever possible.

**Request for Excusal:** If you have an extreme mental, physical, or financial hardship that prevents you from serving as a juror, you may request an excusal and must complete and submit ALL forms. *See* Section 38-5-1(A) NMSA 1978. Please specify your reasons for requesting an excusal and submit the completed forms by the date noted above. You also must submit a letter from a healthcare provider with any request for excusal for medical reasons. Until you have received notification from the court, you are not excused.

**Request for Exemption:** If you have served on a jury in state or federal court in the past three (3) years or are seventy-five (75) years of age or older, you may request an exemption from jury service and must complete and submit ALL forms. If you are requesting an exemption based on age you must also submit an affidavit form. *See* Sections 38-5-2(A) and (B) NMSA 1978. Until you have received notification from the court, you are not exempted.

**Employment Protections:** State law prohibits your employer from penalizing you for your jury service. *See* Sections 38-5-18 and -19 NMSA 1978.

**All Jury Service Statutes Cited in This Summons Can Be Found Online at [www.nmcourts.gov/jury/index.php](http://www.nmcourts.gov/jury/index.php)**

*First Step to Successful Jury Service*

Fill out all forms. Please answer all questions, taking special care to provide the court with contact information. Submit the completed forms by \_\_\_\_\_ (*date on page 1 of summons*).

**Part A. Juror qualification.**

**Dear Prospective Juror:**

Please answer each of the following questions completely. The contact information you provide will be used only by court employees and shall not be made available to the attorneys or parties in the cases that you may be selected to hear as juror.

Name as it appears on the summons: \_\_\_\_\_

Legal name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone numbers:

Home: \_\_\_\_\_

Business: \_\_\_\_\_ Ext: \_\_\_\_\_

Cell: \_\_\_\_\_

E-mail: \_\_\_\_\_

1. Do you want to be paid for roundtrip mileage from your home to the courthouse?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, what is your roundtrip mileage? \_\_\_\_\_
  
2. Are you employed by the public schools, local government, or the State of New Mexico?  
(Note: these public employees cannot be compensated by the court for their jury service.)  
Yes \_\_\_\_ No \_\_\_\_
  
3. Of which New Mexico county are you a resident? \_\_\_\_\_
  
4. Are you a United States citizen? Yes \_\_\_\_ No \_\_\_\_  
If no, country of citizenship: \_\_\_\_\_
  
5. Do you read, speak, and understand English? Yes \_\_\_\_ No \_\_\_\_  
If not, which language do you read, speak, and write? \_\_\_\_\_
  
6. Have you ever been convicted of a felony? Yes \_\_\_\_ No \_\_\_\_
  - a. If yes, please explain: \_\_\_\_\_
  - b. If yes, have you completed all conditions of parole or probation?  
Yes \_\_\_\_ No \_\_\_\_
  - c. If yes, please enclose a copy of one of the following:  
\_\_\_\_ Certificate or letter of completion issued by the Department of Corrections  
of New Mexico, or another state.  
\_\_\_\_ Certificate or letter of pardon from the Governor of New Mexico,  
or another state.

*Request for postponement, excusal, or exemption on back.*

### **REQUEST FOR POSTPONEMENT, EXCUSAL, OR EXEMPTION**

**PLEASE NOTE:** If your jury service is scheduled for a date that conflicts with your schedule, please request a postponement for a more convenient time in the space below. Jurors may be postponed for up to six (6) months.

There are NO AUTOMATIC EXEMPTIONS. All exemptions must be requested, including exemptions based on age or prior jury service.

**ALL situations will be considered on a case-by-case basis. Please enclose a detailed explanation for cases of:**

- Prior jury service (provide appropriate date(s) of service and court)
- Medical (must submit a current letter on letterhead from healthcare provider)
- Financial hardship (not being compensated by your employer is not grounds for excusal)
- Age: \_\_\_\_\_ (persons seventy-five (75) and older may contact the court for an affidavit form requesting an exemption)
- Not a resident of the State of New Mexico or \_\_\_\_\_ County (please submit proof of residency, such as a utility bill in your name, a driver's license, or a voter registration card)
- Caregiver: \_\_\_\_\_ (must submit a current letter on letterhead from healthcare provider)
- Nursing mother (a current letter on letterhead from healthcare provider required if requesting second postponement)
- Students and Teachers (request to be postponed until school breaks - please provide below the dates when your school break begins and ends):  
\_\_\_\_\_
- Other: \_\_\_\_\_

*(Select one)*

- I am requesting a postponement for the reasons noted above until the following date:  
\_\_\_\_\_
- I am requesting to be excused or exempted for the reasons noted above. I am submitting the required documents.

**PLEASE NOTE:** Unless you receive a letter from the court stating you are excused from attending jury service, you **MUST** appear on the date required by the court. Not showing up for jury duty when summoned is called Failure to Appear and can result in a fine of up to five hundred dollars (\$500), up to six (6) months in jail, or both. Section 31-19-1 NMSA 1978. You can call the jury division to check on the status of your excusal.

I swear or affirm that the information I have provided is true and correct to the best of my knowledge. I am aware that failure to submit required documentation may result in the denial of my request.

\_\_\_\_\_  
Signature of the person requesting postponement, excusal, or exemption

\_\_\_\_\_  
Date

Signature of the person preparing this form, if different from prospective juror

\_\_\_\_\_

Date

**Part B. Juror questionnaire.**

Please answer all questions, 1-35, and **SIGN**. The Juror Questionnaire will be provided to the attorneys, parties, and judges in all cases you may be selected to hear as a juror. The answers you provide will aid in the process of selecting a jury. If you do not understand a question, please place a question mark (?) next to the question. If you do not have enough room to answer the question, please use the space in question 35 or a separate sheet of paper. If there is a question you would rather discuss with the judge and attorneys in private, please indicate with an asterisk (\*). Thank you for your cooperation.

Date of jury service: day \_\_\_\_\_ month \_\_\_\_\_

1. Legal name and former names: \_\_\_\_\_  
\_\_\_\_\_
2. Gender: Male \_\_\_\_ Female \_\_\_\_
3. Date of birth: \_\_\_\_\_  
Birth place (*city and state; country if outside the United States*):  
\_\_\_\_\_
4. How long have you lived in New Mexico? \_\_\_\_\_
5. In which New Mexico county do you live? \_\_\_\_\_  
How long? \_\_\_\_\_
6. Which town or city do you live in? \_\_\_\_\_  
Neighborhood? \_\_\_\_\_  
What major intersection is closest to your home? \_\_\_\_\_
7. Where else have you lived (*city, state, country*)? \_\_\_\_\_
8. What is your marital status? single \_\_\_\_ married \_\_\_\_  
domestic partner \_\_\_\_ separated \_\_\_\_ divorced \_\_\_\_ widowed \_\_\_\_
9. What is your ethnic background? \_\_\_\_\_
10. Do you own or rent your home? own \_\_\_\_ rent \_\_\_\_
11. Your occupation: \_\_\_\_\_  
(*If retired or unemployed please state, and also state your previous occupation.*)

12. If employed please state:  
Name of employer and place of work: \_\_\_\_\_  
Job title and duties: \_\_\_\_\_  
Time worked there: \_\_\_\_\_  
Normal working hours: \_\_\_\_\_  
How many hours per week do you work? \_\_\_\_\_
13. Do you have a second job? Yes \_\_\_\_ No \_\_\_\_
14. What other jobs have you had as an adult? \_\_\_\_\_
15. How many years of schooling have you completed? \_\_\_\_\_  
Highest level completed? high school or GED \_\_\_\_ associate \_\_\_\_  
trade or vocational school \_\_\_\_ bachelor \_\_\_\_ master \_\_\_\_ Ph.D. \_\_\_\_ M.D. \_\_\_\_  
J.D. \_\_\_\_  
Major areas of study: \_\_\_\_\_
16. Have you served in the military? Yes \_\_\_\_ No \_\_\_\_  
Highest rank: \_\_\_\_\_
17. Do you belong to or participate in any religious, civic, social, union, professional, fraternal,  
political, or recreational organizations? Yes \_\_\_\_ No \_\_\_\_  
Organization: \_\_\_\_\_ Office held: \_\_\_\_\_
18. Current voter registration: Democrat \_\_\_\_ Republican \_\_\_\_  
Not registered \_\_\_\_ No party selected \_\_\_\_  
Other, please specify: \_\_\_\_\_
19. If you are married or in a domestic partnership, please provide spouse's/partner's full name  
and occupation: \_\_\_\_\_
20. Do you have any children or stepchildren? Yes \_\_\_\_ No \_\_\_\_  
How many? \_\_\_\_ ages \_\_\_\_\_ occupations \_\_\_\_\_
21. Have you ever been a witness in a court proceeding? Yes \_\_\_\_ No \_\_\_\_  
If yes, what type of case was it? civil \_\_\_\_ criminal \_\_\_\_  
What were the circumstances? \_\_\_\_\_
22. Have you ever served as a juror? Yes \_\_\_\_ No \_\_\_\_  
If yes, year: \_\_\_\_\_ court or location: \_\_\_\_\_ case type: \_\_\_\_\_  
If yes, year: \_\_\_\_\_ court or location: \_\_\_\_\_ case type: \_\_\_\_\_
- Were you ever the foreperson? Yes \_\_\_\_ No \_\_\_\_  
If yes, courts: \_\_\_\_\_ years: \_\_\_\_\_

23. Have you ever had an injury that required hospitalization or extended medical care?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, what was the injury? \_\_\_\_\_  
Did the injury cause you to lose time from work? Yes \_\_\_\_ No \_\_\_\_  
If yes, how long? \_\_\_\_\_
24. Have you or any member of your family ever filed a civil suit against someone?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, please explain: \_\_\_\_\_
25. Have you or any member of your family ever been sued? Yes \_\_\_\_ No \_\_\_\_  
If yes, please explain: \_\_\_\_\_
26. Have you or an immediate family member ever been an agent, employee, or representative of an insurance company? Yes \_\_\_\_ No \_\_\_\_  
If yes, who and relationship to you: \_\_\_\_\_
27. Have you or any member of your immediate family been the victim of a crime?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, who was the victim? \_\_\_\_\_  
What crime? \_\_\_\_\_ When? \_\_\_\_\_  
Was an arrest made? Yes \_\_\_\_ No \_\_\_\_
28. Have you or an immediate family member been a defendant in a criminal case?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, who and relationship to you? \_\_\_\_\_  
Crime accused of committing? \_\_\_\_\_  
Was there a conviction? Yes \_\_\_\_ No \_\_\_\_
29. Have you, any family member, or close friend ever been employed by, or volunteered for, any federal, state, or local law enforcement agency; a jail, prison or detention center; or a district attorney or other prosecuting attorney's office?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, who? \_\_\_\_\_  
Relationship to you: \_\_\_\_\_  
Position held: \_\_\_\_\_  
Dates of employment: \_\_\_\_\_  
Name of agency, or attorney and office: \_\_\_\_\_
30. Have you or any family member ever worked for any other attorney? Yes \_\_\_\_ No \_\_\_\_  
If yes, who? \_\_\_\_\_  
Relationship to you: \_\_\_\_\_  
Position held: \_\_\_\_\_  
Dates of employment: \_\_\_\_\_  
Name of attorney and office: \_\_\_\_\_

31. Have you or any family member ever been represented by an attorney or law office?  
 Yes \_\_\_\_ No \_\_\_\_  
 If yes, name of attorney and office: \_\_\_\_\_
32. Do you have a physical disability of which we need to be aware? Yes \_\_\_\_ No \_\_\_\_  
 If yes, are there any special accommodations, services, or assistance we can provide during your jury service? Yes \_\_\_\_ No \_\_\_\_  
 Please explain: \_\_\_\_\_
33. Are you presently taking any medication that may affect your ability to serve as a juror? Yes \_\_\_\_ No \_\_\_\_  
 If yes, please explain: \_\_\_\_\_
34. Is there any reason you could not serve as a juror? Yes \_\_\_\_ No \_\_\_\_ (*If you are requesting an excusal or postponement for this reason, you must complete and submit the Request for Postponement, Excusal, or Exemption Form*)  
 If yes, please explain: \_\_\_\_\_
35. Use this space for any additional comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**I SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
 Signature of prospective juror

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of preparer, if different than prospective juror

\_\_\_\_\_  
 Date

**PLEASE SUBMIT THE JUROR QUALIFICATION FORM AND THIS JUROR QUESTIONNAIRE TO:**

\_\_\_\_\_  
 \_\_\_\_\_

[Approved, effective January 1, 1995; as amended by Supreme Court Order 06-8300-16, effective June 20, 2006; UJI 14-110 NMRA, recompiled in part as 9-513 NMRA by Supreme Court Order

No. 13-8300-042, effective for all cases pending or filed on or after December 31, 2013; as amended by Supreme Court Order No. \_\_\_\_\_, effective \_\_\_\_\_.]



Proposed Rule Changes Comment Form.

Name: Marjorie C. Jones

Phone: 505-334-6151

Email: aztdmcj@nmcourts.gov

SUPREME COURT OF NEW MEXICO  
FILED

APR 06 2016

Rule No: 9-513 (proposal 2016-49)



Comments:

RE: 9-513, Summon to Jury Service

On the request of a jury clerk in the Eleventh Judicial District, we would like to see the dates of service in the third bullet point on the first page of the summons appear in bold, capitalized lettering.

In the Part A, Juror qualification section, we would like to see a line added in which the juror provides a physical address, in addition to the mailing address. The reason for this request is that for numerous residents in our district, their physical addresses from which mileage payments need to be calculated differ from the location of their mailing addresses. It is not uncommon for a resident to have a mailing address in one city, but actually reside in another city at a home where mail is not delivered. In short, our jury clerk needs both addresses; a physical address from which to calculate mileage, and a mailing address to which jury payment may be mailed.

Thank you for considering these comments.