

Minnesota General Rules of Practice for the District Courts
With amendments effective as of November 22, 2023

TITLE IX. JURY MANAGEMENT RULES

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RULE 801. GENERAL POLICY

Persons shall be selected randomly for jury service, from the broadest possible cross section of people in the area served by the court. All qualified persons have an obligation to serve as jurors when summoned, and all must be considered for jury service.

(Amended effective November 22, 2023.)

Task Force Comment--1991 Adoption

These Jury Management Rules have already been adopted by the Minnesota Supreme Court. See Order Promulgating Jury Management Rules, No. C5-85-837 (Minn. Sup. Ct. June 14, 1990). The Task Force recommends that they be included as part of the General Rules of Practice for the District Courts.

RULE 802. DEFINITIONS

- (a) “Court” means a district court of this state, and includes, when the context requires, any judge of the court.
- (b) “Jury source list” means the list of all prospective jurors statewide resulting from combining the voter registration list and the driver’s license and ID cardholders list, following the requirements set out in [Rule 806](#) and the State Jury Administration Plan.
- (c) “Voter registration list” means the record, maintained by the secretary of state, of persons registered to vote.
- (d) “Driver’s license and ID cardholders list” means the record, maintained by the Minnesota Department of Public Safety, of persons who have been issued a license to drive a motor vehicle or a state identification card.
- (e) “Random selection” means the selection of names in a manner totally immune to the purposeful or inadvertent introduction of subjective bias and such that no recognizable class of the population from which names are being selected can be purposely included or excluded, and such that each eligible and available person has an equal probability of selection.
- (f) “Petit jury” means a body of six persons, impaneled and sworn in any court to try and determine, by verdict, any question or issue of fact in a civil or criminal action or proceeding, according to law and the evidence as given them in court. In a criminal action where the offense charged is a felony, a petit jury is a body of 12 persons, unless a different size is established in the Minnesota Rules of Criminal Procedure.

(g) “State Jury Administration Plan” means the jury administration plan adopted for use statewide by all judicial district administrators and published by the state court administrator’s office.

(h) “State Jury Program” means the statewide jury program administered by the state court administrator’s office, jury commissioners, and any judicial branch office or employees designated to perform tasks related to summoning and qualifying jurors for service.

(Amended effective November 22, 2023.)

Advisory Committee Comment--1994 Amendments

Rule 802(i) is amended effective January 1, 1994, to make it clear that the definition of petit jury is not intended to change in any way the mechanism for agreeing to a different sized jury in criminal cases as established in the Minnesota Rules of Criminal Procedure. This change is intended to obviate any confusion over this rule, and to eliminate the type of dispute that arose in a case brought to the Minnesota Court of Appeals. See State v. McKenzie, No. C7-93-1890 (Minn. Ct. App., Sept. 23, 1993) (Unpublished Order Opinion).

Advisory Committee Comment--2023 Amendments

Rule 802 is modified in 2023 to: remove inaccurate and unnecessary definitions; reflect the consolidation of jury processes into a consistent, statewide system and process overseen and coordinated by the state court administrator’s office under Judicial Council Policy, rather than a county-by-county system; and recognize that in 2021 a State Jury Administration Plan was adopted by all 10 judicial district administrators in their capacity as jury commissioners under Rule 803. Rule 802(d) clarifies that the driver’s license and ID cardholders list includes all who have been issued a license or card, including those whose license has been suspended or revoked.

RULE 803. JURY COMMISSIONER

- (a) A jury commissioner is established in each county to administer the jury system in cooperation with the state court administrator’s office as part of the State Jury Program under the supervision of the Judicial Council. The jury commissioner shall be the judicial district administrator or designee. If another person is designated jury commissioner, the other person shall be an employee of the judicial branch and responsible to the judicial district administrator in the performance of the jury commissioner’s tasks.
- (b) The jury commissioner shall analyze information collected by the state court administrator’s office regarding the performance of the jury system on a regular basis to evaluate:
 - (1) the inclusiveness of the jury source list and the representativeness of the jury pool;
 - (2) the effectiveness of qualification and summoning procedures;
 - (3) the responsiveness of individual citizens to jury duty summonses;

- (4) the efficient use of jurors; and
- (5) the cost effectiveness of the jury system.

The jury commissioner must promptly report to the state court administrator's office any area of concern identified as a result of this analysis. The jury commissioner must work with the state court administrator's office to make any needed changes or improvements to the county's jury system as part of the State Jury Program.

- (c) The jury commissioner should seek to secure adequate and suitable facilities for juror use in each court facility in which jury trials are held.

(Amended effective November 22, 2023.)

Advisory Committee Comments—2007 Amendment

Rule 803(b)(1) is amended to state the jury commissioner's responsibility more precisely. Because a jury commissioner does not have control over the composition of the jury source list, the rule should not impose a duty relating to the source list. It shifts that responsibility, however, to require the jury commissioner assess the representativeness of the jury pool as a whole, not the constituent lists. This amendment is not intended to lessen in any way the representativeness of jury pools.

Advisory Committee Comment—2023 Amendments

Rule 803 is modified in 2023 to reflect the consolidation of jury processes into a consistent, statewide system and process overseen and coordinated by the state court administrator's office under Judicial Council Policy, rather than a county-by-county system.

RULE 804. JURY ADMINISTRATION PLAN

- (a) Each jury commissioner must follow the State Jury Administration Plan and must supplement the plan as needed based on the county's court facilities and population. The plan shall be designed to further the policies of these rules.
- (b) Each plan must
 - (1) describe the jury system including the process for creation of the jury source list;
 - (2) give a detailed description of the random selection procedures to be used in all phases of juror selection, in accordance with [Rule 805](#);
 - (3) describe the storage media or electronic system by which the jury source list shall be maintained;
 - (4) specify the maximum term of jury service for each county, in accordance with [Rule 811](#);
 - (5) list the conditions which will justify excusing a prospective juror, as well as those which justify deferral;
 - (6) describe the juror qualification questionnaire, which will be used to gather information to determine if a prospective juror is qualified;

- (7) contain policies and procedures for enforcing a summons and for monitoring failures to respond;
- (8) describe juror orientation and instruction for jurors upon initial contact prior to service; upon first appearance at the courthouse; upon reporting to a courtroom for voir dire; following empanelment; during the trial; prior to deliberations; and after the verdict has been rendered or when a proceeding is terminated without a verdict.

(Amended effective November 22, 2023.)

Advisory Committee Comment--2023 Amendments

[Rule 804](#) recognizes that in 2021, a State Jury Administration Plan was adopted by all 10 judicial district administrators in their capacity as jury commissioners under [Rule 803](#).

RULE 805. RANDOM SELECTION PROCEDURES

- (a) Random selection procedures shall be used throughout the juror selection process. Any method may be used, manual or automated, that provides each eligible and available person with an equal probability of selection.
- (b) Random selection procedures shall be employed in
 - (1) selecting persons to be summoned for jury service;
 - (2) assigning persons to panels; and
 - (3) calling persons for voir dire.
- (c) Departures from the principle of random selection are appropriate
 - (1) to exclude persons ineligible for service in accordance with [Rule 808](#);
 - (2) to excuse or defer prospective jurors in accordance with [Rule 810](#);
 - (3) to remove prospective jurors for cause or if challenged peremptorily in accordance with applicable rules of procedure; or
 - (4) to equalize service among all prospective jurors in accordance with [Rule 812](#).

(Amended effective November 22, 2023.)

RULE 806. JURY SOURCE LIST

- (a) The state court administrator's office in cooperation with the jury commissioner for each county is responsible for compiling and maintaining copies of all lists to be used in the random selection of prospective jurors. These lists shall be compiled annually when possible. No names shall be placed on the jury source list, grand jury list, or petit jury venire except as provided by the State Jury Administration Plan, or these rules.
- (b) The voter registration list and the driver's license and ID cardholders list must serve as the basis for the jury source list. The jury source list may be supplemented with names from other lists only as directed by the Judicial Council. Whoever has custody, possession,

or control of the lists used in compiling the jury source list shall provide them to the state court administrator's office upon request at any reasonable time.

(c) The jury source list must be used for the random selection of names or identifying numbers of prospective jurors to whom qualification questionnaires and summonses for service must be sent.

(d) The state court administrator's office and the jury commissioners shall review data derived from the jury source list every year for its inclusiveness and the jury pool for its representativeness of the adult population in each county. The state court administrator's office shall report the results of the review annually to Judicial Council.

(e) If the chief judge, or designee, the state court administrator, or a jury commissioner determines that improvement is needed in either the inclusiveness of the jury source list or the representativeness of the jury pool, they may bring any such concerns to the Judicial Council, who will determine any appropriate corrective action.

(Amended effective November 22, 2023.)

Advisory Committee Comment--1994 Amendments

[Rule 806](#) is amended to incorporate a change made in jury source list creation that predated the adoption of the Minnesota General Rules of Practice but which was not incorporated in the final draft of the rules. This change is not intended to change the existing practice in creation of jury source lists.

Advisory Committee Comment—2008 Amendment

[Rules 806\(e\) & \(f\)](#) are amended to state the jury commissioner's responsibility more precisely. Because a jury commissioner does not have control over the composition of the jury source list, the rule should not impose a duty relating to the source list. It shifts that responsibility, however, to require the jury commissioner assess the representativeness of the jury pool as a whole, not the constituent lists. This amendment is not intended to lessen in any way the representativeness of jury pools. This change is similar in purpose and form to the amendment of [Minn. Gen. R. Prac. 803](#), effective January 1, 2007.

Advisory Committee Comment--2023 Amendments

[Rule 806](#) is modified in 2023 to reflect the consolidation of jury processes into a consistent, statewide system and process overseen and coordinated by the state court administrator's office (SCAO) under Judicial Council Policy, rather than a county-by-county system. All counties now summon jurors from a juror source list created at the statewide level, all counties use the same summons and questionnaire form, which is mailed to prospective jurors by a single statewide vendor, and the majority of the work summoning and qualifying jurors is done by a Consolidated Jury Unit. In 2021, a State Jury Administration Plan was adopted by all 10 judicial district administrators in their capacity as jury commissioners under [Rule 803](#). In addition, the state Jury Management Resource Team (JMRT), which includes members with jury expertise from all 10 judicial districts,

advises SCAO on statewide jury program management issues. Overall jury program management policy is set by the Judicial Council, and chief judges retain authority to address local issues via their policy-setting role as members of the Judicial Council.

Rule 806(d) incorporates the recommendation of the Committee for Equality and Justice that the juror source list be reviewed for representativeness every year rather than every four years.

RULE 807. JURY QUESTIONNAIRE AND SUMMONS.

- (a) The State Jury Program shall send to every prospective juror whose name has been drawn a summons for service, along with instructions to complete and submit the juror qualification questionnaire within 10 days of receiving the summons.
- (b) The summons and the juror qualification questionnaire shall be:
 - (1) phrased so as to be readily understood by an individual unfamiliar with the legal and jury systems; and
 - (2) delivered by the means directed by the state court administrator.
- (c) A summons shall clearly explain how and when the recipient must respond and the consequences of a failure to respond.
- (d) The juror qualification questionnaire shall be phrased and organized so as to facilitate quick and accurate screening, and should request only that information essential for:
 - (1) determining whether a person is qualified for jury service under Rule 808;
 - (2) determining whether the person is capable of rendering satisfactory jury service, including whether the person needs reasonable disability accommodations to serve;
 - (3) providing basic background information including date of birth, race, gender, occupation, educational level, address, marital status, occupation of spouse, and the age(s) of any children; and
 - (4) efficiently managing the jury system.
- (e) The state court administrator's office in cooperation with the jury commissioners shall maintain a list of the persons to whom a summons has been sent, but neither the names nor the list shall be disclosed except as provided in these rules.

(Amended effective November 22, 2023.)

Advisory Committee Comment--2023 Amendments

Rule 807 is modified in 2023 to reflect the current process for summoning and receiving juror qualification questionnaires.

RULE 808. QUALIFICATIONS FOR JURY SERVICE

- (a) The jury commissioner or designated judicial branch staff shall determine and document on the basis of information provided on the juror qualification questionnaire, supplemented if necessary, whether the prospective juror is qualified for jury service.
- (b) To be qualified to serve as a juror, the prospective juror must be:
- (1) A citizen of the United States.
 - (2) At least 18 years old.
 - (3) A resident of the county.
 - (4) Able to communicate in the English language.
 - (5) Able to render satisfactory jury service, with reasonable disability accommodations if necessary.
 - (6) A person who has had their civil rights restored if they have been convicted of a felony.
 - (7) A person who has not served as a state or federal grand or petit juror in the past four years, except where the jury commissioner has determined that a county has an insufficient number of prospective jurors and the state court administrator has approved qualifying for service a person who has not served in the last two years.
- (c) District court and court of appeals judges and supreme court justices currently serving in the Minnesota Judicial Branch are disqualified from jury service. Federal judges, tribal judges, and other judicial officers, such as referees and magistrates, are not disqualified from jury service.
- (d) If an otherwise qualified prospective juror claims to be incapable of serving due to a disability and requests to be excused from service, the judge may require the person to provide medical documentation proving the inability to serve, and may direct further inquiries to be made about the person's ability to serve as a juror. The judge may direct that reasonable accommodations be given to enable the person to serve in lieu of excusing the person from jury service.
- (e) If a qualified prospective juror is 70 years of age or older and requests to be excused from jury service, the person shall be automatically excused from service without having to submit evidence of an inability to serve.

(Amended effective November 22, 2023.)

Jury Task Force Comment – 2003 Amendment

The Minnesota Supreme Court Jury Task Force Recommends that [Rule 808\(b\)\(7\)](#) of the General Rules of Practice for District Court be amended to provide that “A person has not served as a state or federal grand or petit juror in the past two years.” This change will allow counties with a reduced term of service to have an appropriately large pool of eligible jurors on which to draw.

Advisory Committee Comments—2007 Amendment

[Rule 808](#) is amended to change the exemption from repeated jury service from two to four years. This change is made on the recommendation of the Jury Managers Resource Team and reflects that fact that sufficient numbers of jurors can be obtained with a four-year exemption. This change returns the rule to the period used before 2003, when the rule was amended to shorten the period to the current two-year period. The two-year period has resulted in various disproportionate calls to jury service and to complaints from repeatedly summoned jurors.

Advisory Committee Comment--2023 Amendments

[Rule 808\(a\)](#) is modified in 2023 to allow flexibility in the administrative duty of documenting qualification for jury service. It is no longer physically recorded on the questionnaire and is currently maintained in the jury software program, which itself is subject to change over time. [Rule 808\(b\)\(7\)](#) allows for an adjustment in service term by the jury commissioner subject to approval by the state court administrator to provide the flexibility necessary to address juror shortages. [Rule 808\(c\)](#) limits disqualification of judicial officers to state district court and court of appeals judges and supreme court justices. [Rule 808\(d\)](#) explains the process for requests for accommodations to allow a person to serve or to be excused from juror service due to a disability. [Rule 808\(e\)](#) allows a juror 70 years of age or older to decline jury service.

RULE 809. DISCRIMINATION PROHIBITED

A citizen shall not be excluded from jury service in this state on account of race, color, creed, religion, sex, national origin, marital status, status with regard to public assistance, disability, age, occupation, sexual orientation, or economic status.

(Amended effective November 22, 2023.)

Advisory Committee Comment--1994 Amendments

This rule is amended to add “physical or sensory disability” as types of discrimination specifically prohibited by the rule. This amendment is made to conform the rule to the legislative mandate against discrimination on these bases adopted by the legislature in 1992 and at Minnesota Statutes, section 593.32, subdivision 1.

Advisory Committee Comment--2015 Amendments

[Rule 809](#) is amended to include a specific prohibition against discrimination on the basis of sexual orientation in jury service. This change is consistent with terms used in legislative definitions of prohibited discriminatory conduct. See, e.g., Minn. Stat. §§ 363A.02 (Minnesota Human Rights Act); 82B.195, subd. 3(vii) (real estate appraisers).

Advisory Committee Comment--2023 Amendments

[Rule 809](#) is modified in 2023 to remove redundant language. Disability is more fully addressed in [Rule 808](#).

RULE 810. EXCUSES AND DEFERRALS

- (a) All automatic excuses or disqualifications from jury service are eliminated except as provided in [Rule 808](#).
- (b) Eligible persons who are summoned may be excused from jury service only if:
 - (1) their ability to receive and evaluate information is impaired such that they are unable to perform their duties as jurors and they are excused for this reason by a judge; or
 - (2) they request to be excused because their service would be a continuing hardship to them or to members of the public and they are excused for this reason by the jury commissioner.
- (c) Upon request from a qualified prospective juror, the jury commissioner shall determine whether the prospective juror meets the conditions for deferral set out in the jury administration plan. The deferral shall be for a reasonable time, after which the prospective juror shall be available for jury service, in accordance with the court's direction. Deferral of jury service is encouraged as an alternative to excuse from service.
- (d) The reason for the excuse or deferral of any prospective juror shall be documented by the court.
- (e) A member, officer, or employee of the state or federal legislature shall be granted a deferral of jury service upon request while the legislature is in session.
- (f) A candidate who has filed an affidavit of candidacy for elected office under Minnesota Laws, chapter 103C, 122, 204B, 204D, 205, 205A, or 447 is deferred from jury service from the date of filing the affidavit until the day after the election for that office, if the person requests to be deferred for this reason.

(Amended effective November 22, 2023.)

Advisory Committee Comment--2023 Amendments

[Rule 810](#) is updated in 2023 to clarify that service in a state or federal legislature is grounds for deferral, not an excuse, from juror service. The requirement to document reasons for excuse or deferral is an administrative one that is subject to change as new software programs are implemented.

RULE 811. TERM OF JURY SERVICE

- (a) Counties with a population of 100,000 or more must have the same maximum term of jury service. Counties with a population of less than 100,000 but more than 50,000 must have the same maximum term of jury service. Counties with a population of 50,000 or less must have the same maximum term of jury service. The maximum term of jury service for each county must be specified in the State Jury Administration Plan.
- (b) No person is required to continue to serve after the person has reported to the courthouse for 10 days within a term of jury service.
- (c) Regardless of the maximum term of jury service established under the provisions in paragraphs (a) and (b), if a juror who has reached the maximum term of jury service is currently assigned to a trial, the juror's term of service continues until the completion of the trial on which the juror is sitting.
- (d) The time that persons are called upon to perform jury service and be available for jury service shall be the shortest period consistent with the needs of justice. The judicial district administrators shall periodically review the frequency of juror use in each county in determining the shortest period of jury service that will enable the greatest number of citizens to have the opportunity to report to the courthouse and participate in the jury system. The judicial district administrators shall adopt in the State Jury Administration Plan the shortest period of jury service for each county that is practical.
- (e) A juror is not disqualified under the provisions of Rule 808(b)(7) from serving on more than one trial during a term of jury service. A juror must be excused after completion of one trial to deliberation if the jury commissioner determines that the county has an adequate number of jurors available.

(Amended effective November 22, 2023.)

Advisory Committee Comment--2023 Amendments

Rule 811 is updated in 2023 to move juror term of service lengths out of the rule and into the Statewide Jury Administration Plan adopted by all 10 judicial district administrators in their role as jury commissioners. This allows for a more efficient review and updating than obtaining any needed rule change.

RULE 812. JUROR USE

- (a) Courts shall employ the services of prospective jurors so as to achieve optimum use with minimum inconvenience to jurors.
- (b) Courts shall determine the minimally sufficient number of jurors needed to accommodate trial activity; this information and appropriate management techniques shall

be used to adjust both the number of individuals summoned for jury duty and the number assigned to jury panels.

(c) Courts may employ procedures to ensure that each prospective juror who has reported to the courthouse is assigned to a courtroom for voir dire each day before any prospective juror is assigned a second time that day.

RULE 813. CHALLENGING COMPLIANCE WITH SELECTION PROCEDURE

(a) A party may move to stay the proceedings, quash the indictment or for other appropriate relief, on the ground that these rules have not been complied with. Such motion should be made within seven days after the moving party discovers or should have discovered the grounds for the motion, and in any event before the petit jury is sworn to try the case.

(b) If a motion filed under (a) contains a sworn statement of facts which, if true, constitute a substantial failure to comply with these rules, the moving party is entitled to present the testimony of the jury commissioner, any relevant records and documents, and any other relevant evidence in support of the motion. If the court determines that there has been a substantial failure to comply with these rules in the selection of either a grand jury or a petit jury, the court shall stay the proceedings while a jury is selected in conformity with these rules.

(c) The procedures prescribed by this Rule are the exclusive means by which a party may challenge a jury on the grounds that the jury was not selected in conformity to these rules.

(Amended effective November 22, 2023.)

Advisory Committee Comment--2023 Amendments

Rule 813(b) is updated in 2023 to substitute “documents” for “papers” in recognition of electronic records. The general reference to nonpublic information is removed as access to records is governed in Rule 814.

RULE 814. RECORDS

The jury source list, the names of prospective jurors summoned, records regarding prospective jurors, and the contents of juror qualification questionnaires shall not be disclosed except as provided by this rule.

(a) **Authorized Access.**

- (1) **Jury Source List.** The state court administrator’s office may disclose the jury source list to the Minnesota Federal District Court as needed to comply with 28 U.S.C. § 1863.
- (2) **Access by Parties.** The names of the qualified prospective jurors assigned to a panel for voir dire, their city of residence, occupation, education, children’s ages, spouse’s occupation, birth date, reported race and whether or not of Hispanic origin, gender, and marital status provided on their juror qualification questionnaires are accessible and must be provided to the parties to a case, unless in a criminal case the court has restricted access to juror information pursuant to the Rules of Criminal Procedure, or in a civil case the court restricted access to the names or other identifying information of the jurors in the interests of justice. Court administration may provide mailing addresses, email addresses, or telephone numbers for jurors who serve on a jury only to the attorneys on the case, and only if authorized by the presiding judge. The attorneys may use the juror contact information only for purposes of surveying the jury and must not otherwise disclose the information.
- (3) **Public Access.** The names on the list of prospective jurors assigned to a panel for voir dire and any supplemental questionnaires completed by those prospective jurors are accessible to the public in a civil or criminal case only as authorized by the applicable rules of procedure and the Rules of Public Access to Records of the Judicial Branch, and only if the presiding judge has not restricted access to juror information in a specific case. Juror statistics and data that do not identify specific jurors may be disclosed to the public as authorized or required by the Rules of Public Access to Records of the Judicial Branch.
- (4) **Requests for Access.** Any request to the court for access to information on persons who were summoned for jury service not specifically authorized by these rules must be directed to the presiding judge if the request is related to a challenge under [Rule 813](#), and in all other circumstances to the chief judge. The request must set forth the specific reasons for the request and the specific information requested. The court may only authorize access as deemed appropriate in the interest of justice, and may only authorize the release of data and reports that can be readily generated from the court’s records or jury management system. The court may include any provisions in the order that direct the recipient to keep certain information confidential or that limit the use of the information in whole or in part. The court may not authorize access to any medical, financial, or other personal hardship information provided by a prospective juror to the court for purposes of determining the person’s ability to serve on a jury.
- (b) **Retention.** The jury commissioner shall make sure that all records and lists including any completed juror qualification questionnaires, are preserved for the length of time ordered by the court or set forth in the official retention schedule.

(Amended effective November 22, 2023.)

The 2005 change to [Rule 814](#) is intended to ensure the privacy of juror social security numbers and to reflect the constitutional limits on closure of criminal case records. Juror qualification records on a particular juror will be subject to those constitutional limits only to the extent that the juror has participated in voir dire in a criminal case. Access to completed supplemental juror questionnaires used in specific cases is governed by separate rules. See Minn. R. Civ. P. 47.01; Minn. R. Crim. P. 26.02, subd. 2(3).

Advisory Committee Comments—2007 Amendment

[Rule 814](#) is amended to delete the apparently absolute right to public access to jury questionnaires one year after the jury list is prepared, contained in [Rule 814\(d\)](#). The provision is replaced by the modified public access right contained in amended [Rule 814\(a\)](#). The procedure applies the uniform procedure of specific request to the court for access, and essentially simply removes the distinction between requests before and after the one-year anniversary.

Advisory Committee Comment--2023 Amendments

[Rule 814\(a\)\(1\)](#) is new in 2023 and recognizes that the jury source list is also used by the Minnesota Federal District Court as needed to comply with federal law set forth in 28 U.S.C. § 1863. [Rule 814\(a\)\(2\)](#) details the juror information that is currently provided to parties in advance of voir dire and the limitations on the parties' use of the information. [Rules 814\(a\)\(3\)](#) and (4) describe what is currently publicly accessible and the process for making requests. [Rule 814\(b\)](#) recognizes that retention of juror information is governed by judicial branch retention schedules and court orders.