

STATE OF MAINE
SUPREME JUDICIAL COURT
DRAFT AMENDMENT TO
MAINE RULES OF CIVIL PROCEDURE

1. Rule 47 of the Maine Rules of Civil Procedure is amended to read as follows:

RULE 47. JURORS

....

(f) Juror Information Confidentiality. Juror qualification questionnaires, the records, lists, and information used in connection with the selection and service of jurors, the names drawn, and juror seating charts are confidential and nonpublic, and may not be disclosed to any person unless authorized by Title 14, part 3, chapter 305 of the Maine Revised Statutes and ordered by the court.

Absent specific authorization by the court, a person to whom juror information is disclosed or disseminated under this rule shall not use the juror information to directly or indirectly contact, or cause to be directly or indirectly contacted, any juror or prospective juror by any means, including by electronic or social media.

(1) *Limited Disclosure While Jurors and Prospective Jurors Are Serving.* While jurors and prospective jurors are serving as members of a jury pool, the names and juror qualification questionnaires of the members of that jury pool are confidential and may not be disclosed, except to the attorneys and their agents and investigators, and all unrepresented parties for use in the conduct of *voir dire* examination. A person to whom disclosure is authorized

_____ (A) may receive a copy of the list of juror names from the clerk's office but shall return the list to the clerk's office at the conclusion of the trial or the earlier disposition of any case or cases for which the list was obtained, and

_____ (B) may inspect and review all juror qualification questionnaires at the clerk's office, though no copies shall be made.

(2) Request for Disclosure after Juror Service. When the period of juror service for all jurors in that jury pool has expired, a person may file a written request for disclosure of the names of any of those jurors, with an affidavit stating the basis for the request. A judge may approve post-service juror contact information disclosure only as authorized by 14 M.R.S. §§ 1254-A and 1254-B, and subject to the limitations provided by those statutes and by the court's order.

(3) Contempt and Sanctions. A court may, to the extent authorized by law, find a person in contempt or impose sanctions on a party or a party's attorneys or agents for a violation this rule.

Advisory Note - ____ 2019

Rule 47 is amended to add subdivision (f) governing juror information confidentiality.