

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF
THE PLAN OF THE UNITED STATES
DISTRICT COURT, CENTRAL
DISTRICT OF CALIFORNIA,
FOR THE RANDOM SELECTION
OF GRAND AND PETIT JURORS

GENERAL ORDER NO. 13-13
(Supersedes General Order
No. 11-08)

Pursuant to the Jury Selection and Service Act of 1968, as amended, 28 U.S.C. § 1861 *et seq.* (“Act”), the following amended Jury Selection Plan (“Plan”) is hereby adopted by the United States District Court for the Central District of California (“Court”), subject to approval by the Ninth Circuit Judicial Council and to such rules and regulations as may be adopted from time to time by the Judicial Conference of the United States.

1. Applicability of Plan

This Plan applies to the Central District of California (“District”), including all three of its divisions: (1) the Western Division, which includes the counties of Los Angeles, San Luis Obispo, Santa Barbara, and Ventura; (2) the Southern Division, which includes the county of Orange; and (3) the Eastern Division, which includes the counties of Riverside and San Bernardino. 28 U.S.C. § 84(c). These three statutory divisions

1 shall constitute the divisions contemplated by the Act, as provided in 28 U.S.C.

2 § 1869(e)(1).

3 **2. Declaration of Policy**

4 It is the policy of the Court that all litigants in this Court entitled to trial by jury
5 shall have the right to grand and petit juries selected at random from a fair cross section
6 of the community in the division wherein the Court convenes.

7 It is further the policy of the Court that all citizens shall have the opportunity to be
8 considered for service on grand and petit juries of the Court and shall have an obligation
9 to serve as jurors when summoned for that purpose. No citizen shall be excluded from
10 service as a grand or petit juror on the basis of race, color, religion, gender, sexual
11 orientation, national origin, or economic status.

12 **3. Management and Supervision of Jury Selection Process**

13 The Clerk of the Court, any authorized deputy clerk, or any other person
14 designated to assist the clerk (collectively “Clerk”), shall manage the jury selection
15 process under the supervision and control of the chief judge of the Court, a judge acting
16 pursuant to 28 U.S.C. § 136(e), or such other judge of the district court as the chief judge
17 may designate (“Chief Judge”). The Clerk is authorized to use non-Court personnel to
18 assist in the performance of functions under this Plan. Non-Court personnel shall be
19 given detailed instructions regarding any work they are asked to perform, and shall be
20 required to certify that all work performed has been completed pursuant to those
21 instructions. The instructions provided, and the certifications returned upon completion,
22 will be considered “Juror Selection Records,” and will be retained and made available to
23 the public pursuant to Section 12 of this Plan.

24 **4. Sources of Prospective Jurors’ Names**

25 The names of prospective jurors shall be drawn from the names of registered
26 voters, licensed drivers, and holders of California Identification Cards (issued by the
27 California Department of Motor Vehicles) who reside within one of the seven counties in
28 the District. The Clerk shall obtain the names of all registered voters residing in the

1 District by requesting voter registration lists, as defined in 28 U.S.C. § 1869(c) (“Voter
2 Lists”), from the Registrar of Voters or equivalent office in each of the seven counties in
3 the District. The Clerk shall obtain the names of all licensed drivers and holders of
4 California Identification Cards residing within the District by requesting from the
5 California Department of Motor Vehicles (“DMV”) information regarding individuals
6 who hold a California driver’s license or identification card and who reside in one of the
7 seven counties in the District (“DMV Records”).

8 The Clerk shall obtain updated Voter Lists and DMV Records (collectively,
9 “Source Data”) for the District every year, in advance of the annual emptying and re-
10 filling of the Master Jury Wheels described in Section 5, below. The Clerk shall obtain
11 the Source Data by requesting, in writing, that each agency provide a list of the required
12 names, together with addresses and any other information necessary to achieve the goals
13 of the Act. The Clerk shall also require that each agency, when providing the list,
14 provide a declaration certifying that the requested information was forwarded to the
15 Court in accordance with the Clerk’s written request. The Source Data, the Clerk’s
16 written requests for the Source Data, and the declarations from each agency providing
17 Source Data will be considered “Juror Selection Records,” and will be retained and made
18 available to the public pursuant to Section 12 of this Plan.

19 **5. Creation and Maintenance of Master Jury Wheels**

20 Having obtained the Source Data for each county in the District, the Clerk shall
21 use that information to establish and maintain one “Master Jury Wheel,” in electronic
22 form, for each of the three divisions within the District. First, using a properly
23 programmed electronic data processing system, the Source Data for each county shall be
24 merged into a single list, and duplicate records of the same person and the records of
25 persons under the age of 18 years eliminated. The resulting list will be referred to as the
26 county’s “Merged Source List.”

27 Next, in accordance with 28 U.S.C. § 1863(b)(3), the Clerk shall randomly select
28 names from the Merged Source List for each county in the District, using a purely

1 randomized process through a properly programmed electronic data processing system
2 designed to ensure that the mathematical odds of any single name being picked from a
3 Merged Source List are substantially equal. The selected names shall be placed in the
4 Master Jury Wheel for the division in which the county is located, in such numbers as to
5 ensure that each county is substantially proportionally represented in that division's
6 Master Jury Wheel.

7 For purposes of determining proportional representation in the Master Jury Wheel,
8 the number of registered voters in each county shall be compared to the total number of
9 registered voters in the division, and a percentage calculated; the number of names
10 drawn from a county's Merged Source List for inclusion in the division's Master Jury
11 Wheel shall be in an amount equal to the same percentage of that division's Master Jury
12 Wheel. For example, if, in a division with two counties, County A has 20% of the
13 registered voters for the division, and County B has 80% of the registered voters, then
14 20% of the names in the division's Master Jury Wheel should be drawn from County A's
15 Merged Source List, and 80% of the names in the division's Master Jury Wheel should
16 be drawn from County B's Merged Source List.

17 The minimum number of names to be placed in each Master Jury Wheel shall be at
18 least one-half of 1% of the total number of persons on the Merged Source Lists for the
19 counties in that division. The Court finds that placing names selected from the Merged
20 Source Lists for the counties in a division using a purely randomized process into the
21 Master Jury Wheel for that division in such amounts, with each county in the division
22 substantially proportionally represented, will result in a Master Jury Wheel for each
23 division that includes a fair cross section of the persons residing in that division.

24 Each Master Jury Wheel shall be emptied and refilled annually prior to January 1.
25 If necessary to assure an adequate supply of qualified jurors, the Chief Judge may order
26 that any Master Jury Wheel be supplemented from time to time with additional names
27 selected from the Merged Source Lists on a random basis, in substantially proportional
28 amounts from each county in the relevant division. Jurors selected from previous Master

1 Jury Wheels may serve at the same time as jurors selected from later Master Jury
2 Wheels.

3 The Merged Source Lists, the list of names placed in the Master Jury Wheels, and
4 any Orders of the Chief Judge directing that a Master Jury Wheel be supplemented with
5 additional names shall be considered “Juror Selection Records,” and will be retained and
6 made available to the public pursuant to Section 12 of this Plan.

7 **6. Random Selection of Names from the Master Jury Wheels: One-Step**
8 **Summoning and Qualification of Prospective Jurors**

9 Pursuant to 28 U.S.C. § 1878, the Court adopts a one-step process to summon and
10 qualify prospective petit and grand jurors. The Clerk shall use this one-step approach in
11 lieu of the two separate procedures (a qualification process, followed by a separately
12 issued summons) otherwise provided for by the Act.

13 Accordingly, throughout the term of the Master Jury Wheels, the Clerk shall
14 regularly select names at random from the Master Jury Wheel for each division as
15 required for assignment to grand and petit juries in that division, in such numbers as are
16 estimated to meet the Court’s projected needs. Names of prospective jurors shall be
17 selected from the Master Jury Wheels using a purely randomized process through a
18 properly programmed electronic data processing system designed to ensure that the
19 mathematical odds of any single name being picked from a Master Jury Wheel are
20 substantially equal. Once a name has been selected from a Master Jury Wheel, that name
21 shall not be eligible to be drawn again until after the Master Jury Wheel has been
22 emptied and re-filled. The Clerk shall post a general notice in the Clerk’s Office and on
23 the Court’s website that explains the process by which names are randomly and
24 periodically drawn from the Master Jury Wheels.

25 Every person whose name is so drawn shall be mailed a summons for jury service
26 (“Summons”). Pursuant to 28 U.S.C. § 1864(a), each person summoned for jury service
27 shall be instructed to complete and return a juror qualification form (“Questionnaire”)
28 within ten days. Questionnaires may be completed and submitted online through the

1 Court's website, or completed and returned to the Clerk by mail, e-mail, or fax. The
2 Questionnaire shall be in a form prescribed by the Administrative Office of the United
3 States Courts and approved by the Judicial Conference of the United States. Any person
4 who mails Summonses to prospective jurors shall make the affidavit of service required
5 by 28 U.S.C. § 1866(b).

6 Each Questionnaire submitted by a prospective juror shall be reviewed upon
7 receipt to determine: (1) whether the Questionnaire has been completed; and (2)
8 whether, based on the information provided in or with the Questionnaire, the prospective
9 juror should be disqualified from jury service (see Section 9 of this Plan), exempted from
10 jury service (see Section 10 of this Plan), or excused from jury service for some period of
11 time (see Section 11 of this Plan). A prospective juror may ask to be temporarily
12 excused from jury service by requesting a postponement of jury service to a later date;
13 prospective jurors whose service is postponed will be re-summoned in advance of the
14 new reporting date.

15 A person shall be deemed qualified and available to serve as summoned unless
16 postponed, disqualified, exempted, or excused by the Court, or by the Clerk, acting under
17 supervision of the Court. For any juror postponed, disqualified, exempted, or excused on
18 the basis of information provided in or with the Questionnaire, the Clerk shall note this
19 determination in the records of the Court, and make the results regarding each potential
20 juror available to that juror in advance of the juror's Summons date.

21 The Clerk shall record the names of prospective jurors who fail to return the
22 Questionnaire. If any Questionnaires are returned as undeliverable, the Clerk shall note
23 that fact. Prospective jurors who fail to return the Questionnaire or who submit
24 Questionnaires requiring further investigation may be summoned for a personal
25 interview before the Clerk should other means of communication fail to elicit a
26 satisfactory response. Except for extraordinary cause shown, such appearance shall be
27 without attendance fees or travel allowance.

28

1 Each Summons shall include the date on which the prospective juror's two-week
2 on-call period begins. All prospective jurors must call in as directed in the Summons,
3 and report if directed to do so. Prospective jurors not directed to report on the first call-
4 in date must continue to call in as directed throughout the on-call period.

5 Each week, the Clerk shall determine the number of prospective jurors estimated
6 to be necessary to meet the Court's projected needs for petit jurors, and direct that
7 number of prospective jurors to report for service. Prospective jurors will be directed to
8 report in the order in which their names were randomly drawn from the Master Jury
9 Wheel prior to the mailing of the Summons.

10 The Clerk shall maintain a record of the following: the names of persons sent a
11 Summons; whether the Summons was returned as undeliverable; whether each
12 prospective juror submitted or returned a Questionnaire; whether each Questionnaire
13 submitted was completed; whether any Questionnaires were returned to prospective
14 jurors for additional information; whether each prospective juror was postponed,
15 disqualified, exempted, or excused; whether each prospective juror was directed to report
16 during the on-call period; and whether each prospective juror reported as directed. This
17 record, and the following documents, will be considered Juror Selection Records: the
18 affidavits of service completed pursuant to 28 U.S.C. § 1866(b); any Summons returned
19 as undeliverable, with its original envelope; and all submitted or returned
20 Questionnaires. All Juror Selection Records will be retained and made available to the
21 public pursuant to Section 12 of this Plan.

22 **7. Selection of Petit Jurors**

23 Prospective jurors summoned for petit jury service and not postponed,
24 disqualified, exempted, or excused in advance of the call-in date shall report as directed
25 to the appropriate divisional Jury Assembly Room. The Clerk shall record the names of
26 any prospective jurors who fail to appear as directed.

27 Prospective jurors who report as directed may raise at that time additional grounds
28 for postponement, disqualification, exemption, or excuse. All prospective jurors who

1 report as directed will be deemed qualified and available to serve as summoned unless
2 determined not to be for one of these reasons (as defined in Sections 9-11 of this Plan),
3 by the Clerk, acting under supervision of the Court, or by a district or magistrate judge of
4 the Court. Except for extraordinary cause shown, any appearance by a prospective juror
5 reporting for service and then postponed, disqualified, exempted, or excused shall be
6 without attendance fees or travel allowance. Prospective jurors who report as directed,
7 and who are not postponed, disqualified, exempted, or excused shall be considered
8 “Present and Available” for jury service. The Clerk shall maintain records, which will be
9 considered Juror Selection Records, noting whether each person directed to appear on a
10 particular day is Present and Available to serve as directed, and if not, why: non-
11 deliverable Summons, failure to respond to the Summons, postponement,
12 disqualification, exemption, or excuse. Any orders to show cause issued to persons who
13 fail to respond to a Summons will also be considered Juror Selection Records. All Juror
14 Selection Records will be retained and made available to the public pursuant to Section
15 12 of this Plan.

16 When those persons who are Present and Available to begin petit jury service on a
17 particular day are gathered in the Jury Assembly Room, the Clerk shall administer to
18 them the appropriate oath. The Clerk shall then draw from such persons the number
19 required for immediate assignment to petit jury panels, using a purely randomized
20 process through a properly programmed electronic data processing system designed to
21 ensure that the mathematical odds of any single name being picked from among all
22 prospective jurors then present are substantially equal. Jurors selected for petit jury
23 panels shall then be sent to the appropriate courtroom.

24 Pursuant to 28 U.S.C. § 1863(b)(7), the list of juror names for a particular petit
25 jury panel may be released to the parties and the public at any time with the approval of
26 the judge presiding at trial, or by the Chief Judge if the judge presiding at trial is
27 unavailable. The names of such jurors and associated juror information may be kept
28 confidential in any case where the interests of justice so require. Unless the Court orders

1 that the list be kept confidential, the petit jury panel list shall also be considered a Juror
2 Selection Record, to be maintained and disclosed pursuant to Section 12 of this Plan.

3 The judge (whether a district, magistrate, or bankruptcy judge) presiding over the
4 trial for which the petit jury panel is called (“Presiding Judge”) may excuse jurors upon a
5 showing of undue hardship or extreme inconvenience, for such period as the Presiding
6 Judge deems necessary. The Presiding Judge may also find that a juror is exempt from,
7 or not qualified for, jury service. Jurors postponed by the Presiding Judge to a future
8 date shall be re-summoned in advance of that date. Jurors excused but not postponed to
9 a future date, and jurors found to be exempt or disqualified, shall be released from jury
10 service.

11 The Presiding Judge may exclude a juror:

- 12 (a) on the ground that such person may be unable to render impartial jury
13 service or that his service as a juror would be likely to disrupt the
14 proceedings;
- 15 (b) upon peremptory challenge as provided by law;
- 16 (c) pursuant to the procedure specified by law upon a challenge by any party for
17 good cause shown; or
- 18 (d) upon determination by the court that his service as a juror would be likely to
19 threaten the secrecy of the proceedings, or otherwise adversely affect the
20 integrity of jury deliberations.

21 Any person excluded from a particular jury under (a), (b), or (c) shall be eligible to sit on
22 another jury if the basis for the initial exclusion would not be relevant to the juror’s
23 ability to serve on a different jury. The Presiding Judge may therefore direct that jurors
24 excluded from a jury under (a), (b), or (c) return to the Jury Assembly Room for possible
25 random selection to another petit jury panel. No person shall be excluded under (d)
26 unless the Presiding Judge, in open court, determines that such is warranted and that
27 exclusion of the person will not be inconsistent with 28 U.S.C. §§1861-1862. The
28 number of persons excluded under (d) shall not exceed 1% of the number of persons who

1 return executed Questionnaires during the year between two consecutive fillings of the
2 Master Jury Wheel. The names of persons excluded under (d), together with detailed
3 explanations for the exclusions, shall be forwarded immediately to the Ninth Circuit
4 Judicial Council. Jurors excluded under this paragraph and not directed by the presiding
5 judge to return to the Jury Assembly Room for possible random selection to another petit
6 jury panel shall be released from jury service.

7 The Clerk shall maintain a record of whether each juror selected for a petit jury
8 panel was excused, disqualified, exempted, excluded, or selected to serve as a juror or
9 alternate juror. This record, as well as any findings made in excluding jurors under
10 subsection (d), above, will be considered Juror Selection Records.

11 At the end of each day, all prospective jurors who were present and available to
12 serve that day who have not been assigned to a petit jury panel shall be dismissed, and
13 shall be deemed to have completed jury service. Prospective jurors summoned for jury
14 service and not postponed, disqualified, exempted, or excused, and who have not been
15 assigned to a petit jury panel by the end of the on-call period or initial appearance, will
16 be deemed to have completed jury service. The Clerk will maintain records, which will
17 be considered Juror Selection Records, of all prospective jurors who are deemed to have
18 completed service pursuant to this paragraph. All Juror Selection Records will be
19 retained and made available to the public pursuant to Section 12 of this Plan.

20 **8. Selection of Grand Jurors**

21 Prospective jurors summoned for grand jury service and who are not, in advance
22 of the call-in date, postponed, disqualified, exempted, excused, or directed to report
23 instead for potential service as a petit juror shall report as directed to the location where
24 grand jury impanelment is to be held. The Clerk shall record the names of any
25 prospective jurors who fail to report as directed.

26 Prospective jurors who report as directed may raise at that time additional grounds
27 for postponement, disqualification, exemption, or excuse. All prospective jurors who
28 report as directed will be deemed qualified and available to serve as summoned unless

1 determined to be otherwise for one of these reasons (as defined in Sections 9-11 of this
2 Plan), by the Clerk, acting under supervision of the Court, or by a district or magistrate
3 judge of the Court.

4 Except for extraordinary cause shown, any appearance by a prospective juror
5 reporting for service and then postponed, disqualified, exempted, or excused shall be
6 without attendance fees or travel allowance. Prospective jurors who report as directed,
7 and who are not then postponed, disqualified, exempted, or excused shall be considered
8 “Present and Available” for jury service. For each person directed to appear on a
9 particular day, the Clerk shall record whether the person is Present and Available to
10 serve as directed, and if not, shall record the reason why: non-deliverable Summons,
11 failure to respond to the Summons, postponement, disqualification, exemption, or
12 excuse.

13 When those persons who are Present and Available to begin grand jury service on
14 a particular day are gathered, the Clerk shall then draw from such persons the number
15 required for immediate assignment to a grand jury, using a purely randomized process
16 through a properly programmed electronic data processing system designed to ensure
17 that the mathematical odds of any single name being picked from among all prospective
18 jurors then present are substantially equal. The Clerk shall administer the appropriate
19 oath to those chosen for grand jury service, and the Chief Judge shall give them
20 necessary instructions.

21 The names of grand jurors chosen and sworn shall not be disclosed except on
22 order of the Court. At the end of each day, all prospective jurors who were Present and
23 Available to serve that day who have not been assigned to a grand jury panel shall be
24 dismissed, and shall be deemed to have completed jury service.

25 **9. Qualifications for Jury Service**

26 In accordance with the provisions of 28 U.S.C. § 1865(b), any person whose name
27 is drawn from a Master Source List shall be deemed qualified to serve on grand or petit
28 juries in this Court unless it is determined that the person:

- 1 a. is not a citizen of the United States who has reached the age of 18 years and
- 2 has resided for a period of one year within the District;
- 3 b. is unable to read, write, and understand the English language with a degree
- 4 of proficiency sufficient to fill out satisfactorily the juror qualification form;
- 5 c. is unable to speak the English language;
- 6 d. is incapable, by reason of mental or physical infirmity, to render satisfactory
- 7 jury service; or
- 8 e. has a charge pending against him or her for the commission of, or has been
- 9 convicted in a state or federal court of record of, a crime punishable by
- 10 imprisonment for more than one year and his or her civil rights have not
- 11 been restored.

12 Persons summoned for jury duty who are determined to be disqualified from jury service
13 shall be released from jury service.

14 **10. Exemption from Jury Service**

15 The following persons are barred from jury service on the ground that they are
16 exempt:

- 17 a. members in active service in the Armed Forces of the United States;
- 18 b. members of the fire or police departments of any State, the District of
- 19 Columbia, any territory or possession of the United States, or any
- 20 subdivision of a State, the District of Columbia, or such territory or
- 21 possession; and
- 22 c. public officers in the executive, legislative, or judicial branches of the
- 23 Government of the United States, or of any State, the District of Columbia,
- 24 any territory or possession of the United States, or any subdivision of a
- 25 State, the District of Columbia, or such territory or possession, who are
- 26 actively engaged in the performance of official duties.

27 Persons summoned for jury duty who are determined to be exempt from jury service
28 shall be released from jury service.

1 **11. Individual Requests for Postponement or Excuse**

2 **(a) Postponement**

3 Persons summoned for jury duty may request that service be postponed to a future
4 date. If a request for postponement is granted, a juror will be re-summoned in advance
5 of the requested date.

6 **(b) Groups Whose Members May Request Excuse**

7 Persons summoned for jury duty may request that service be excused on the
8 following grounds:

9 **(i) Volunteer Safety Personnel.**

10 Upon individual request, individuals serving a public agency in an official
11 capacity, without compensation, as firefighters or members of a rescue squad or
12 ambulance crew, shall be excused from jury service.

13 **(ii) Prior Jury Service.**

14 The Court finds that jury service by persons who have been selected and seated as
15 a grand or petit juror or an alternate juror in the past year in either a United States
16 District Court or a state trial court would entail undue hardship or extreme inconvenience
17 to them and that excusing such persons would not be inconsistent with the Act.
18 Accordingly, such persons shall be excused from jury service upon individual request.

19 **(iii) Care Givers.**

20 The Court finds that jury service by a person who has the obligation to care for
21 children, the elderly, or other dependants, when the obligation of such care prevents the
22 person from engaging in employment outside the home, would entail undue hardship or
23 extreme inconvenience to that person, and that excusing such a person would not be
24 inconsistent with the Act. Accordingly, such persons shall be excused from jury service
25 upon individual request.

26 **(iv) Permanent Excuse.**

27 The Court finds that any person who provides documentation from a state or
28 federal court showing that he or she has received a permanent excuse from serving as a

1 juror should be excused from jury service in this Court.

2 **(c) Individual Showing of Undue Hardship or Extreme Inconvenience**

3 A prospective juror may make an individual request to be excused from jury
4 service on the grounds that the following would create undue harm or extreme
5 inconvenience:

- 6 (i) great distance, either in miles or travel time, from the place of holding
7 court;
- 8 (ii) grave illness of the prospective juror or a family member for whom
9 the prospective juror must care that prevents the juror from serving
10 now or in the foreseeable future;
- 11 (iii) any other emergency which outweighs in immediacy and urgency the
12 obligation to serve as a juror when summoned;
- 13 (iv) business, employment, or financial hardship to the juror;
- 14 (v) any other factor that the court determines to constitute an undue
15 hardship or to create an extreme inconvenience to the juror;
- 16 (vi) in situations where it is anticipated that a trial or grand jury
17 proceeding may require more than thirty days of service, severe
18 economic hardship to an employer which would result from the
19 absence of a key employee during the period of such service.

20 Persons summoned for jury duty who are excused from jury service but not
21 postponed to a future date certain shall be released from jury service.

22 **12. Juror Statistics and Records**

23 A Report on Operation of the Jury Selection Plan (“Form AO-12”) shall be
24 completed each time a Master Jury Wheel is refilled and any time there is a change in
25 this Plan. All completed AO-12s will be considered “Juror Selection Records.”

26 All records identified in this Plan as “Juror Selection Records” and that are created
27 during the life of a Master Jury Wheel shall be retained by the Clerk until four years after
28 the later of the following two events (the “Release Date”): (1) the date that that Master

1 Jury Wheel is emptied and refilled; or (2) the date the last of the jurors selected to serve
2 on a jury during the life of that Wheel completes his or her service. Prior to the Release
3 Date, Juror Selection Records shall not be disclosed, except as necessary in the
4 preparation or presentation of a motion under 28 U.S.C. § 1867(a), (b), or (c); a party
5 preparing such a motion, or any party in a case in which such a motion has been filed,
6 may inspect, reproduce, and copy Juror Selection Records regarding the Master Jury
7 Wheel from which either the grand or petit jury in the case was selected, at all reasonable
8 times, and at the party's expense, during the preparation or pendency of such a motion.
9 During the four years after the Release Date, all Juror Selection Records shall be
10 available for public inspection for the purpose of determining the validity of the
11 selection of any jury; these records will not be available for reproduction or copying
12 without an order of the Court. Except as otherwise provided in this Plan, the contents of
13 records or papers not identified in this Plan as Juror Selection Records shall be disclosed
14 only upon an order of the Court. Parties seeking the disclosure of anything not identified
15 as Juror Selection Records must apply to the Court for an order of disclosure; if such an
16 application is made, it shall be referred to the Chief Judge.

17 **13. Sanctions for Late Settlement in Civil Cases**

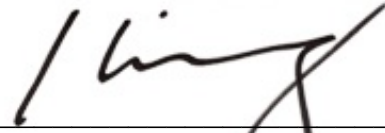
18 In any civil case in which a settlement is reached and the Court is notified of
19 settlement later than the close of business on the last business day before jurors are
20 scheduled to appear for jury selection, the Court may assess reasonable charges
21 reflecting the costs to the government of compensating said jurors for their unnecessary
22 appearance. Said charges may be assessed against one or more of the parties, or against
23 one or more counsel, as the Court deems proper, and the amount collected shall be
24 deposited by the Clerk into the Treasury of the United States.

25 **14. Effective Date**

26 This Plan shall become effective upon filing by the Clerk of this Court after
27 approval by the Judicial Council of the Ninth Circuit. Copies of the approved Plan will
28

1 be sent to the Administrative Office of the United States Courts and the United States
2 Attorney General.

3
4 IT IS SO ORDERED.

5 

6
7 GEORGE H. KING
8 CHIEF UNITED STATES DISTRICT JUDGE

9 *Date of Approval by the Court:* July 30, 2013

10
11 *Date of Approval by the Judicial Council:* October 23, 2013

12
13 *Date of Filing by the Clerk* October 25, 2013
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28