

## **SUPERIOR COURT OF THE STATE OF DELAWARE**

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### **SPECIAL JURY PLAN FOR CAPITAL CASES**

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The court shall select jurors for capital cases in accordance with the regular Petit Jury Plan, Superior Court Criminal Rule 24, and this special plan for capital cases. As used herein, “court” includes court personnel acting under the supervision of the assigned judge.

The court shall:

1. summon a separate panel of jurors for each capital case.
2. determine the number of jurors to be summoned based on the number of defendants, the estimated length of the trial, the pretrial publicity, and other information pertinent to the number likely to be needed to obtain a jury. If additional jurors are needed, they shall be randomly drawn from the regular panel.
3. issue summonses containing the name of the defendant(s), the nature of the charge(s), the estimated length of the trial, an instruction not to read or listen to anything about the case in the news or talk about the case with anyone, and such other pertinent information or instruction as the assigned judge determines will aid in the selection of a jury.
4. make a list shortly before the panel is scheduled to report for service of the names of those jurors who have not been disqualified, excused or excluded with randomly generated numbers corresponding to each name on the list.

5. give a written notice containing the juror's number to each juror who appears as directed in the summons and is not disqualified, excused or excluded, and instruct the jurors not to disclose their numbers to anyone.
6. determine the order in which the jurors will be individually examined by randomly drawing their numbers in open court and in the presence of the parties after the presiding judge's opening statement to the panel at the commencement of the trial.
7. make a list of the names and corresponding numbers of the jurors in the order in which the numbers were drawn for individual examination.
8. conveniently schedule the jurors' appearance for individual examination. If groups of jurors are scheduled at designated times for that purpose, the identity of the jurors in each group shall be kept confidential insofar as practicable.
9. disclose the name of the juror next scheduled for individual examination to the parties only after the individual examination of the preceding juror has been completed.
10. keep the lists made in accordance with this plan confidential until jury selection has been completed.