

Rule 814. Records

The names of qualified prospective jurors drawn and the contents of juror qualification questionnaires shall not be disclosed except as provided by this rule or as required by Rule 813.

(a) **Public Access.** The names of the qualified prospective jurors drawn and the contents of juror qualification questionnaires, except identifying information to which access is restricted by court order and Social Security numbers, completed by those prospective jurors must be made available to the public upon specific request to the court, supported by affidavit setting forth the reasons for the request, unless the court determines:

(1) in a criminal case that access to any such information should be restricted in accordance with Minn. R. Crim. P. 26.02 subd 2(2); or

(2) in all other cases that in the interest of justice this information should be kept confidential or its use limited in whole or in part.

(b) **Limits on Access by Parties.** The contents of completed juror qualification questionnaires except juror Social Security numbers must be made available to lawyers upon request in advance of voir dire. The court in a criminal case may restrict access to names, telephone numbers, addresses, and other identifying information of the jurors only as permitted by Minn. R. Crim. P. 26.02 subd 2(2). In a civil case the court may restrict access to the names, addresses, telephone numbers, and other identifying information of the jurors in the interests of justice.

(c) **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 except that in criminal cases any information provided to counsel for voir dire as authorized by part (b) shall be preserved in the criminal file for at least ten years after judgment is entered.

(Amended effective July 1, 2005; amended effective January 1, 2007.)

Advisory Committee Comment - 2005 Amendment

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 Comment - 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 to 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.