

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1520

Short Title: Selection of Alternate Jurors.

(Public)

Sponsors: Representative Faison.

Referred to: Judiciary III.

April 17, 2007

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE NUMBER OF PEREMPTORY CHALLENGES
2 AVAILABLE WITH RESPECT TO SELECTION OF ALTERNATE JURORS IN
3 CIVIL CASES.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 9-18(a) reads as rewritten:

7 "(a) Civil Cases. Whenever the presiding judge deems it appropriate, one or more
8 alternate jurors may be selected in the same manner as the regular trial panel of jurors in
9 the case. ~~Each party~~ The plaintiff or collective plaintiffs shall be entitled to a total of
10 two peremptory challenges and the defendant or collective defendants shall be entitled
11 to a total of two peremptory challenges as to each such alternate juror, in addition to any
12 unexpended challenges ~~the party~~ they may have after the selection of the regular trial
13 panel. Alternate jurors shall be sworn and seated near the jury with equal opportunity to
14 see and hear the proceedings and shall attend the trial at all times with the jury and shall
15 obey all orders and admonitions of the court to the jury. When the jurors are ordered
16 kept together in any case, the alternate jurors shall be kept with them. An alternate juror
17 shall receive the same compensation as other jurors and, except as hereinafter provided,
18 shall be discharged upon the final submission of the case to the jury. If before that time
19 any juror dies, becomes incapacitated or disqualified, or is discharged for any reason, an
20 alternate juror shall become a part of the jury and serve in all respects as those selected
21 on the regular trial panel. If more than one alternate juror has been selected, they shall
22 be available to become a part of the jury in the order in which they were selected."

23 **SECTION 2.** This act becomes effective October 1, 2007, and applies to
24 actions called for trial on or after that date.