

IN THE SUPREME COURT OF ALABAMA  
March 22, 2002

ORDER

IT IS ORDERED that Rule 18.2, Alabama Rules of Criminal Procedure, is amended to read as follows:

"RULE 18.2 JURY INFORMATION

"(a) Jury List. Prior to the voir dire examination, each party, upon request, shall be furnished with a list of the names and addresses of the prospective jurors called for the venire, together with such biographical information as to each prospective juror as the court may have obtained. Any information so obtained shall be used only for the purpose of jury selection.

"(b) Juror Questionnaire. If a juror questionnaire containing personal information is obtained from a prospective juror in any case appealed to the Court of Criminal Appeals, that questionnaire shall not be included in the clerk's portion of the record on appeal. If any party raises an issue on appeal that relates to information contained in a questionnaire, the appellate court may order the record on appeal to be supplemented to include any or all questionnaires at issue. Upon final disposition of the appeal, any questionnaires in the appellate court's possession by virtue of supplementation of the record shall be returned to the clerk of the trial court. Any such questionnaires supplemented into the appellate record shall be available for inspection only by the court and the parties to the appeal."

IT IS FURTHER ORDERED that the following Committee Comment be added to the Comments following Rule 18.2:

"Committee Comment to Amendment Effective August 1, 2002.

"The amendment added section (b) to provide that juror questionnaires are not included in the clerk's portion of the record on appeal. The appellate court, if it believes a juror questionnaire is relevant to a question on appeal,

may order the record supplemented to include the questionnaire. When the appeal is final, the questionnaire is to be returned to the clerk of the trial court.

"The provision that juror questionnaires shall not be included in the record on appeal except by reference unless the appellate court orders the record supplemented to include some or all of the questionnaires is intended to help maintain the confidentiality of the information provided in the questionnaires by the prospective jurors. If juror questionnaires are routinely copied into the record on appeal, the confidentiality of the information contained in the questionnaires cannot be assured because copies of the record on appeal are served on the parties and remain with those parties after the appeal is concluded."

IT IS FURTHER ORDERED that this amendment and the adoption of the Committee Comment shall be effective August 1, 2002.

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 18.2:

"Note from the reporter of decisions: The order amending Rule 18.2, effective August 1, 2002, is published in that volume of Alabama Reporter that contains Alabama cases from \_\_\_ So. 2d."

Moore, C.J., and Houston, See, Lyons, Brown, Johnstone, Harwood, Woodall, and Stuart, JJ., concur.