

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 528

Short Title: Clarify Petit Juror Oath.

(Public)

Sponsors: Senator Goolsby (Primary Sponsor).

Referred to: Judiciary I.

April 1, 2013

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT PETIT JURORS ARE REQUIRED TO TAKE THE OATH SET FORTH IN THE NORTH CAROLINA CONSTITUTION AND TO PROVIDE CONSISTENCY BETWEEN THE STATUTES SETTING FORTH THE OATHS TO BE TAKEN BY PETIT JURORS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 9-14 reads as rewritten:

"§ 9-14. Jury sworn; judge decides competency.

The clerk shall, at the beginning of court, swear all jurors who have not been selected as grand jurors. Each juror shall ~~swear or affirm that he will~~ take (i) the oath required by Article VI, Section 7 of the Constitution of North Carolina, by swearing or affirming to support and maintain the Constitution of the United States, and the Constitution and laws of the United States not inconsistent therewith, and (ii) the oath required under G.S. 11-11, by swearing or affirming to truthfully and without prejudice or partiality try all issues in criminal or civil actions that come before ~~him~~ the juror and ~~render~~ give true verdicts according to the evidence. Nothing herein shall be construed to disallow the usual challenges in law to the whole jury so sworn or to any juror; and if by reason of such challenge any juror is withdrawn from a jury being selected to try a case, his place on that jury shall be taken by another qualified juror. The presiding judge shall decide all questions as to the competency of jurors."

SECTION 2. G.S. 11-11 reads as rewritten:

"§ 11-11. Oaths of sundry persons; forms.

The oaths of office to be taken by the several persons hereafter named shall be in the words following the names of said persons respectively, in all cases after taking the separate oath required by Article VI, Section 7 of the Constitution of North Carolina:

...

Oath for Petit Juror

You do solemnly swear (affirm) that you will truthfully and without prejudice or partiality try all issues in civil or criminal actions that come before you and give true verdicts according to the evidence, so help you, God.

...."

SECTION 2. This act is effective when it becomes law and applies to oaths taken on or after that date.

