



COURT OF KING'S BENCH FOR
SASKATCHEWAN

CRIMINAL PRACTICE DIRECTIVE #2

ACCESS TO JURY LISTS AND JUROR INFORMATION

REFERENCE: CRIM-PD #2

Effective: October 1, 2020

Revised: November 1, 2023

Definitions

1. In this practice directive:

“juror” means all persons sent a juror summons pursuant to *The Jury Act, 1998*;

“juror information” includes each juror’s name, address, date of birth, assigned juror number, the jury list and documents in the possession of the sheriff respecting a jury as listed in Appendix A.

“jury list” means the jury list and any updated jury list filed by the sheriff with the local registrar pursuant to *The Jury Act, 1998*.

Access to jury lists and juror information

2. Unless the presiding judge otherwise directs, no person may have access to jury lists or juror information except in accordance with this practice directive.

Request by lawyer to examine sheriff’s jury information records

3. A lawyer acting on behalf of the Crown or a lawyer acting on behalf of an accused person, may request to examine documents in the possession of the sheriff containing juror information, by signing and filing with the local registrar a request and undertaking in Form A.

4. Upon filing the signed request and undertaking, the local registrar shall notify the sheriff that the lawyer who signed the undertaking or another lawyer, student-at-law or employee of the lawyer’s office or firm who has agreed to abide by the terms of the undertaking and is acting under the lawyer’s written direction, may

examine juror information in the possession of the sheriff, on the condition that the examination is conducted in the presence of the sheriff or deputy and that no copy, photograph or reproduction of the document in any manner is permitted other than making notes for the lawyer's use in preparing for trial.

Request by lawyer to examine the jury list

5. A lawyer acting on behalf of the Crown or a lawyer acting on behalf of an accused person, may request to examine the jury list in the possession of the local registrar, by signing and filing with the local registrar a request and undertaking in Form B.
6. Upon receipt of a request to examine the jury list and undertaking in Form B, the local registrar may permit the lawyer who signed the undertaking or another lawyer, student-at-law or employee of the lawyer's office or firm who has agreed to abide by the terms of the undertaking and is acting under the lawyer's written direction, to examine the jury list in the presence of the local registrar, provided no copy, photograph or reproduction of the jury list in any manner is permitted other than making notes for the lawyer's use in preparing for trial.

Request by lawyer to obtain copy of the jury list

7. A lawyer acting on behalf of the Crown or a lawyer acting on behalf of an accused may request a copy of the jury list in the possession of the local registrar by completing and filing with the local registrar a request and undertaking in Form C.
8. Upon receipt of the lawyer's request and signed undertaking in Form C, the local registrar will provide one copy of the most up-to-date jury list to the lawyer. Should the jury list subsequently be updated, the local registrar may provide the lawyer with an updated copy of the jury list upon the lawyer returning the jury list previously provided to the lawyer.
9. Where release of a jury list is permitted, the local registrar will place the jury list in a sealed envelope and only permit the jury list to be picked up by the lawyer or another lawyer, student-at-law or employee of the lawyer's office or firm who has agreed to abide by the terms of the undertaking and is acting under the lawyer's written direction.

Request by self-represented accused to examine sheriff's jury information records, examine the jury list or obtain copy of the jury list

10. A self-represented accused may apply to the court to be allowed to examine the sheriff's jury information records, examine the jury list or obtain a copy of the jury list, by completing and filing an application in Form D with the local registrar. The

local registrar will present the request to the presiding trial judge, who may or may not grant the request either with or without conditions.

Application to court for access on other conditions

11. A lawyer acting on behalf of the Crown or a lawyer acting on behalf of an accused person, who does not wish to provide the undertaking set out in Forms A, B or C may apply to the presiding trial judge for access to the jury list and/or juror information by completing and filing an application in Form E with the local registrar. The local registrar will present the request to the presiding trial judge, who may or may not grant the request either with or without conditions.

Jury list distribution tracking sheet

12. The local registrar will number each copy of the jury list that is made. The local registrar will maintain a jury list distribution tracking sheet to track the delivery and return to the local registrar of each numbered copy of the jury list. Any person receiving or returning a copy of the jury list will be required to sign the local registrar's jury list tracking sheet to acknowledge the receipt or return of the jury list.

Safeguarding the identity of jurors

13. After the jury is selected the jury list will be sealed and placed on the file with a direction that the sealed envelope not be opened except by order of the court. All other jury lists will be destroyed by the local registrar at the conclusion of the jury selection.
14. All juror cards will be destroyed by the local registrar in accordance with *The Jury Act, 1998*.
15. The local registrar will identify the jurors selected on the court record including log notes by juror number only.
16. No person may disclose the name or other information about a person summoned for jury service except as may be necessary for the Crown or defence to conduct a lawful investigation or inquiry into the background of potential jurors.

Chief Justice M.D. Popescul
Court of King's Bench for Saskatchewan