

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 528
Judiciary I Committee Substitute Adopted 4/9/13
PROPOSED HOUSE COMMITTEE SUBSTITUTE S528-PCS75334-SA-23

Short Title: Clarify Petit Juror Oath.

(Public)

Sponsors:

Referred to:

April 1, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT PETIT JURORS ARE REQUIRED TO TAKE THE OATH
3 SET FORTH IN THE NORTH CAROLINA CONSTITUTION AND TO PROVIDE
4 CONSISTENCY BETWEEN THE STATUTES SETTING FORTH THE OATHS TO BE
5 TAKEN BY PETIT JURORS.

6 The General Assembly of North Carolina enacts:

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

8 "**§ 9-14. Jury sworn; judge decides competency.**

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17 to any juror; and if by reason of such challenge any juror is withdrawn from a jury being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

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

21 "**§ 11-11. Oaths of sundry persons; forms.**

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

25 ...

26 Oath for Petit Juror

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

30"

31 **SECTION 3.** This act becomes effective October 1, 2013, and applies to oaths
32 taken on or after that date.



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