

IN THE SUPREME COURT OF ALABAMA
January 12, 2015

ORDER

IT IS ORDERED that Rule 47(b), Ala. R. Civ. P., be amended to read in accordance with the appendix to this order;

IT IS FURTHER ORDERED that this amendment is effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 47(b):

"Note from the reporter of decisions: The order amending Rule 47(b), effective January 12, 2015, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 3d."

Moore, C.J., and Stuart, Bolin, Parker, Murdock, Shaw, Main, Wise, and Bryan, JJ., concur.

I, Julia Jordan Weller, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 12th day of January, 2015

Julia Jordan Weller

Clerk, Supreme Court of Alabama

APPENDIX

(b) Selection of jurors and alternate jurors. Jurors shall be drawn and selected as provided in Code of Alabama 1975, § 12-16-70 et seq., unless otherwise superseded or modified herein.

Regular jurors shall be selected from a list containing the names of at least twenty-four (24) competent jurors and shall be obtained by the parties or their attorneys alternately striking one (1) from the list until twelve (12) remain, the party demanding the jury having the first strike.

The court may direct that not more than six (6) jurors in addition to the regular jury be called and impaneled to sit as alternate jurors. Alternate jurors shall have the same qualifications, shall be subject to the same examination, shall take the same oath, and shall have the same functions, powers, facilities, and privileges as regular jurors. Unless the parties agree otherwise, the parties shall be entitled to strike from a list containing the names of three (3) competent jurors for each alternate juror required in addition to at least twenty-four (24) competent jurors required for a regular jury.

When the court has determined the total number of jurors, including alternates, to be impaneled and has imparted that information to counsel and the clerk, the parties will proceed to strike the jury. When they reach the number determined by the court to be impaneled, the striking shall continue until the regular number of jurors is reached. The alternate jurors will be those jurors whose names had not been struck when the total number determined by the court had been reached, but whose names were stricken before the regular number of jurors was reached. When the jury has been selected, the clerk shall furnish the court with a list of the alternate jurors, in inverse order in which their names were stricken, i.e., the last name stricken will be listed as alternate juror number 1, the next to last name stricken as alternate juror number 2 and so on until the number of alternates determined by the court is reached. The regular jury and the alternates will be impaneled. Jurors who, prior to the time the jury retires to consider its verdict, become or are found to be unable or disqualified to perform their duties shall be discharged. Just prior to the time the jury retires to consider its

verdict, the court shall supply any vacancies from the list furnished by the clerk, beginning with the last name stricken, then next to last and so on until the regular number of jurors has been reached.

The court may retain alternate jurors after the jury retires to deliberate. The court must ensure that a retained alternate does not discuss the case with anyone until that alternate replaces a juror or is discharged. If an alternate replaces a juror after deliberations have begun, the court must instruct the jury to begin its deliberations anew.