I.R.C.P. 37.l. Additional Jurors.

Idaho Rules of Civil Procedure Rule 47(l). Additional Jurors.

(1) Selection. A court may direct that one or more jurors in addition to the regular panel be called and impaneled to sit as additional jurors. All jurors shall be drawn in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall take the same oath, and shall have the same functions, powers, facilities, and privileges prior to deliberations. If more than one or two additional jurors are called, each party is entitled to one (1) peremptory challenge in addition to those otherwise allowed by law. If more than two (2) additional jurors are called, each party shall be entitled to two (2) peremptory challenges in addition to those otherwise provided by law. At the conclusion of closing arguments, jurors exceeding the number required of a regular panel shall be removed by lot. Those removed by lot may be discharged after the jury retires to consider its verdict, unless the court otherwise directs as indicated below.

(2) Jurors removed by lot. If the court determines that those jurors removed by lot must be available to replace any jurors who may be excused during deliberations due to death, illness or otherwise as determined by the court, the bailiff, sheriff or other person appointed by the court shall take custody of said jurors until discharged by the court. In the event a deliberating juror is removed, the court shall order the juror discharged and draw the name of an alternate juror who shall then take the discharged jurorís place in the deliberations. The court shall instruct the panel to set aside and disregard all past deliberations and begin anew with the new juror as a member of the panel.

(Amended March 28, 1986, effective July 1, 1986; amended March 1, 2000, effective July 1, 2000; amended May 4, 2001, effective July 1, 2001 amended March 22, 2002, effective July 1, 2002.)

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