

Chapter 6

Composition of the Grand Jury and Trial Jury

6.1	Scope of Chapter	6-2
6.2	Overview	6-2
	A. Benefits of Representative Juries	
	B. Possible Causes of Unrepresentative Jury Pools	
6.3	Fair Cross-Section Challenges	6-7
	A. Applicability and Standing	
	B. Overview of the Elements of a Fair Cross-Section Claim	
	C. Burden Shifting	
	D. First Prong of a Fair Cross-Section Claim: Distinctive Group	
	E. Second Prong of a Fair Cross-Section Claim: Underrepresentation	
	F. Third Prong of a Fair Cross-Section Claim: Systematic Exclusion	
6.4	Equal Protection Challenges	6-22
	A. Overview	
	B. Standing	
	C. Required Showing	
	D. First Prong of an Equal Protection Claim: Recognizable and Distinct Group	
	E. Second Prong of an Equal Protection Claim: Substantial Underrepresentation	
	F. Third Prong of an Equal Protection Claim: Procedures that are not Racially Neutral or Are Susceptible of Abuse	
	G. Burden Shifting	
	H. Raising Due Process Claims Alongside Equal Protection Claims	
6.5	Challenges to North Carolina Procedures for Jury Formation	6-28
	A. North Carolina Procedures for Jury Formation	
	B. Mechanics of Challenging Jury Formation	
	C. Statutory Claims	
	D. Challenges to Source Lists	
	E. Challenges to the Master Jury List	
	F. Challenges to the Exclusion of Qualified Jurors from the Jury List	
	G. Challenges to the Selection of the Grand Jury	

- H. Challenges to the Selection of the Grand Jury Foreperson
- I. Challenges to Jury Panel Selection Procedures
- J. Challenges to Supplemental Juror Selection Procedures

6.6 Beyond Litigation: Efforts to Ensure Representative Juries	6-49
6.7 Glossary of Jury Terms and Jury Formation Flowchart	6-52
