

**SUPREME COURT OF PENNSYLVANIA  
CRIMINAL PROCEDURAL RULES COMMITTEE**

**ADOPTION REPORT**

**Amendment of Pa.R.Crim.P. 632**

On September 16, 2026, the Supreme Court amended Pennsylvania Rule of Criminal Procedure 632 relating to the requirements of the juror information questionnaire. The Criminal Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

Currently, Pa.R.Crim.P. 632(A) dictates that every “prospective juror” must complete and verify the standard, confidential juror information questionnaire. The questionnaire itself is embedded in subdivision (H) of the rule. It includes, *inter alia*, a prompt for respondents to identify their race by choosing between four categories: white, black, Hispanic, or other. The questionnaire does not prompt respondents to provide their ethnicity, gender, or religion.

The Committee initially proposed amending the questionnaire by expanding the categories from which respondents might identify their race. This was intended to prevent respondents from having to identify as “other.” It also recognized the importance of providing parties with accurate demographic information during the *voir dire* process to ensure that peremptory strikes are not exercised for an unlawful discriminatory purpose. See *Batson v. Kentucky*, 476 U.S. 79 (1986). Prompts for ethnicity and gender were also added. As with the race prompt, the ethnicity and gender prompts would have included options from which respondents would choose their answer.

The proposal also permitted – but did not require – judicial districts to retain non-personally identifiable information obtained from questionnaires for the purpose of assessing whether juries in the district are drawn from a representative cross-section of the community. Once extracted, the demographic information would be required to be maintained and published only in the aggregate. The proposed Comment further explained that the original questionnaires could be retained for the purpose of extracting the demographic information.

Following publication, see 53 Pa.B. 1660 (March 25, 2023), one commenter suggested that the rule should require every judicial district to retain aggregated demographic information obtained from the questionnaire. The commenter believed that giving judicial districts discretion to do so would result in a patchwork system in which constitutional violations could be detected in some locations but not others. However,

recognizing that some judicial districts may not have resources to extract and maintain the information, the Committee declined to make it a requirement.

Another commenter urged the Committee to add an additional prompt on the questionnaire for respondents to identify their religious affiliation. The Committee recognized that this information could be useful for both litigating jury composition issues and compiling demographic data for statistical purposes. Accordingly, the Committee made this revision and republished it for further comment. See 53 Pa.B. 4966 (August 12, 2023).

Following the second publication, a commenter suggested that the rule should limit the amount of time that a judicial district may retain questionnaires for the purpose of aggregating non-personally identifiable demographic information. The Committee agreed that this would be an appropriate measure to protect the privacy interests of questionnaire respondents. Accordingly, the Committee revised the rule to require that, if the judicial district initially retains questionnaires for the purpose of aggregating non-personally identifiable demographic information, the questionnaires must be destroyed within 30 days.

Another commenter objected on constitutional grounds to including a prompt for religious affiliation. Because the comments were split on this issue, and because religious affiliation has never been recognized as a basis for a *Batson* challenge, the Committee removed the inquiry from the proposed questionnaire.

Additional revisions were also made to the questionnaire's prompts for race, ethnicity, and gender. Specifically, the Committee decided to forego the multiple-choice approach to these inquiries. Instead, each of the prompts now provides a blank space in which respondents will write in their answers. This approach ensures that a respondent will not have to provide inaccurate information simply because a preset list of options is too limited.

Finally, the Committee noted that, because Pa.R.Crim.P. 632(A) currently requires only "prospective jurors" to complete the questionnaire, the rule could be interpreted to apply to a narrower class of people than intended. This is because the term "prospective jurors" is defined in Pa.R.Crim.P. 626(A)(1) to mean those "who have been chosen to be part of the panel from which the trial jurors and alternate jurors will be selected." However, not everyone reporting for jury service will be selected for a panel. Accordingly, the Committee revised proposed Pa.R.Crim.P. 632 to require that the questionnaire be completed, not just by prospective jurors, but by "persons reporting for jury service."

The amendments become effective April 1, 2027.