EXHIBIT 15
DATE 1/24/07
HB 341

Selecting jury pool in tiny Petroleum County brings plenty of challenges

WINNETT (AP) — Choosing a jury in Montana's least populous county brings its own set of considerations, including who will drive the kids home from school and who will deliver the mail.

But cell phones in the courtroom aren't a problem. There's no cell service in the central Montana town.

One-fifth of the registered voters in Petroleum County, population 493, were called as potential jurors in the first District Court trial to be held here in nearly a decade.

"I know a number of you are mad as hornets at me for not excusing you," District Judge E. Wayne Phillips said in greeting the potential jurors Monday.

Among the potential jurors were two of the three county commissioners, four of the five school bus drivers, a husband and wife, a pair of cousins and the defendant from the last felony case to be tried in Winnett, a man who was acquitted of perjury in 1998.

He was dismissed, as were three of the bus drivers.

Other potential jurors had been excused by Phillips in the weeks leading up to the trial because of similar hardships.

The town's mail carrier and relief carrier were both on the initial jury list.

The town's lone restaurateur was also excused in advance because, had she been selected as a juror, the restaurant would have had to close during the trial.

A man was excused because his wife was also called and, had they both been chosen, there would have been no one to operate their ranch.

But another husband and wife were selected as jurors.

Rather than asking potential jurors if they knew any of the expected witnesses, jurors were asked if they did not know them. No one raised a hand.

Despite the unusual circumstances, 12 jurors and one alternate were seated.

They were to hear the case of Cloise C. Herman, 24, of Hilger, who was accused of stabbing 28-year-old Kelly Brurud of Great Falls in the chest in July 2005. The men had apparently argued at the Winnett Bar over how many people live in Hilger, a small town north of Lewistown.

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