

ASSEMBLY, No. 1260

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

Assemblyman PETER J. BIONDI

District 16 (Morris and Somerset)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Exempts police from jury duty.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 5/7/2010)

1 AN ACT concerning exemption from jury duty and amending
2 N.J.S.2B:20-10.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2B:20-10 is amended to read as follows:

8 2B:20-10. Grounds for excuse from jury service.

9 An excuse from jury service shall be granted only if:

10 a. The prospective juror is 75 years of age or older;

11 b. The prospective juror has served as a juror within the last
12 three years in the county to which the juror is being summoned;

13 c. Jury service will impose a severe hardship due to
14 circumstances which are not likely to change within the following
15 year. Severe hardship includes the following circumstances:

16 (1) The prospective juror has a medical inability to serve which
17 is verified by a licensed physician.

18 (2) The prospective juror will suffer a severe financial hardship
19 which will compromise the juror's ability to support himself,
20 herself, or dependents. In determining whether to excuse the
21 prospective juror, the Assignment Judge shall consider:

22 (a) the sources of the prospective juror's household income; and

23 (b) the availability and extent of income reimbursement; and

24 (c) the expected length of service.

25 (3) The prospective juror has a personal obligation to care for
26 another, including a sick, aged or infirm dependent or a minor child,
27 who requires the prospective juror's personal care and attention, and
28 no alternative care is available without severe financial hardship on
29 the prospective juror or the person requiring care.

30 (4) The prospective juror provides highly specialized technical
31 health care services for which replacement cannot reasonably be
32 obtained.

33 (5) The prospective juror is a health care worker directly
34 involved in the care of a mentally or physically handicapped person,
35 and the prospective juror's continued presence is essential to the
36 regular and personal treatment of that person.

37 (6) The prospective juror is a member of the full-time
38 instructional staff of a grammar school or high school, the
39 scheduled jury service is during the school term, and a replacement
40 cannot reasonably be obtained. In determining whether to excuse
41 the prospective juror or grant a deferral of service, the Assignment
42 Judge shall consider:

43 (a) the impact on the school considering the number and
44 function of teachers called for jury service during the current
45 academic year; and

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 (b) the special role of certified special education teachers in
2 providing continuity of instruction to handicapped students;
- 3 d. The prospective juror is a member of a volunteer fire
4 department or fire patrol; **[or]**
- 5 e. The prospective juror is a volunteer member of a first aid or
6 rescue squad; or
- 7 f. The prospective juror is a full-time State, county or municipal
8 police officer or Class Two special law enforcement officer
9 appointed pursuant to the provisions of P.L.1985, c.439 (C.40A:14-
10 146.8 et seq.).
11 (cf: N.J.S.2B:20-10)

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13 2. This act shall take effect immediately and shall apply to
14 jurors impaneled after the effective date.

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STATEMENT

19 This bill amends N.J.S.2B:20-10 to exempt from jury duty full-
20 time State, county and municipal police officers and Class Two
21 special law enforcement officers appointed pursuant to P.L.1985,
22 c.439 (C.40A:14-146.8 et seq.).

23 Under current law, police officers are not afforded an exemption
24 from jury duty. However, prior to revision of the statutes governing
25 jury service in 1995, police officers were exempted from jury duty
26 under the provisions of N.J.S.2A:69-2, now repealed.

27 Presently, exemptions from jury duty are statutorily authorized
28 for persons: 75 years of age or older; who have served on a jury
29 within the previous three years; or who will suffer severe hardship
30 due to circumstances that are unlikely to change within a year (i.e.
31 medical conditions, care of another or financial hardship). Members
32 of volunteer fire departments and first aid or rescue squads and,
33 under certain circumstances, teachers are exempted.