

SENATE, No. 1187

STATE OF NEW JERSEY

INTRODUCED MAY 30, 1996

By Senators CIESLA and PALAIA

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

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

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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 three
12 years in the county to which the juror is being summoned;

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

16 (1) The prospective juror has a medical inability to serve which is
17 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, herself,
20 or dependents. In determining whether to excuse the prospective
21 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 the
29 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 involved
34 in the care of a mentally or physically handicapped person, and the

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

Matter underlined thus is new matter.

1 prospective juror's continued presence is essential to the regular and
2 personal treatment of that person.

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

8 (a) the impact on the school considering the number and function
9 of teachers called for jury service during the current academic year;
10 and

11 (b) the special role of certified special education teachers in
12 providing continuity of instruction to handicapped students;

13 d. The prospective juror is a member of a volunteer fire department
14 or fire patrol; [or]

15 e. The prospective juror is a volunteer member of a first aid or
16 rescue squad; or

17 f. The prospective juror is a member or employee of a State,
18 county or local police force.

19 (cf: N.J.S.2B:20-10)

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

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STATEMENT

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27 This bill exempts members or employees of a State, county or local
28 police force from jury duty. Prior to the enactment of P.L.1995, c.44,
29 which revised the law pertaining to petit and grand jury selection,
30 members and employees of police forces were exempted from jury
31 duty. While jury duty is a responsibility and privilege of citizenship,
32 the sponsor contends that persons engaged in police work will better
33 serve the public interest by performing their jobs.

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38 Exempts police from jury duty.