

[First Reprint]
SENATE, No. 1252

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Senators CAFIERO, BUBBA, Connors, Ewing,
Palaia and Ciesla

1 AN ACT providing that persons 65 years of age or older shall be
2 excused from jury service under certain circumstances ¹and
3 expanding the juror source list to include volunteers¹ and amending
4 ¹N.J.S.2B:20-2 and¹ N.J.S.2B:20-10.

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

- 8
9 ¹1. N.J.S.2B:20-2 is amended to read as follows:
10 2B:20-2. Preparation of juror source list
11 a. The names of persons eligible for jury service shall be selected
12 from a single juror source list of county residents whose names and
13 addresses shall be obtained from a merger of the following lists:
14 registered voters, licensed drivers, filers of State gross income tax
15 returns, [and] filers of homestead rebate application forms and
16 volunteers. The county election board, the Division of Motor Vehicles
17 and the State Division of Taxation shall provide these lists annually to
18 the Assignment Judge of the county. Volunteer lists shall be compiled
19 and provided annually to the Assignment Judge of the county pursuant
20 to procedures established by the Supreme Court. A volunteer who has
21 previously been excused from jury service under N.J.S.2B:20-10 may
22 waive that excuse, thereby restoring the person's eligibility to serve.
23 The Assignment Judge may provide for the merger of additional lists
24 of persons eligible for jury service that may contribute to the breadth
25 of the juror source list. Merger of the lists of eligible jurors into a
26 single juror source list shall include a reasonable attempt to eliminate
27 duplication of names.
28 b. The juror source list shall be compiled once a year or more often
29 as directed by the Assignment Judge.
30 c. The juror source list may be expanded by the Supreme Court as

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SJU committee amendments adopted December 16, 1996.

1 it deems appropriate.¹

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

3

4 ¹[1.] 2.¹ N.J.S.2B:20-10 is amended to read as follows:

5 2B:20-10. Grounds for excuse from jury service.

6 ~~[An excuse]~~ A prospective juror may be excused from jury service
7 ~~[shall be granted only]~~ if:

8 a. The prospective juror is ~~[75]~~ 65 years of age or older and
9 provides proper notification as instructed by the Assignment Judge or
10 jury management office at least seven days prior to the date on which
11 the prospective juror is summoned to report for service. A
12 prospective juror who complies with these conditions shall be excused
13 from that jury service. Where the prospective juror 65 years of age or
14 older indicates on the juror questionnaire the wish not to be selected
15 as a juror at a future time, the Assignment Judge shall designate the
16 juror's record in such a way that the juror will not be selected again.
17 The juror may, at any later date, request the Assignment Judge to
18 remove that designation;

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

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

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

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

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

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

32 (c) the expected length of service.

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

38 (4) The prospective juror provides highly specialized technical
39 health care services for which replacement cannot reasonably be
40 obtained.

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

45 (6) The prospective juror is a member of the full-time instructional
46 staff of a grammar school or high school, the scheduled jury service is

1 during the school term, and a replacement cannot reasonably be
2 obtained. In determining whether to excuse the prospective juror or
3 grant a deferral of service, the Assignment Judge shall consider:

4 (a) the impact on the school considering the number and function
5 of teachers called for jury service during the current academic year;
6 and

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

9 d. The prospective juror is a member of a volunteer fire department
10 or fire patrol; or

11 e. The prospective juror is a volunteer member of a first aid or
12 rescue squad.

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

14

15 ¹[2.] 3.¹ This act shall take effect on the 180th day following
16 enactment.

17

18

19

20

21 Provides that persons 65 years or older will be excused from jury
22 service under certain circumstances.