

FINAL BILL REPORT

SHB 2394

Synopsis as Enacted

C 93 L 92

Brief Description: Establishing limitations for jurors.

By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden and Orr).

House Committee on Judiciary
Senate Committee on Law & Justice

Background: In a survey by the Office of the Administrator for the Courts a year ago, jurors in 17 superior and limited jurisdiction courts were asked to indicate which aspects of jury service created problems during their term of service. Those aspects of jury service receiving the most responses were: interference with work, loss of income, amount of jury fee, travel for jury service, care of children or dependents, and the length of jury service.

Current law requires jurors to serve for one month, unless the jury term is changed by the court. As compensation, jurors receive a minimum of \$10 and a maximum of \$25 per day, depending on the rate set by the individual county legislative authority. While most courts currently pay \$10, some pay higher per diem rates, ranging from \$15 to \$25. The current statutory fee range was adopted in 1979.

Witnesses in courts of record receive the same per diem and mileage as superior court jurors. Witnesses in any other court receive the same per diem and mileage as district court jurors.

Under one statute, a general cause for challenge of a potential juror is a felony conviction. Under a different statute, a convicted felon is disqualified to serve as a juror only if his or her civil rights have not been restored.

Summary: The existing definition of "jury term" is changed to mean the time, not to exceed one month, during which summoned jurors must be available to report for juror service. A new definition, "juror service," is created, limiting the time a juror must be present at the court facility, and specifying that the time may not extend beyond the jury term and may not exceed two weeks except when necessary to complete an ongoing trial.

Courts are given flexibility, within the limits of these definitions, in establishing the length and number of jury terms in a consecutive 12-month period, and in setting the time of juror service.

A policy statement is added regarding maximizing the availability of state residents for jury service, while minimizing the burden on jurors, their families, and employers.

The county clerk is given flexibility in issuing summons, as long as they are issued at least 30 days in advance of the jury term. However, a current statute, addressing the need for additional jurors when the jurors drawn for a jury term are insufficient, applies when warranted.

Prior jury service during the last two years is removed as a reason for excuse from jury service. If a prospective juror has been excused for one of the allowed reasons, he or she may be reassigned to another jury term, with no need for a second summons.

When the jury source list has been exhausted, a juror who has served during the previous 12 months may be summoned again. Such a juror may be excused only if he or she served at least two weeks of juror service within the preceding 12 months.

Conviction of a felony is deleted as a general juror challenge, but lack of restoration of civil rights following such a conviction continues to disqualify a potential juror.

Votes on Final Passage:

House	96	0
Senate	46	0

Effective: June 11, 1992