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**SENATE BILL 6112**

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**State of Washington                      52nd Legislature                      1992 Regular Session**

**By Senators Nelson, Rasmussen, Sellar and M. Kreidler**

Read first time 01/15/92. Referred to Committee on Law & Justice.

1            AN ACT Relating to jurors; amending RCW 2.36.010, 2.36.150,  
2            2.40.010, and 4.44.160; and adding a new section to chapter 2.36 RCW.

3            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 2.36.010 and 1988 c 188 s 2 are each amended to read  
5            as follows:

6            Unless the context clearly requires otherwise the definitions in  
7            this section apply throughout this chapter.

8            (1) A jury is a body of persons temporarily selected from the  
9            qualified inhabitants of a particular district, and invested with  
10           power--

11           (a) To present or indict a person for a public offense.

12           (b) To try a question of fact.

1 (2) "Court" when used without further qualification means any  
2 superior court or court of limited jurisdiction in the state of  
3 Washington.

4 (3) "Judge" means every judicial officer authorized to hold or  
5 preside over a court. For purposes of this chapter "judge" does not  
6 include court commissioners or referees.

7 (4) "Juror" means any person summoned for service on a petit jury,  
8 grand jury, or jury of inquest as defined in this chapter.

9 (5) "Grand jury" means those twelve persons impaneled by a superior  
10 court to hear, examine, and investigate evidence concerning criminal  
11 activity and corruption.

12 (6) "Petit jury" means a body of persons twelve or less in number  
13 in the superior court and six in number in courts of limited  
14 jurisdiction, drawn by lot from the jurors in attendance upon the court  
15 at a particular session, and sworn to try and determine a question of  
16 fact.

17 (7) "Jury of inquest" means a body of persons six or fewer in  
18 number, but not fewer than four persons, summoned before the coroner or  
19 other ministerial officer, to inquire of particular facts.

20 (8) "Jury source list" means the list of all registered voters for  
21 any county, as compiled by each county auditor pursuant to the  
22 provisions of chapter 29.07 RCW. The list shall specify each voter's  
23 name, residence address, and precinct as shown on the original  
24 registration card of each qualified voter. The list shall be filed  
25 with the superior court by the county auditor.

26 (9) "Master jury list" means the list of prospective jurors from  
27 which jurors summoned to serve will be randomly selected. The master  
28 jury list shall be either randomly selected from the jury source list  
29 or may be an exact duplicate of the jury source list.

1       (10) (~~"Jury term" means the period of time a person is required to~~  
2 ~~serve as a juror. A jury term shall begin on the first Monday of each~~  
3 ~~month and shall end on the Saturday immediately preceding the first~~  
4 ~~Monday of each month, unless changed by the court. A jury term may be~~  
5 ~~extended by the court if necessary for the administration of justice.~~

6       ~~(11))~~ "Juror time of availability" and "jury term" mean the period  
7 of time a juror is required to maintain a status of availability for  
8 jury service while not being present at the court facility for jury  
9 service.

10       (11) "Juror time of service" means the period of time a juror is  
11 required to be present at the court facility for jury service.

12       (12) "Jury panel" means those persons randomly selected for jury  
13 service for a particular jury term.

14       **Sec. 2.** RCW 2.36.150 and 1987 c 202 s 105 are each amended to read  
15 as follows:

16       ~~((Jurors shall receive for each day's attendance, besides mileage~~  
17 ~~at the rate determined under RCW 43.03.060, the following compensation:~~

18       ~~(1) Grand jurors may receive up to twenty five dollars but in no~~  
19 ~~case less than ten dollars;~~

20       ~~(2) Petit jurors may receive up to twenty five dollars but in no~~  
21 ~~case less than ten dollars;~~

22       ~~(3) Coroner's jurors may receive up to twenty five dollars but in~~  
23 ~~no case less than ten dollars;~~

24       ~~(4) District court jurors may receive up to twenty five dollars but~~  
25 ~~in no case less than ten dollars))~~ A juror shall receive compensation

26 of twenty-five dollars as well as mileage reimbursement for each day or  
27 part of a day that he or she is present in court for jury service.

28 The mileage reimbursement shall be determined pursuant to RCW  
29 43.03.060. The juror compensation shall be paid by the city for

1 municipal court jurors and by the county for all other jurors. Fifteen  
2 dollars of the compensation shall be reimbursed by the state upon  
3 application by the city or county: PROVIDED, That a person excused  
4 from jury service at his or her own request shall be allowed not more  
5 than ((a)) the per diem and such mileage, ((if any)) provided under  
6 this section, as ((to)) the court ((shall seem)) deems just and  
7 equitable under all circumstances: PROVIDED FURTHER, That the state  
8 shall fully reimburse the county in which trial is held for all jury  
9 fees and witness fees related to criminal cases which result from  
10 incidents occurring within an adult or juvenile correctional  
11 institution((:—PROVIDED FURTHER, That the compensation paid jurors  
12 shall be determined by the county legislative authority and shall be  
13 uniformly applied within the county)).

14 NEW SECTION. Sec. 3. A new section is added to chapter 2.36 RCW  
15 to read as follows:

16 (1) Juror time of availability shall not exceed two weeks except as  
17 provided in subsections (4) and (5) of this section.

18 (2) Juror time of service shall not exceed two weeks except as  
19 provided in subsection (4) of this section.

20 (3) The juror time of availability and juror time of service shall  
21 not exceed two weeks cumulatively, except as provided in subsections  
22 (4) and (5) of this section.

23 (4) Juror time of availability and juror time of service may be  
24 extended beyond two weeks for jurors involved in a specified case upon  
25 determination by the court that such extension is necessary in the  
26 administration of justice.

27 (5) Jurors should not be required to maintain a time of  
28 availability for jury service for longer than two weeks except in

1 judicial districts where the court finds it to be appropriate for  
2 jurors to be available for service over a longer period of time.

3 **Sec. 4.** RCW 2.40.010 and 1987 c 202 s 106 are each amended to read  
4 as follows:

5 Witnesses shall receive for each day's attendance in all courts  
6 ~~((of record))~~ of this state ~~((the same))~~, in addition to mileage at the  
7 rate determined under RCW 43.03.060, compensation ~~((per day and per~~  
8 ~~mile as jurors in superior court. Witnesses in any other court shall~~  
9 ~~receive for each day's attendance the same compensation per day and per~~  
10 ~~mile as jurors in district court))~~ up to twenty-five dollars but in no  
11 case less than ten dollars as determined by the appropriate county or  
12 city legislative authority.

13 **Sec. 5.** RCW 4.44.160 and 1975 1st ex.s. c 203 s 2 are each amended  
14 to read as follows:

15 General causes of challenge are:

16 (1) ~~((A conviction for a felony.~~

17 ~~(2)))~~ A want of any of the qualifications prescribed ~~((by law))~~ for  
18 a juror, as set out in RCW 2.36.070.

19 ~~((3)))~~ (2) Unsoundness of mind, or such defect in the faculties of  
20 the mind, or organs of the body, as renders him incapable of performing  
21 the duties of a juror in any action.