

HOUSE BILL REPORT

HB 1141

As Reported by House Committee On:
Judiciary

Title: An act relating to jury service.

Brief Description: Establishing juror compensation.

Sponsors: Representatives Lantz, Dickerson, Kenney, Conway and Haigh.

Brief History:

Committee Activity:

Judiciary: 1/25/01, 2/15/01 [DPS].

Brief Summary of Substitute Bill

- Increases the of pay for jurors from the current daily minimum rate of \$10 and maximum rate of \$25 to a daily rate of \$10 for the first day of service and \$45 for each day thereafter.
- Provides for state reimbursement for juror pay above the \$10 paid for the first day of service.
- Allows trial courts to create a jury improvement fund out of juror donations of their pay and expense reimbursements.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Carrell, Republican Co-Chair; Lantz, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Boldt, Casada, Dickerson, Esser, Lovick and McDermott.

Staff: Bill Perry (786-7123).

Background:

The pay rate for jurors is set by state law. Jurors must be paid at least \$10 per day, and may be paid up to \$25 per day. This rate of pay applies to all forms of juries, including

trial juries in district and superior courts, grand juries called by prosecutors, and inquiry juries called by coroners. Local jurisdictions bear the cost of paying jurors, except that in superior court cases involving incidents within correctional institutions, the state reimburses the county for jurors' fees. Jurors also receive reimbursement for mileage at the rate set for state officials and employees by the director of the Office of Financial Management.

The Board for Judicial Administration created a "Washington State Jury Commission" to find ways to improve rates of response to jury summons and to find better ways to accommodate persons called for jury duty. Based in part on the commission's report, the Office of the Administrator for the Courts is recommending increasing juror compensation.

Summary of Substitute Bill:

The rate of pay for jurors is changed to \$10 for the first day of jury service and \$45 for each subsequent day. Local jurisdictions remain responsible for \$10 per day of juror compensation, but the state is to reimburse local jurisdictions for any amount above \$10 per day.

Local courts are authorized to create a jury improvement fund— to be used for improving juror services and accommodations. Jurors are authorized to donate their pay and mileage reimbursement to the fund. The improvement funds are to be kept separate from jurisdictions' general funds and are not to be used to supplant other court funding.

The act is null and void if it is not funded in the budget.

Substitute Bill Compared to Original Bill:

The substitute bill adds the null and void provision.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void if not funded in the budget.

Testimony For: Current pay was set in 1959. Ten dollars is totally inadequate compensation for performing one of the most important functions in a democracy. The bill would promote diversity in juries because the current rate is a deterrent for many people.

Testimony Against: Even though the state will now pick up the excess cost of juror pay, eventually the counties will end up paying for it.

Testified: (In support) Judge Daniel Berschauer, Board for Judicial Administration; and Larry Shannon, Washington State Trial Lawyers Association.

(Opposed) Sophia Byrd, Washington State Association of Counties.