

# SENATE BILL REPORT

## SB 6680

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As of March 7, 2008

**Title:** An act relating to exemptions from jury service based on age.

**Brief Description:** Allowing persons over age seventy-five an exemption for jury service.

**Sponsors:** Senators Regala, Kohl-Welles, Roach, Kline, McCaslin, McAuliffe and Shin.

**Brief History:**

**Committee Activity:** Judiciary: 2/05/08.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Dawn Noel (786-7472)

**Background:** Under current law, a person is considered competent to serve as a juror in Washington unless that person is: (1) under 18; (2) not a U.S. citizen; (3) not a resident of the county which summoned that person; (4) not able to communicate in English; or (5) has been convicted of a felony and has not had civil rights restored.

In addition, a person may be excused from jury service upon a showing of undue hardship, extreme inconvenience, public necessity, or any reason deemed sufficient by the court for a period of time deemed necessary by the court. For a juror who has previously served and is summoned again, that juror may only be excused if the juror served at least two weeks within the preceding year and submits a written request to be excused.

**Summary of Bill:** If a person who is 75 years of age or older notifies the court of the person's decision not to serve, the person's name must be removed from further consideration on the master jury list, provided that: (1) no person who is 75 years of age or older must be required to apply for the exemption; (2) the person may be reinstated to the master jury list by submitting a signed, written request; and (3) each court must establish procedures to allow the person, or another person having legal authority to act in the person's behalf, to notify the court of the person's decision not to serve, provided that no person who is 75 years of age or older must be required to personally appear in court.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff Summary of Public Testimony:** PRO: Having to respond to a jury summons can cause hardship for some of our senior citizens, and the current process of being excused can be a lot of work. This bill does not require senior citizens to be excused from jury service, but provides them with that option. Jury summons should be user-friendly. It can be difficult to reach individual court staff over the phone to explain the hardship a particular senior will face in having to personally respond to a summons.

CON: We are concerned that this bill could be a step backwards policy-wise. Senior participation helps juries better represent the older segment of the population. A broad exclusion process is already available.

OTHER: This bill would make it difficult for the current systems of jury summons in place to incorporate the exemption. We try to have a human being answer the phone, and work with individuals regarding their particular situations.

**Persons Testifying:** PRO: Senator Regala prime sponsor; Senator Kohl-Welles, co-sponsor.

CON: Mellani McAleenan, Board for Judicial Administration.

OTHER: Marti Maxwell, Thurston County Superior Court.