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SENATE BILL 5855

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State of Washington

62nd Legislature

2011 Regular Session

By Senator Roach

Read first time 02/24/11. Referred to Committee on Judiciary.

1 AN ACT Relating to notifying the secretary of state when a person  
2 summoned for jury service does not meet the qualifications of a juror;  
3 and amending RCW 2.36.072.

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

5 **Sec. 1.** RCW 2.36.072 and 2009 c 330 s 1 are each amended to read  
6 as follows:

7 (1) Each court shall establish a means to preliminarily determine  
8 by a written or electronic declaration signed under penalty of perjury  
9 by the person summoned, the qualifications set forth in RCW 2.36.070 of  
10 each person summoned for jury duty prior to their appearance at the  
11 court to which they are summoned to serve.

12 (2) An electronic signature may be used in lieu of a written  
13 signature.

14 (3) "Electronic signature" means an electric sound, symbol, or  
15 process attached to or logically associated with a document and  
16 executed or adopted by a person with the intent to sign the document.

17 (4) Upon receipt by the summoning court of a written declaration  
18 stating that a declarant does not meet the qualifications set forth in  
19 RCW 2.36.070, that declarant shall be excused from appearing in

1 response to the summons. If a person summoned to appear for jury duty  
2 fails to sign and return a declaration of his or her qualifications to  
3 serve as a juror prior to appearing in response to a summons and is  
4 later determined to be unqualified for one of the reasons set forth in  
5 RCW 2.36.070, that person shall not be entitled to any compensation as  
6 provided in RCW 2.36.150. Information provided to the court for  
7 preliminary determination of statutory qualification for jury duty may  
8 only be used (~~for the term such person is summoned and may not be used~~  
9 ~~for any other purpose, except that~~) by the court, or designee, ((may))  
10 to report a change of address or nondelivery of summons of persons  
11 summoned for jury duty to the county auditor, and to create and  
12 maintain the list described in subsection (5) of this section.

13 (5) The court shall create and maintain a list of names of all  
14 prospective jurors who have been disqualified in accordance with RCW  
15 2.36.070 for the following reasons: (a) Is less than eighteen years of  
16 age; (b) is not a citizen of the United States; (c) is not a resident  
17 of the county in which he or she has been summoned to serve; or (d) has  
18 been convicted of a felony and has not had his or her civil rights  
19 restored. The list shall be open for public inspection, and the court  
20 shall provide to the office of the secretary of state and the  
21 appropriate county election official on a monthly basis the name of any  
22 declarant who does not meet the qualifications set forth in RCW  
23 2.36.070 (1) through (3) and (5).

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