

# SENATE BILL REPORT

## SHB 1610

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As of March 16, 2015

**Title:** An act relating to jury service.

**Brief Description:** Changing jury service provisions.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives McCaslin, Riccelli, Rodne, Orwall, Holy, Stokesbary, G. Hunt, Taylor and Shea).

**Brief History:** Passed House: 3/04/15, 98-0.

**Committee Activity:** Law & Justice: 3/12/15.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** The jury duty law balances creating the broadest possible pool of qualified jurors while reducing the burden of jury service on individuals, families, and employers. Jurors may be excused if jury duty is an undue hardship, extreme inconvenience, for public necessity, or as the court deems necessary.

Currently, persons are called to jury duty from a county juror source list. Prospective jurors are summoned for a jury term, not exceeding one month, during which the prospective juror must be available to report to the courthouse to serve on a jury. Juror service is the period of time a juror must be present at the courthouse. The period of juror service may not exceed two weeks or extend beyond the end of the jury term except to complete a trial assigned during the two-week juror service period.

The optimal jury term is two weeks or less in a 12-month period. If everyone on a county's jury source list is summoned, but more jurors are needed, the county may summon jurors who have already been called in the preceding 12 months. The court may excuse the juror from an additional jury term if the juror has already served at least two weeks of juror service within the preceding 12 months.

If jury terms are shortened in less populous counties, the same people may be called to jury duty over and over. The substitute bill requires the shortened jury term and jury service for counties with 70,000 persons or more in the jury pool. A county with less than 70,000 persons in its jury pool is not required to change the jury term and jury service periods.

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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.*

**Summary of Bill:** The jury term is the time period someone summoned for jury duty must be available to report for jury service. The jury term is two weeks for counties with at least 70,000 names on its jury list and one month for counties with less than 70,000 names on the jury list.

Juror service is the time period a juror must be present at the courthouse. Juror service is one week for counties with at least 70,000 names on its jury list and two weeks for counties with less than 70,000 names on its jury list.

Jurors may be excused from jury duty if they have already served at least one week of juror service in the last 12 months.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony:** PRO: Some of the changes resulting from this bill address the same problems found by a 15-year-old survey on juries. This is a great first step to maximize participation of all who are qualified for jury duty without undue burden on jurors and their families as well as employers. This is a good measure. Many are called to jury duty and just do not respond. A suggestion to improve the bill would be to base the jury service and jury term on county population rather than number of persons on a county jury source list. County population is readily ascertainable, but number of persons from a county on a judicial district jury source list is more complicated to derive. A county population of 100,000 is roughly equivalent to 70,000 on a jury source list.

**Persons Testifying:** PRO: Representative McCaslin, prime sponsor; Mellani McAleenan, Board for Judicial Administration; Honorable Salvatore Cozza, Spokane County Superior Court, presiding judge for Superior Court Judges Assn.