

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1610

64th Legislature
2015 Regular Session

Passed by the House March 4, 2015
Yeas 98 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 25, 2015
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1610** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1610

Passed Legislature - 2015 Regular Session

State of Washington 64th Legislature 2015 Regular Session

By House Judiciary (originally sponsored by Representatives McCaslin, Riccelli, Rodne, Orwall, Holy, Stokesbary, G. Hunt, Taylor, and Shea)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to jury service; and amending RCW 2.36.010,
2 2.36.100, and 2.36.080.

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

4 **Sec. 1.** RCW 2.36.010 and 1993 c 408 s 4 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.

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

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

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

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

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

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

12 (8) "Jury source list" means the list of all registered voters
13 for any county, merged with a list of licensed drivers and identicard
14 holders who reside in the county. The list shall specify each
15 person's name and residence address and conform to the methodology
16 and standards set pursuant to the provisions of RCW 2.36.054 or by
17 supreme court rule. The list shall be filed with the superior court
18 by the county auditor.

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

23 (10) "Jury term" means a period of time of one or more days, not
24 exceeding (~~one month~~) two weeks for counties with a jury source
25 list that has at least seventy thousand names and one month for
26 counties with a jury source list of less than seventy thousand names,
27 during which summoned jurors must be available to report for juror
28 service.

29 (11) "Juror service" means the period of time a juror is required
30 to be present at the court facility. This period of time may not
31 extend beyond the end of the jury term, and may not exceed (~~two~~
32 ~~weeks~~) one week for counties with a jury source list that has at
33 least seventy thousand names, and two weeks for counties with a jury
34 source list of less than seventy thousand names, except to complete a
35 trial to which the juror was assigned during the (~~two-week~~) service
36 period.

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

1 **Sec. 2.** RCW 2.36.100 and 1992 c 93 s 5 are each amended to read
2 as follows:

3 (1) Except for a person who is not qualified for jury service
4 under RCW 2.36.070, no person may be excused from jury service by the
5 court except upon a showing of undue hardship, extreme inconvenience,
6 public necessity, or any reason deemed sufficient by the court for a
7 period of time the court deems necessary.

8 (2) At the discretion of the court's designee, after a request by
9 a prospective juror to be excused, a prospective juror excused from
10 juror service for a particular time may be assigned to another jury
11 term within the twelve-month period. If the assignment to another
12 jury term is made at the time a juror is excused from the jury term
13 for which he or she was summoned, a second summons under RCW 2.36.095
14 need not be issued.

15 (3) When the jury source list has been fully summoned within a
16 consecutive twelve-month period and additional jurors are needed,
17 jurors who have already served during the consecutive twelve-month
18 period may be summoned again for service. A juror who has previously
19 served may only be excused if he or she served at least (~~two weeks~~)
20 one week of juror service within the preceding twelve months. An
21 excuse for prior service shall be granted only upon the written
22 request of the prospective juror, which request shall certify the
23 terms of prior service. Prior jury service may include service in
24 superior court, in a court of limited jurisdiction, in the United
25 States District Court, or on a jury of inquest.

26 **Sec. 3.** RCW 2.36.080 and 1992 c 93 s 2 are each amended to read
27 as follows:

28 (1) It is the policy of this state that all persons selected for
29 jury service be selected at random from a fair cross section of the
30 population of the area served by the court, and that all qualified
31 citizens have the opportunity in accordance with chapter 135, Laws of
32 1979 ex. sess. to be considered for jury service in this state and
33 have an obligation to serve as jurors when summoned for that purpose.

34 (2) It is the policy of this state to maximize the availability
35 of residents of the state for jury service. It also is the policy of
36 this state to minimize the burden on the prospective jurors, their
37 families, and employers resulting from jury service. The jury term
38 and jury service should be set at as brief an interval as is
39 practical given the size of the jury source list for the judicial

1 district. The optimal jury term is (~~two weeks~~) one week or less.
2 Optimal juror service is one day or one trial, whichever is longer.

3 (3) A citizen shall not be excluded from jury service in this
4 state on account of race, color, religion, sex, national origin, or
5 economic status.

6 (4) This section does not affect the right to peremptory
7 challenges under RCW 4.44.130.

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