

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 260
Judiciary

(Delegate Valentino-Smith, *et al.*)

Courts - Jury Service - Excusal

This bill establishes that an individual may be excused from jury service if the individual is a breast-feeding mother of an infant younger than age two.

Fiscal Summary

State Effect: Any reprinting costs for revised jury questionnaires and computer reprogramming costs are assumed to be minimal and absorbable within existing budgeted resources of the Judiciary.

Local Effect: Any reprinting costs and potential computer reprogramming costs for jurisdictions that support their own jury management system are assumed to be minimal and absorbable within existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: A jury judge, or, if a county's jury plan allows, its jury commissioner, may disqualify, excuse, or exempt an individual who is summoned for jury service, or reschedule jury service. To be excused, an individual must show, on a juror questionnaire, during an interview, or by other competent evidence that extreme inconvenience, public necessity or undue hardship requires excusal.

An individual may be excused only for the period that the judge or jury commissioner considers necessary and not more than twice unless the jury judge finds that the individual has shown an extraordinary circumstance that requires an additional excuse. Once this period expires, a jury commissioner must again summon the individual for jury service.

Background: According to the National Conference of State Legislatures, 16 states exempt breast-feeding mothers from jury duty or allow jury service to be postponed.

Additional Information

Prior Introductions: HB 439 of 2014, an identical bill as amended by the House Judiciary Committee, passed the House and was referred to the Senate Judicial Proceedings Committee but no further action was taken. Its cross file, SB 538, received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: Although not designated as a cross file, SB 293 (Senator Ramirez, *et al.* – Judicial Proceedings), is identical.

Information Source(s): Judiciary (Administrative Office of the Courts), National Conference of State Legislatures, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2015
md/kdm

Analysis by: Jennifer K. Botts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510