

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 713
Judiciary

(Delegate Rosenberg)

Judicial Proceedings

Jury Duty - Individuals Qualified for Jury Service Living Outside the United States

This bill requires an individual living outside the United States to be excused from jury service for an extended period if the individual submits specified information to the jury judge or jury commissioner.

Fiscal Summary

State Effect: The bill is generally procedural in nature and does not materially affect the operations or finances of the Judiciary.

Local Effect: The bill is generally procedural in nature and does not materially affect the operations or finances of the circuit courts.

Small Business Effect: None.

Analysis

Bill Summary: An individual who is otherwise qualified for jury service must be excused for an extended period if the individual submits an affidavit, signed under penalty of perjury, to the jury judge or jury commissioner stating (1) the individual's foreign mailing address and (2) the date by which the individual intends to return to the United States or that the individual has no determined date of return. A jury judge must summon the individual for jury service again after the date provided within the affidavit or not earlier than five years after receipt of an affidavit stating that the individual has no determined date of return.

Current Law: Each adult citizen of the State has both the opportunity for jury service and, when summoned, the duty to serve. Subject to specified requirements, a jury judge or 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 (1) only for the period that the jury judge or jury commissioner considers necessary and (2) not more than twice unless the individual has shown an extraordinary circumstance that requires an additional excuse. Once the period of excusal has expired, a jury commissioner must again summon the individual for jury service.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2019
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