

Department of Legislative Services  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 150  
Judicial Proceedings

(Senator Hooper, *et al.*)

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**Jury Duty - Excuse from Service - Breast-Feeding Mother**

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This bill requires a judge to excuse from jury service a mother who is breastfeeding a child under the age of two. The mother must be summoned again for jury service when the child attains age two.

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**Fiscal Summary**

**State Effect:** Minimal. Any expense incurred in printing revised juror qualification forms could be handled with existing resources.

**Local Effect:** Minimal. Any expense incurred in printing revised juror qualification forms in those counties that print their own forms could be handled with existing resources.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Any person summoned for jury service may be excused by the jury judge if the person shows that undue hardship, extreme inconvenience, or public necessity require the excuse, but only for the period of time the jury judge deems necessary. At the conclusion of this period, the person is once again eligible to be summoned for jury service.

There are also blanket exemptions from jury service for members of the organized militia who are certified by the military department as a member and persons 70 years and older who make a written request for an exemption.

**Background:** All states have some version of Maryland's "undue hardship" provision, discussed above. California, Idaho, Iowa, and Oregon specifically exempt breastfeeding mothers from jury service. Florida, Georgia, Illinois, Massachusetts, and South Carolina exempt parents who are home caring for children below a specified age. Arizona exempts jurors for undue physical or financial hardship and defines that term to include the situation where a prospective juror would be required to abandon a person under the potential juror's care or supervision.

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### **Additional Information**

**Prior Introductions:** SB 211 of 2003 received a hearing before the Senate Judicial Proceedings Committee, but no further action was taken.

**Cross File:** None.

**Information Source(s):** Anne Arundel County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 18, 2004  
mam/jr

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