

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1650
Judiciary

(Delegate Marriott)

Jury Duty - Exemption - Religious Beliefs

This bill creates an exemption from jury service for a person who has been denied the constitutional protection to practice that person's religious beliefs in a place of employment.

Fiscal Summary

State Effect: Given that the exemption is expected to apply in a limited number of cases, any increase in duties as a result of this bill for clerks of court who also serve as jury commissioners could be handled with the existing resources of the Judiciary.

Local Effect: Any increase in duties for jury commissioners as a result of this bill could be handled with existing local resources.

Small Business Effect: None.

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.

The only persons exempt from jury service are: (1) a member of the organized militia who is certified by the military department as a member; and (2) a person who is 70 years

old or older who has made a written request to the jury commissioner or clerk for an exemption.

Background: According to the National Conference of State Legislatures, no state currently exempts a person from jury service based on past denial of that person's constitutional protection to practice that person's religious beliefs in a place of employment.

State Expenditures: The State currently pays: (1) salaries and benefits for each clerk of the circuit court; and (2) salaries and benefits for most clerk's office employees. In some jurisdictions, a clerk of the circuit court also serves as a jury commissioner. Any increase in duties for these officials as a result of the bill could be handled by existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 17, 2006
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