

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 1171
Judiciary

(Delegate Bohanan)

Volunteer Fire Department, Rescue Company, or EMS Program - Exemption
from Jury Duty

This bill exempts from jury service a member of a volunteer fire department, volunteer rescue company, or volunteer emergency medical services department who qualifies as a Tier 1 member of personnel length of service award program operated by a county or municipal corporation of the State, and who asks the jury commissioner for an exemption in writing.

Fiscal Summary

State Effect: 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 have their service postponed 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.

An individual is not qualified for jury service if the individual: (1) cannot comprehend written or spoken English; (2) has a disability that, as documented by a health care provider's certification, prevents the individual from providing satisfactory jury service; (3) has been convicted, in a federal or State court of record, of a crime punishable by imprisonment exceeding six months and received a sentence of imprisonment for more than six months, unless pardoned; or (4) has a charge pending, in a federal or state court of record, for a crime punishable by imprisonment exceeding six months.

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; (2) an active duty member of the armed forces exempted under 10 U.S.C. § 982; (3) an elected official of the federal Legislative Branch; and (4) 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: Approximately 75% of fire and rescue workers in Maryland are volunteers. Two-thirds of counties employ some professional firefighters, with Baltimore City employing only professional firefighters.

It is unclear how many volunteer firefighters, rescue workers, and EMS workers would be exempt from jury service under this bill. Many local governments have "length of service award programs." However, these programs vary significantly from locality to locality. It is not clear how many, if any, of these programs in Maryland include a distinction for "Tier 1" members.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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