

Department of Legislative Services
 Maryland General Assembly
 2007 Session

FISCAL AND POLICY NOTE

Senate Bill 142

(Chair, Judicial Proceedings Committee)

(By Request – Maryland Judicial Conference)

Judicial Proceedings

Judiciary

Jury Selection and Service

This bill makes several administrative or stylistic changes to provisions involving jury selection and service. These changes include:

- adding several fields to the juror qualification form, including telephone number, education level, employer, and request for accommodation under the federal Americans with Disabilities Act;
- altering limitations on frequency of jury service to include service on a grand jury; and
- changing references to “postponement” of jury service to “rescheduling.”

Fiscal Summary

State Effect: None.

Local Effect: None. Changing the jury qualification forms could be handled with existing resources and be done in time for the 2008 printing of juror qualification forms.

Small Business Effect: None.

Analysis

Current Law: An individual may not be required to serve as a trial juror more than once in a three-year period. However, if that trial jury service was for less than five days, an individual may be summoned for jury service after one year.

A jury judge or jury commissioner may disqualify, excuse, or exempt an individual summoned for jury service or postpone jury service. To be excused, an individual must show that extreme inconvenience, public necessity, or undue hardship requires excusal. Such excusal may not occur more than twice unless the jury judge finds extreme circumstance, and only lasts for the period the judge or jury commissioner considers necessary.

A county's juror qualification form must contain several questions specified under § 8-302 of the Courts and Judicial Proceedings Article, but may also include other questions as the county's jury plan requires.

Background: This bill was requested by the Maryland Judicial Conference to make slight modifications to and clear up ambiguities in the changes in jury selection and service laws enacted by Chapter 372 of 2006. The Maryland Judicial Conference advises that changing "postpone" to "reschedule" is stylistic and intended to convey that the postponement is not indefinite.

Additional Information

Prior Introductions: None.

Cross File: HB 302 (Chair, Judiciary Committee) (By Request – Maryland Judicial Conference) – Judiciary.

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

Fiscal Note History: First Reader - February 6, 2007
m/jr

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