

Department of Legislative Services  
Maryland General Assembly  
2010 Session

FISCAL AND POLICY NOTE

House Bill 123  
Judiciary

(Delegate Barnes)

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Jury Duty - Exemption from Service - Election Judge

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This bill exempts from jury duty an individual who has served as an election judge for a county board of elections within three years before the date on which the individual must report for jury service.

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Fiscal Summary

**State Effect:** Minimal expenditure increase in FY 2011 for the Judiciary to reprogram jury management software and print new juror qualification forms for some counties. The State Board of Elections can handle the bill's requirements with existing resources.

**Local Effect:** Potential minimal expenditure increase in FY 2011 for some counties for printing and computer modifications. Revenues are not affected.

**Small Business Effect:** None.

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Analysis

**Current Law:** The following individuals are exempt from jury duty: 1) individuals at least 70 years old who request an exemption in writing; 2) elected officials of the federal Legislative Branch, as defined under federal law; and 3) active duty members of the armed forces and members of the organized militia who meet certain qualifications under federal and state law.

Election judges carry out tasks assigned by the local board of elections and assist in making the election process fair and accessible for all eligible voters. An election judge generally must be a registered voter who resides in the county where he or she is

appointed. A local board must provide at least four election judges to staff each polling place, though in a precinct with fewer than 200 registered voters only two election judges are required. (See Election Law Article §§10-201, 10-202 and 10-303.)

**Background:** Although the exact number of additional individuals who would be exempt from jury duty under the bill's provisions is not known, according to the State Board of Elections, approximately 24,000 election judges participated in the 2008 general election in Maryland.

**State and Local Fiscal Effect:** The bill's provisions will require juror qualification forms to be altered as well as changes to jury management software in the circuit courts. According to the Administrative Office of the Courts, some of the larger jurisdictions print their own forms and manage their own software related to jury tracking. However, because the Judiciary prints forms and manages software for the smaller jurisdictions, expenditures increase minimally, in fiscal 2011 only, to make necessary modifications. Although none of the counties providing a response for this note (Carroll, Harford, Montgomery, and St. Mary's counties) indicated that there would be a fiscal impact as a result of the bill's provisions, it is possible that some counties will have minimal expenditures, in fiscal 2011 only, to alter juror qualification forms, provide training, and reprogram jury management software.

The State Board of Elections advises that any computer modifications needed to provide verification to the circuit courts of an individual's service as an election judge can be made using existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Carroll, Harford, Montgomery, and St. Mary's counties; Maryland State Board of Elections; Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - January 25, 2010  
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