

HOUSE BILL 439

D1

4r2009
CF 4r2014

By: **Delegates Summers, Anderson, Arora, Ivey, Kramer, Niemann, Stukes,
Swain, Valentino-Smith, Vallario, and Zucker**

Introduced and read first time: January 27, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Jury Service – Excusal**

3 FOR the purpose of providing that a certain primary caregiver of a certain minor or a
4 certain parent may be excused from jury service under certain circumstances;
5 and generally relating to jury service and excusals from jury service.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 8–402
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2013 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Courts and Judicial Proceedings**

14 8–402.

15 (a) Subject to the requirements of this section, a jury judge or, if a county's
16 jury plan allows, its jury commissioner may disqualify, excuse, or exempt an
17 individual who is summoned for jury service or reschedule jury service.

18 (b) An individual may be disqualified only on the basis of information
19 provided on a juror questionnaire or during an interview or other competent evidence.

20 (c) (1) To be excused, an individual shall show, on a juror questionnaire,
21 during an interview, or by other competent evidence, that [extreme]:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) EXTREME** inconvenience, public necessity, or undue
2 hardship requires excusal; **OR**

3 **(II) THE INDIVIDUAL IS:**

4 **1. A PRIMARY CAREGIVER FOR A MINOR UNDER THE**
5 **AGE OF 6 YEARS AND UNABLE TO FIND CHILD CARE FOR THAT MINOR;**

6 **2. A BREAST-FEEDING MOTHER; OR**

7 **3. A PARENT CURRENTLY ON PATERNITY OR**
8 **MATERNITY LEAVE.**

9 (2) An individual may be excused:

10 (i) Only for the period that the jury judge or jury commissioner
11 considers necessary; and

12 (ii) Not more than twice unless the jury judge finds that the
13 individual has shown an extraordinary circumstance that requires an additional
14 excuse.

15 (3) When the period set under this subsection expires, a jury
16 commissioner again shall summon the individual for jury service.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2014.