

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 439
Judiciary

(Delegate Summers, *et al.*)

Judicial Proceedings

Courts - Jury Service - Excusal

This bill establishes that an individual may be excused from jury service if the individual is a breast-feeding mother of an infant younger than age two.

Fiscal Summary

State Effect: Any reprinting costs for revised jury questionnaires and computer reprogramming costs are assumed to be minimal and absorbable within existing budgeted resources of the Judiciary.

Local Effect: Any reprinting costs and potential computer reprogramming costs for jurisdictions that support their own jury management system are assumed to be minimal and absorbable within existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: A jury judge, or, if a county's jury plan allows, its jury commissioner, may disqualify, excuse, or exempt an individual who is summoned for jury service, or reschedule jury service. To be excused, an individual must show, on a juror questionnaire, during an interview, or by other competent evidence that extreme inconvenience, public necessity, or undue hardship requires excusal.

An individual may be excused only for the period that the judge or jury commissioner considers necessary and not more than twice unless the jury judge finds that the individual has shown an extraordinary circumstance that requires an additional excuse.

Once this period expires, a jury commissioner must again summon the individual for jury service.

Background: According to the National Conference of State Legislatures, as of 2011 (the latest information readily available), at least 12 states exempt breast-feeding mothers from jury duty.

Additional Information

Prior Introductions: None.

Cross File: SB 538 (Senator Ramirez, *et al.*) - Judicial Proceedings.

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

Fiscal Note History: First Reader - February 10, 2014
ncs/kdm Revised - House Third Reader - March 15, 2014

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