

**SENATE BILL REPORT**

**SHB 2394**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 28, 1992**

**Brief Description:** Establishing limitations for jurors.

**SPONSORS:** House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden and Orr)

**HOUSE COMMITTEE ON JUDICIARY**

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, M. Kreidler, Madsen, Rasmussen, and A. Smith.

**Staff:** Lidia Mori (786-7755)

**Hearing Dates:** February 27, 1992; February 28, 1992

**BACKGROUND:**

In a survey by the Office of the Administrator for the Courts a year ago, jurors in 17 superior and limited jurisdiction courts were asked to indicate which aspects of jury service created problems during their term of service. Those aspects of jury service receiving the most responses were: interference with work, loss of income, amount of jury fee, travel for jury service, followed closely by care of children or dependents and the length of jury service.

Current law requires jurors to serve for one month, unless the jury term is changed by the court.

There are two conflicting statutes currently in effect. A felony conviction is a general cause for challenge of a potential juror. Under a different statute, a convicted felon is disqualified to serve as a juror only if his or her civil rights have not been restored.

**SUMMARY:**

The existing definition of "jury term" is changed to mean the time during which summoned jurors must be available to report for juror service and a jury term is limited to one month. "Juror service," is defined as the time a juror must be present at the court facility. The time may not extend beyond the jury term, and may not exceed two weeks except when necessary to complete an ongoing trial.

It is the policy of the state to maximize the availability of state residents for jury service while minimizing the burden on jurors, their families, and employers.

The county clerk is given flexibility in issuing summons as long as they are issued at least 30 days in advance of the jury term.

Prior jury service during the last two years is removed as a reason for excuse from jury service. At the discretion of the court's designee, after a request by a prospective juror to be excused, an excused juror may be reassigned to another jury term, with no need for a second summons.

When the jury source list has been exhausted, a juror who has served during the previous 12 months may be summoned again. Such a juror may be excused only if he or she served at least two weeks of juror service within the preceding 12 months.

A person is prohibited from serving on a jury if the person has been convicted of a felony and his or her civil rights have not been restored.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested

**TESTIMONY FOR:**

This bill is designed to maximize the availability of state residents for jury service while minimizing the burden on jurors and their families and employers.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Judge Dan Berschauer, Thurston County Superior Court; Kay Anderson, Snohomish County Clerk; Lorena Hollis, Skamania County Clerk