

FINAL BILL REPORT

2SSB 5128

C 316 L 23
Synopsis as Enacted

Brief Description: Concerning jury diversity.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Trudeau, Dhingra, Billig, Hasegawa, Hunt, Kuderer, Pedersen, Stanford, Valdez, Wellman and Wilson, C.; by request of Administrative Office of the Courts).

Senate Committee on Law & Justice
Senate Committee on Ways & Means
House Committee on Civil Rights & Judiciary
House Committee on Appropriations

Background: A jury is a body of individuals temporarily selected from the qualified inhabitants of a particular district and invested with the power to present or indict a person for a public offense or try a question of fact. Jurors are randomly selected from a jury source list made up of the list of registered voters, licensed drivers, and identicard holders in each county.

A jury source list is a list of all registered voters of a county, merged with a list of licensed drivers and identicard holders who reside in that county. The list specifies each person's first and last name, middle initial, date of birth, gender, and residence address. Information provided to the court for preliminary determination of qualification for jury duty may only be used for the term the person is summoned and may not be used for any other purpose. Jury source lists are used to create a master list from which jurors are randomly selected.

All individuals are considered competent to serve as a juror unless that person is less than 18 years old, is not a citizen of the United States, is not a citizen of the county in which they have been summoned to serve, is not able to communicate in the English language, or has been convicted of a felony and has not had their civil rights restored.

Individuals selected for jury service are selected at random from a fair cross section of the population of the area served by the court. Individuals may not be excluded from jury

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service on account of membership in a protected class or on account of economic status. However, jurors may be excused if jury duty is an undue hardship, extreme inconvenience, for public necessity, or as the court deems necessary.

The rate of pay for jurors is set by state law. Jurors must be paid at least \$10 per day, and may be paid up to \$25 per day, as determined by the local jurisdiction. Local jurisdictions bear the cost of paying jurors. Jurors also receive reimbursement for mileage at the rate set for state officials and employees by the director of the Office of Financial Management.

Summary: The Administrative Office of the Courts (AOC) is required to provide all courts with a method to collect data on juror demographics, including race, ethnicity, age, sex, employment status, educational attainment, and income. This data must be reported in a manner that preserves juror anonymity.

AOC must establish a workgroup to make recommendations for the creation of a childcare assistance program for individuals reporting for jury service with the intent to eliminate the absence of childcare as a barrier to performing jury service. The workgroup must report its findings and recommendations to the appropriate committees of the Legislature by December 1, 2024.

Beginning July 1, 2024, individuals on lists of registered voters and driver's license and identicard holders, may opt-in to the Secretary of State and Department of Licensing sharing their email address with the consolidated technology services agency to facilitate receiving jury summons and other communications related to jury service. Individuals who apply online to register to vote, will be directed to a website where the individual will have the ability to opt in to share the individual's email address for the purpose of electronically receiving jury summons and other communications related to jury service.

Votes on Final Passage:

Senate	40	9	
House	89	8	(House amended)
Senate	34	12	(Senate concurred)

Effective: July 23, 2023