SENATE, No. 2245

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator JAMES W. HOLZAPFEL
District 10 (Ocean)

SYNOPSIS

Exempts police from jury duty.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning exemption from jury duty and amending N.J.S.2B:20-10.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.2B:20-10 is amended to read as follows:

2B:20-10. An excuse from jury service shall be granted only if:

a. The prospective juror is 75 years of age or older;

b. The prospective juror has served as a juror within the last three years in the county to which the juror is being summoned;

c. Jury service will impose a severe hardship due to circumstances which are not likely to change within the following year. Severe hardship includes the following circumstances:

(1) The prospective juror has a medical inability to serve which is verified by a licensed physician.

(2) The prospective juror will suffer a severe financial hardship which will compromise the juror's ability to support himself, herself, or dependents. In determining whether to excuse the prospective juror, the Assignment Judge shall consider:

(a) the sources of the prospective juror's household income; and

(b) the availability and extent of income reimbursement; and

(c) the expected length of service.

(3) The prospective juror has a personal obligation to care for another, including a dependent who is sick, is elderly, or has an infirmity or a minor child, who requires the prospective juror's personal care and attention, and no alternative care is available without severe financial hardship on the prospective juror or the person requiring care.

(4) The prospective juror provides highly specialized technical health care services for which replacement cannot reasonably be obtained.

(5) The prospective juror is a health care worker directly involved in the care of a person with a mental or physical disability, and the prospective juror's continued presence is essential to the personal treatment of that person.

(6) The prospective juror is a member of the full-time instructional staff of a grammar school or high school, the scheduled jury service is during the school term, and a replacement cannot reasonably be obtained. In determining whether to excuse the prospective juror or grant a deferral of service, the Assignment Judge shall consider:

(a) the impact on the school considering the number and function of teachers called for jury service during the current academic year; and

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined <u>thus</u> is new matter.

(b) the special role of certified special education teachers in providing continuity of instruction to students with disabilities;

d. The prospective juror is a member of a volunteer fire department or fire patrol; **[**or**]**

e. The prospective juror is a volunteer member of a first aid or rescue squad; or

f. The prospective juror is a full-time State, county or municipal police officer or Class Two special law enforcement officer appointed pursuant to the provisions of P.L.1985, c.439 (C.40A:14-146.8 et seq.).

(cf: P.L.2017, c.131, s.3)

2. This act shall take effect immediately and shall apply to jurors impaneled after the effective date.

STATEMENT

This bill amends N.J.S.2B:20-10 to exempt from jury duty full-time State, county and municipal police officers and Class Two special law enforcement officers appointed pursuant to P.L.1985, c.439 (C.40A:14-146.8 et seq.).

Under current law, police officers are not afforded an exemption from jury duty. However, prior to revision of the statutes governing jury service in 1995, police officers were exempted from jury duty under the provisions of N.J.S.2A:69-2, now repealed.

At present, exemptions from jury duty are statutorily authorized for persons: 75 years of age or older; who have served on a jury within the previous three years; or who will suffer severe hardship due to circumstances that are unlikely to change within a year (i.e. medical conditions, care of another or financial hardship). Members of volunteer fire departments and first aid or rescue squads and, under certain circumstances, teachers are exempted.