

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 148

Short Title: Juror Excused by Clerk of Sup. Ct. (Public)

Sponsors: Senators Britt, Randleman (Primary Sponsors); Brock, Dunn, and Krawiec.

Referred to: Rules and Operations of the Senate

March 1, 2017

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE CHIEF DISTRICT COURT JUDGE MAY DELEGATE
AUTHORITY TO THE CLERK OF COURT TO EXCUSE A PERSON FROM JURY
DUTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 9-6(b) reads as rewritten:

"§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.

...

(b) Pursuant to the foregoing policy, each chief district court judge shall promulgate procedures whereby he or any district court judge of his district court district designated by him, prior to the date that a jury session (or sessions) of superior or district court convenes, shall receive, hear, and pass on applications for excuses from jury duty. The procedures shall provide for the time and place, publicly announced, at which applications for excuses will be heard, and prospective jurors who have been summoned for service shall be so informed. The chief district court judge may also delegate this authority to the clerk of superior court. In counties located in a district or set of districts as defined in G.S. 7A-41.1(a) which have a trial court administrator, the chief district judge may assign the duty of passing on applications for excuses from jury service to the administrator. In all cases concerning excuses, the clerk of court or the trial court administrator shall notify prospective jurors of the disposition of their excuses."

SECTION 2. G.S. 9-6.1 reads as rewritten:

"§ 9-6.1. Requests to be excused.

(a) Any person summoned as a juror who is a full-time student and who wishes to be excused pursuant to G.S. 9-6.1(b1) [G.S. 9-6(b1)] or who is 72 years or older and who wishes to be excused, deferred, or exempted, may make the request without appearing in person by filing a signed statement of the ground of the request with the chief district court judge of that district, or the district court ~~judge~~ judge, the clerk of superior court if so delegated by the chief district court judge, or a trial court administrator designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is summoned to appear.

(b) Any person summoned as a juror who has a disability that could interfere with the person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may make the request without appearing in person by filing a signed statement of the ground of the request, including a brief explanation of the disability that interferes with the person's ability to serve as a juror, with the chief district court judge of that district, or the district court ~~judge or judge, clerk of superior court if so delegated by the chief district court judge, or a trial court administrator designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days~~



1 before the date upon which the person is summoned to appear. Upon request of the court, medical
2 documentation of any disability may be submitted. Any privileged medical information or
3 protected health information described in this section shall be confidential and shall be exempt
4 from the provisions of Chapter 132 of the General Statutes or any other provision requiring
5 information and records held by State agencies to be made public or accessible to the public.

6 (c) A person may request either a temporary or permanent exemption under this section,
7 and the ~~judge~~judge, clerk of superior court if so delegated by the chief district court judge, or trial
8 court administrator may accept or reject either in the exercise of discretion conferred by
9 G.S. 9-6(b), including the substitution of a temporary exemption for a requested permanent
10 exemption. In the case of supplemental jurors summoned under G.S. 9-11, notice may be given
11 when summoned. In case the chief district court judge, or the ~~judge~~judge, clerk of superior court if
12 so delegated by the chief district court judge, or trial court administrator designated by the chief
13 district court judge pursuant to G.S. 9-6(b), rejects the request for exemption, the prospective juror
14 shall be immediately notified by the trial court administrator or the clerk of court by telephone,
15 letter, or personally."

16 **SECTION 3.** This act is effective when it becomes law.