



General Assembly

February Session, 2004

Raised Bill No. 5295

LCO No. 1171

01171_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING THE EXCLUSION OF SURGEONS AND
MILITARY PERSONNEL FROM JURY DUTY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-217 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) All jurors shall be electors, or citizens of the United States who
4 are residents of this state having a permanent place of abode in this
5 state and appear on the list compiled by the Jury Administrator under
6 subsection (b) of section 51-222a, who have reached the age of
7 eighteen. A person shall be disqualified to serve as a juror if such
8 person (1) is found by a judge of the Superior Court to exhibit any
9 quality which will impair the capacity of such person to serve as a
10 juror, except that no person shall be disqualified on the basis of
11 deafness or hearing impairment; (2) has been convicted of a felony
12 within the past seven years or is a defendant in a pending felony case
13 or is in the custody of the Commissioner of Correction; (3) is not able
14 to speak and understand the English language; (4) is the Governor,
15 Lieutenant Governor, Secretary of the State, Treasurer, Comptroller or
16 Attorney General; (5) is a judge of the Probate Court, Superior Court,

17 Appellate Court or Supreme Court, is a family support magistrate or is
18 a federal court judge; (6) is a member of the General Assembly,
19 provided such disqualification shall apply only while the General
20 Assembly is in session; (7) is seventy years of age or older and chooses
21 not to perform juror service; [or] (8) is incapable, by reason of a
22 physical or mental disability, of rendering satisfactory juror service; (9)
23 is a practicing surgeon licensed under the provisions of chapter 370; or
24 (10) is in active service with the armed forces of the United States or of
25 this state. Any person claiming a disqualification under subdivision (8)
26 of this subsection must submit to the Jury Administrator a letter from a
27 licensed physician stating the physician's opinion that such disability
28 prevents the person from rendering satisfactory juror service. In
29 reaching such opinion, the physician shall apply the following
30 guideline: A person shall be capable of rendering satisfactory juror
31 service if such person is able to perform a sedentary job requiring close
32 attention for six hours per day, with short work breaks in the morning
33 and afternoon sessions, for at least three consecutive business days.

34 (b) The Jury Administrator may determine, in such manner and at
35 such times as the Jury Administrator deems feasible, whether any
36 person is qualified to serve as juror under this section and whether any
37 person may be excused for extreme hardship.

38 (c) The Jury Administrator shall have the authority to establish and
39 maintain a list of persons to be excluded from the summoning process,
40 which shall consist of (1) persons who are disqualified from serving on
41 jury duty on a permanent basis due to a disability for which a licensed
42 physician has submitted a letter stating the physician's opinion that
43 such disability permanently prevents the person from rendering
44 satisfactory jury service, (2) persons seventy years of age or older who
45 have requested not to be summoned, [and] (3) elected officials
46 enumerated in subdivision (4) of subsection (a) of this section and
47 judges enumerated in subdivision (5) of subsection (a) of this section
48 during their term of office, and (4) surgeons and active military
49 personnel as provided in subdivisions (9) and (10) of subsection (a) of

50 this section. Persons requesting to be excluded pursuant to
51 subdivisions (1), [and] (2) and (4) of this subsection must provide the
52 Jury Administrator with their names, addresses, dates of birth and
53 federal Social Security numbers for use in matching. The request to be
54 excluded may be rescinded at any time with written notice to the Jury
55 Administrator.

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| This act shall take effect as follows: | |
| Section 1 | <i>October 1, 2004</i> |

Statement of Purpose:

To exclude practicing surgeons and active duty military personnel from serving on jury duty.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]