



General Assembly

February Session, 2008

Raised Bill No. 327

LCO No. 1952

01952_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING JURY SERVICE SCHEDULING AND
EMPLOYER HARDSHIP EXCEPTIONS.***

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

1 Section 1. Section 51-232 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) The Jury Administrator shall send to each juror drawn, by first
4 class mail, a notice stating the place where and the time when [he] the
5 juror is to appear and such notice shall constitute a sufficient summons
6 unless a judge of said court directs that jurors be summoned in some
7 other manner.

8 (b) Such summons or notice shall also state: [the]

9 (1) The fact that a juror has a right to one postponement of the
10 juror's term of juror service for not more than ten months; [and may
11 contain any]

12 (2) The fact that a juror who seeks postponement of the juror's term
13 of juror service due to a conflict with the juror's scheduled travel,
14 including, but not limited to, travel for vacation or business purposes,

15 shall seek a postponement date that is without conflict for the juror
16 and that is at least three weeks, but not beyond one year, after the
17 original summons date;

18 (3) The following statement, in not less than fourteen-point bold
19 type: "YOU MUST SECURE FROM YOUR EMPLOYER A WRITTEN
20 STATEMENT OF YOUR EMPLOYER'S POLICY CONCERNING
21 PAYMENT OF REGULAR WAGES FOR JURY SERVICE AND BRING
22 THE STATEMENT WITH YOU AT THE TIME OF YOUR JURY
23 SERVICE"; and

24 (4) Any other information and instructions deemed appropriate by
25 the Jury Administrator.

26 (c) If the date to which the juror has postponed jury service is
27 improper, unavailable or inconvenient for the court, the Jury
28 Administrator shall assign a date of service which, if possible, is
29 reasonably close to the postponement date selected by the juror. Such
30 notice or summons shall be made available to any party or the attorney
31 for such party in an action to be tried to a jury. The Jury Administrator
32 may grant additional postponements within or beyond said ten
33 months but not beyond one year from the original summons date.

34 [(c)] (d) The Jury Administrator shall send to a prospective juror a
35 juror confirmation form and a confidential juror questionnaire. Such
36 questionnaire shall include questions eliciting the juror's name, age,
37 race and ethnicity, occupation, education and information usually
38 raised in voir dire examination. The questionnaire shall inform the
39 prospective juror that information concerning race and ethnicity is
40 required solely to enforce nondiscrimination in jury selection, that the
41 furnishing of such information is not a prerequisite to being qualified
42 for jury service and that such information need not be furnished if the
43 prospective juror finds it objectionable to do so. Such juror
44 confirmation form and confidential juror questionnaire shall be signed
45 by the prospective juror under penalty of false statement. Copies of the
46 completed questionnaires shall be provided to the judge and counsel

47 for use during voir dire or in preparation therefor. Counsel shall be
48 required to return such copies to the clerk of the court upon
49 completion of the voir dire. Except for disclosure made during voir
50 dire or unless the court orders otherwise, information inserted by
51 jurors shall be held in confidence by the court, the parties, counsel and
52 their authorized agents. Such completed questionnaires shall not
53 constitute a public record.

54 [(d)] (e) The number of jurors in a panel may be reduced when, in
55 the opinion of the court, such number of jurors is in excess of
56 reasonable requirements. Such reduction by the clerk shall be
57 accomplished by lot to the extent authorized by the court and the
58 jurors released shall be subject to recall for jury duty only if and when
59 required.

60 [(e)] (f) In each judicial district, the Chief Court Administrator shall
61 designate one or more courthouses to be the courthouse to which
62 jurors shall originally be summoned. The court may assign any jurors
63 of a jury pool to attend any courtroom within the judicial district.

64 Sec. 2. Section 31-71f of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective October 1, 2008*):

66 Each employer shall: (1) Advise his employees in writing, at the
67 time of hiring, of the rate of remuneration, hours of employment and
68 wage payment schedules, [and] (2) make available to his employees,
69 either in writing or through a posted notice maintained in a place
70 accessible to his employees, any employment practices and policies or
71 change therein with regard to wages, vacation pay, sick leave, health
72 and welfare benefits and comparable matters, and (3) make available
73 to his employees a written statement of the employer's policy
74 concerning payment of regular wages for jury service.

75 Sec. 3. Section 51-247c of the 2008 supplement to the general statutes
76 is repealed and the following is substituted in lieu thereof (*Effective*
77 *October 1, 2008*):

78 (a) Upon written application on a form prescribed by the Office of
79 the Chief Court Administrator, the court may excuse (1) an employer
80 from the duty to compensate a juror-employee, or (2) a self-employed
81 juror from the duty to compensate himself or herself. [In such
82 instances,] The applicant shall include with such application a copy of
83 the employer's written statement, required under section 31-71f, as
84 amended by this act, of the employer's policy concerning payment of
85 regular wages for jury service, except that such statement shall not be
86 required of a self-employed juror. Upon written application under this
87 section, the court [shall] may make a finding that extreme financial
88 hardship would be imposed if such duty were not removed. If an
89 employer or self-employed juror is so excused from making payment,
90 the court shall award to the juror the amount the court finds to be the
91 juror's regular wages, to be paid by the state, for the first five days, or
92 part thereof, of juror service but in no event shall such award exceed
93 fifty dollars per day.

94 (b) The Jury Administrator shall mail or the clerk of the court shall
95 give the waiver applications as provided for in subsection (a) of this
96 section and juror service certificates to jurors who have performed
97 juror service. The Office of the Chief Court Administrator may
98 combine into one form the waiver application and the juror service
99 certificate. The juror service certificate shall contain: (1) The name and
100 address of the juror; (2) the court location in which the juror service
101 was performed; (3) the number of days of juror service performed by
102 the juror and the specific dates thereof; (4) the total compensation
103 received by the juror for the period of juror service involved; (5) a
104 declaration of the duty of an employer to compensate a juror-employee
105 for the first five days or part thereof of juror service; (6) the right of an
106 employer to be excused from such duty by the court upon a finding of
107 extreme financial hardship; and (7) any other information which the
108 Jury Administrator deems appropriate. Each juror service certificate
109 shall be completed in duplicate, one copy of which shall be for the
110 juror and one copy of which shall be for the employer of the juror. A
111 juror who seeks compensation from the juror's employer for juror

112 service shall tender the employer's copy of the juror service certificate
113 and the waiver application to the juror's employer as soon as
114 practicable after its receipt.

115 (c) An employer may file a waiver application not later than fifteen
116 days after its receipt by the employer. The waiver application shall be
117 submitted to the court location where the juror served. If an
118 application is denied, the party making the application may apply for a
119 hearing no later than twenty days from the date of the finding by the
120 court.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	51-232
Sec. 2	<i>October 1, 2008</i>	31-71f
Sec. 3	<i>October 1, 2008</i>	51-247c

Statement of Purpose:

To reduce loss of time and resources spent in screening potential jurors who are unaware of their employer's juror compensation policy, or who must defer jury duty due to planned travel.

[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.]