



CONNECTICUT

**TESTIMONY OF
NATIONAL FEDERATION OF INDEPENDENT BUSINESS (NFIB)
BY
ANDY MARKOWSKI, CONNECTICUT STATE DIRECTOR
OPPOSING
HB-5541, AN ACT CONCERNING JUROR SERVICE AND SELECTION
BEFORE THE
JUDICIARY COMMITTEE
MARCH 26, 2010**

A non-profit, non-partisan organization founded in 1943, NFIB is Connecticut's and the nation's leading small-business association. In Connecticut, NFIB represents thousands of members and their employees and membership is scattered across the state and ranges from sophisticated high technology enterprises to single-person "Mom & Pop" shops that operate in traditional ways. NFIB's mission is *"To promote and protect the right of its members to own, operate, and grow their businesses."* On behalf of those small- and independent- job-providers in Connecticut, I offer the following comments:

NFIB/Connecticut opposes this bill. While it may be well intentioned, NFIB/Connecticut feels that allowing small business owners to opt-out from receiving juror summons is unnecessary; is bad policy; and it only serves to dilute a potential juror pool, specifically by reducing the number of small business owners available to serve.

The right to trial by jury is one of our society's most valued liberties. All citizens should equally share the obligation of jury duty regardless of their occupation and income level. Not only does requiring all to serve more fairly distribute the burden of jury service throughout the public, but it is also necessary to ensure a diverse and representative jury. In civil cases where a small business is the defendant, it is particularly important that other small business owners be amongst the potential jurors. Lawmakers should work towards trying to encourage greater participation on juries, not creating more exclusions from juror service.

Connecticut already provides ample mechanisms to help protect a small business owner who may be burdened by juror service. It is possible to postpone juror service until a more convenient time. The Judicial Branch even has a web-based form to easily facilitate this when answering a juror summons. Potential jurors also have the opportunity to discuss their hardship with the court on the day of their appearance. The Judicial Branch and the Department of Labor offer a joint publication "A Guide to Juror Service for Employees and Employers" that outlines various rights and responsibilities, including the ability for those who are self-employed to apply for a waiver of obligation to pay, and, if granted, the state will pay a replacement wage for service. Finally, 80% of those summonsed complete their service within 1 day.

Thank you for the opportunity to comment, and NFIB/Connecticut urges rejection of the bill.