



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Stephen N. Ment  
Select Committee on Veterans' Affairs  
Public Hearing  
February 25, 2010**

**House Bill 5266, An Act Concerning Jury Duty Qualifications For  
Members Of The Armed Forces On Active Duty And Their Spouses**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in opposition to **House Bill 5266, *An Act Concerning Jury Duty Qualification for Members of the Armed Forces on Active Duty and Their Spouses***. This bill would exempt active members of the armed forces and their spouses, in certain instances, from jury service if they so desired.

This legislation is contrary to the principle that the jury pool should be as broad as possible and is also not necessary since active duty members of the armed forces are routinely excused from jury service under our "extreme hardship" provision.

By way of background, in 1983, the General Assembly eliminated broad categorical exemptions to jury service, with very few exceptions. This practice is in keeping with standards put forth by the American Bar Association. In their commentary on jury service, the ABA notes, "... [B]road categorical exceptions not only reduce the inclusiveness and representativeness of a jury panel, but also place a disproportionate burden on those who are not exempt." The ABA re-affirmed this position in their 2005 statement, "Principles for Juries and Jury Trials".

We believe that a blanket exemption for members of the armed forces and their spouses would open the door for other individuals to seek an exemption for their

particular profession. This would have a detrimental impact on the diversity of the jury pool, and create the unfortunate perception that one citizen's time is worth more than another's time.

The Connecticut Judicial Branch, however, is acutely aware of the sacrifices being made by members of the armed forces, and we do our best to accommodate their needs. As you may know, the Jury Administrator is statutorily permitted to grant "extreme hardship" disqualifications for individuals for whom jury service would be burdensome. Members of the armed forces are encouraged to apply for the extreme hardship disqualification - attached is a Judicial Branch publication devoted entirely to members of the military - and this disqualification is routinely granted. We believe that this mechanism adequately addresses the needs of our service members and still ensures a diverse, representative jury pool. It is for this reason that we oppose the bill.

Additionally, it should also be noted that *any* parent of a child under the age of 16 may also be excused for extreme hardship, provided that the parent does not work outside of the home and has no alternative childcare arrangements.

Thank you for the opportunity to submit written testimony.