



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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**Testimony of Stephen N. Ment  
Judiciary Committee Public Hearing  
April 4, 2011**

**Senate Bill 960, An Act Exempting Immediate Family Members Of  
Murder And Manslaughter Victims From The  
Jury Summoning Process In Criminal Actions**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in opposition to *Senate Bill 960, An Act Exempting Immediate Family Members of Murder and Manslaughter Victims From the Jury Summoning Process in Criminal Actions*.

By way of background, in 1983 the General Assembly endorsed the principle that the jury pool should be as broad as possible by eliminating 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".

As members of the Committee may be aware, jurors in Connecticut are not summoned for either a criminal or civil case. All jurors are randomly selected to appear at a particular court location, and the court randomly selects jurors to serve on a criminal or civil case. If the intent of this bill is to alter the process so that one is summoned for a criminal or civil case, this would mark a fundamental - and costly -

change from the current process. The change would be costly because it would necessitate the creation of two master lists – one for civil, one for criminal – and require a re-programming of the jury computer system.

The Judicial Branch is cognizant, however, of the difficulties that serving on a jury can entail, and is aware that for particular individuals, it can be an undue burden. That is why any juror who believes that he or she is unable to serve on a criminal or civil trial can explain their situation to the court prior to the interview process. In this instance, a judge can utilize his or her discretion and excuse the juror, or assign the individual to a panel that would not be burdensome.

Furthermore, current statutes already allow prospective jurors who offer proof of an inability to serve to be excused in advance of their court date if the service constitutes an extreme hardship or if the person ought to be disqualified for medical reasons. The medical disqualification can be quite broad, as it can be applied to any individual whose past trauma has resulted in stress or any other condition that would render jury service impossible.

Thank you for the opportunity to submit written testimony in opposition to this bill.