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HOUSE BILL 1610

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives McCaslin, Riccelli, Rodne, Orwall, Holy,  
Stokesbary, G. Hunt, Taylor, and Shea

Read first time 01/23/15. Referred to Committee on Judiciary.

1            AN ACT Relating to jury service; and amending RCW 2.36.010,  
2            2.36.100, and 2.36.080.

3            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 2.36.010 and 1993 c 408 s 4 are each amended to read  
5            as follows:

6            Unless the context clearly requires otherwise the definitions in  
7            this section apply throughout this chapter.

8            (1) A jury is a body of persons temporarily selected from the  
9            qualified inhabitants of a particular district, and invested with  
10           power—

11           (a) To present or indict a person for a public offense.

12           (b) To try a question of fact.

13           (2) "Court" when used without further qualification means any  
14           superior court or court of limited jurisdiction in the state of  
15           Washington.

16           (3) "Judge" means every judicial officer authorized to hold or  
17           preside over a court. For purposes of this chapter "judge" does not  
18           include court commissioners or referees.

19           (4) "Juror" means any person summoned for service on a petit  
20           jury, grand jury, or jury of inquest as defined in this chapter.

1 (5) "Grand jury" means those twelve persons impaneled by a  
2 superior court to hear, examine, and investigate evidence concerning  
3 criminal activity and corruption.

4 (6) "Petit jury" means a body of persons twelve or less in number  
5 in the superior court and six in number in courts of limited  
6 jurisdiction, drawn by lot from the jurors in attendance upon the  
7 court at a particular session, and sworn to try and determine a  
8 question of fact.

9 (7) "Jury of inquest" means a body of persons six or fewer in  
10 number, but not fewer than four persons, summoned before the coroner  
11 or other ministerial officer, to inquire of particular facts.

12 (8) "Jury source list" means the list of all registered voters  
13 for any county, merged with a list of licensed drivers and identicard  
14 holders who reside in the county. The list shall specify each  
15 person's name and residence address and conform to the methodology  
16 and standards set pursuant to the provisions of RCW 2.36.054 or by  
17 supreme court rule. The list shall be filed with the superior court  
18 by the county auditor.

19 (9) "Master jury list" means the list of prospective jurors from  
20 which jurors summoned to serve will be randomly selected. The master  
21 jury list shall be either randomly selected from the jury source list  
22 or may be an exact duplicate of the jury source list.

23 (10) "Jury term" means a period of time of one or more days, not  
24 exceeding (~~one month~~) two weeks, during which summoned jurors must  
25 be available to report for juror service.

26 (11) "Juror service" means the period of time a juror is required  
27 to be present at the court facility. This period of time may not  
28 extend beyond the end of the jury term, and may not exceed (~~two~~  
29 ~~weeks~~) one week, except to complete a trial to which the juror was  
30 assigned during the (~~two~~) one-week period.

31 (12) "Jury panel" means those persons randomly selected for jury  
32 service for a particular jury term.

33 **Sec. 2.** RCW 2.36.100 and 1992 c 93 s 5 are each amended to read  
34 as follows:

35 (1) Except for a person who is not qualified for jury service  
36 under RCW 2.36.070, no person may be excused from jury service by the  
37 court except upon a showing of undue hardship, extreme inconvenience,  
38 public necessity, or any reason deemed sufficient by the court for a  
39 period of time the court deems necessary.

1 (2) At the discretion of the court's designee, after a request by  
2 a prospective juror to be excused, a prospective juror excused from  
3 juror service for a particular time may be assigned to another jury  
4 term within the twelve-month period. If the assignment to another  
5 jury term is made at the time a juror is excused from the jury term  
6 for which he or she was summoned, a second summons under RCW 2.36.095  
7 need not be issued.

8 (3) When the jury source list has been fully summoned within a  
9 consecutive twelve-month period and additional jurors are needed,  
10 jurors who have already served during the consecutive twelve-month  
11 period may be summoned again for service. A juror who has previously  
12 served may only be excused if he or she served at least (~~two weeks~~)  
13 one week of juror service within the preceding twelve months. An  
14 excuse for prior service shall be granted only upon the written  
15 request of the prospective juror, which request shall certify the  
16 terms of prior service. Prior jury service may include service in  
17 superior court, in a court of limited jurisdiction, in the United  
18 States District Court, or on a jury of inquest.

19 **Sec. 3.** RCW 2.36.080 and 1992 c 93 s 2 are each amended to read  
20 as follows:

21 (1) It is the policy of this state that all persons selected for  
22 jury service be selected at random from a fair cross section of the  
23 population of the area served by the court, and that all qualified  
24 citizens have the opportunity in accordance with chapter 135, Laws of  
25 1979 ex. sess. to be considered for jury service in this state and  
26 have an obligation to serve as jurors when summoned for that purpose.

27 (2) It is the policy of this state to maximize the availability  
28 of residents of the state for jury service. It also is the policy of  
29 this state to minimize the burden on the prospective jurors, their  
30 families, and employers resulting from jury service. The jury term  
31 and jury service should be set at as brief an interval as is  
32 practical given the size of the jury source list for the judicial  
33 district. The optimal jury term is (~~two weeks~~) one week or less.  
34 Optimal juror service is one day or one trial, whichever is longer.

35 (3) A citizen shall not be excluded from jury service in this  
36 state on account of race, color, religion, sex, national origin, or  
37 economic status.

1           (4) This section does not affect the right to peremptory  
2 challenges under RCW 4.44.130.

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