

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 148
PROPOSED COMMITTEE SUBSTITUTE S148-PCS45206-BB-3

Short Title: Juror Excused by Clerk of Sup. Ct.

(Public)

Sponsors:

Referred to:

March 1, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE CHIEF DISTRICT COURT JUDGE MAY DELEGATE
3 AUTHORITY TO THE CLERK OF COURT TO EXCUSE A PERSON FROM JURY
4 DUTY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 9-6(b) reads as rewritten:

7 "§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.

8 ...

9 (b) Pursuant to the foregoing policy, each chief district court judge shall promulgate
10 procedures whereby he or any district court judge of his district court district designated by
11 him, prior to the date that a jury session (or sessions) of superior or district court convenes,
12 shall receive, hear, and pass on applications for excuses from jury duty. The procedures shall
13 provide for the time and place, publicly announced, at which applications for excuses will be
14 heard, and prospective jurors who have been summoned for service shall be so informed. The
15 chief district court judge, after consultation with and consent of the clerk, may also delegate
16 this authority to the clerk of superior court. In counties located in a district or set of districts as
17 defined in G.S. 7A-41.1(a) which have a trial court administrator, the chief district judge may
18 assign the duty of passing on applications for excuses from jury service to the administrator. In
19 all cases concerning excuses, the clerk of court or the trial court administrator shall notify
20 prospective jurors of the disposition of their excuses."

21 SECTION 2. G.S. 9-6.1 reads as rewritten:

22 "§ 9-6.1. Requests to be excused.

23 (a) Any person summoned as a juror who is a full-time student and who wishes to be
24 excused pursuant to G.S. 9-6.1(b1) [G.S. 9-6(b1)] or who is 72 years or older and who wishes
25 to be excused, deferred, or exempted, may make the request without appearing in person by
26 filing a signed statement of the ground of the request with the chief district court judge of that
27 district, or the district court ~~judge-judge, the clerk of superior court if so delegated by the chief~~
28 district court judge, or a trial court administrator designated by the chief district court judge
29 pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is
30 summoned to appear.

31 (b) Any person summoned as a juror who has a disability that could interfere with the
32 person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may
33 make the request without appearing in person by filing a signed statement of the ground of the
34 request, including a brief explanation of the disability that interferes with the person's ability to
35 serve as a juror, with the chief district court judge of that district, or the district court ~~judge-or~~
36 judge, the clerk of superior court if so delegated by the chief district court judge, or a trial court



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1 administrator designated by the chief district court judge pursuant to G.S. 9-6(b), at any time
2 five business days before the date upon which the person is summoned to appear. Upon request
3 of the court, medical documentation of any disability may be submitted. Any privileged
4 medical information or protected health information described in this section shall be
5 confidential and shall be exempt from the provisions of Chapter 132 of the General Statutes or
6 any other provision requiring information and records held by State agencies to be made public
7 or accessible to the public.

8 (c) A person may request either a temporary or permanent exemption under this
9 section, and the ~~judge-judge, clerk of superior court if so delegated by the chief district court~~
10 ~~judge,~~ or trial court administrator may accept or reject either in the exercise of discretion
11 conferred by G.S. 9-6(b), including the substitution of a temporary exemption for a requested
12 permanent exemption. In the case of supplemental jurors summoned under G.S. 9-11, notice
13 may be given when summoned. In case the chief district court judge, or the ~~judge judge, clerk~~
14 ~~of superior court if so delegated by the chief district court judge,~~ or trial court administrator
15 designated by the chief district court judge pursuant to G.S. 9-6(b), rejects the request for
16 exemption, the prospective juror shall be immediately notified by the trial court administrator
17 or the clerk of court by telephone, letter, or personally."

18 **SECTION 3.** This act is effective when it becomes law.