

533

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. ALESI -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to excusal from jury duty for persons seventy years of age or older with documented disabilities or health problems

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision (c) of section 517 of the judiciary law, as
2 amended by chapter 86 of the laws of 1995, is amended to read as
3 follows:
4 (c) In determining whether an application for excusal should be grant-
5 ed, the commissioner or the court shall consider whether the applicant
6 has a mental or physical condition that causes him or her to be incapa-
7 ble of performing jury service or there is any other fact WHICH indi-
8 cates that attendance for jury service in accordance with the summons
9 would cause undue hardship or extreme inconvenience to the applicant, a
10 person under his or her care or supervision, or the public. AN APPLI-
11 CANT FOR EXCUSAL OF THE AGE OF SEVENTY YEARS OR OLDER WHO SUBMITS
12 DOCUMENTATION OF A DISABILITY OR HEALTH PROBLEM SHALL BE DEEMED TO HAVE
13 SUFFICIENT CAUSE AND SHALL BE EXCUSED FROM ATTENDANCE FOR JURY SERVICE
14 IN ACCORDANCE WITH THE SUMMONS. Except as provided in paragraph two of
15 subdivision (a) of this section, in determining whether an application
16 for postponement should be granted, the commissioner or the court shall
17 be guided by standards promulgated by the chief administrator of the
18 courts.
19 S 2. This act shall take effect on the first of the calendar month
20 next succeeding the sixtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD01749-01-9