

STATE OF NEW YORK

8182

2023-2024 Regular Sessions

IN ASSEMBLY

October 27, 2023

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to excusing prospective jurors from jury service if they are a full-time caregiver responsible for the care of a person with a mental or physical condition that causes such person to be incapable of caring for himself or herself

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision (a) of section 517 of the judiciary law, as
2 amended by chapter 86 of the laws of 1995, paragraphs 1 and 2 as amended
3 by chapter 380 of the laws of 2019, is amended to read as follows:

4 (a) (1) Except as otherwise provided in paragraph two or three of this
5 subdivision, the commissioner of jurors may, in his or her discretion,
6 on the application of a prospective juror who has been summoned to
7 attend, excuse such prospective juror from a part or the whole of the
8 time of jury service or may postpone the time of jury service to a later
9 day during the same or any subsequent term of the court, provided that
10 if the prospective juror is a breastfeeding mother and submits with her
11 application a note from a physician indicating that the prospective
12 juror is breastfeeding, the commissioner shall excuse the prospective
13 juror or postpone the time of jury service. The application shall be
14 presented to the commissioner at such time and in such manner as he or
15 she shall require, except that an application for postponement of the
16 initial date for jury service may be made by telephone.

17 (2) An application for postponement of jury service shall be granted
18 hereunder provided: (i) such service has not already been postponed or
19 excused, (ii) the application is made at such time and in such manner as
20 the commissioner of jurors requires, and (iii) the postponement is to a
21 date certain when the court is in session not more than six months after
22 the date on which such service otherwise is to commence and such date is
23 selected by the prospective juror, provided that if the prospective

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

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1 juror is a breastfeeding mother, the postponement date may be a date
2 certain up to two years after the date on which such service otherwise
3 is to commence.

4 (3) An application to be excused from jury service shall be granted if
5 the prospective juror provides a written statement under penalty of
6 perjury, in a form and manner as the commissioner of jurors shall
7 require, that such prospective juror is a full-time caregiver responsi-
8 ble for the care of a person with a mental or physical condition that
9 causes such person to be incapable of caring for himself or herself.

10 § 2. This act shall take effect on the ninetieth day after it shall
11 have become a law.