

STATE OF NEW YORK

3442

2025-2026 Regular Sessions

IN ASSEMBLY

January 27, 2025

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 themselves

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~~] their
6 discretion, on the application of a prospective juror who has been
7 summoned to attend, excuse such prospective juror from a part or the
8 whole of the time of jury service or may postpone the time of jury
9 service to a later day during the same or any subsequent term of the
10 court, provided that if the prospective juror is a breastfeeding [~~moth-~~
11 ~~er~~] person and submits with [~~her~~] their application a note from a physi-
12 cian indicating that the prospective juror is breastfeeding, the commis-
13 sioner shall excuse the prospective juror or postpone the time of jury
14 service. The application shall be presented to the commissioner at such
15 time and in such manner as [~~he or she~~] such commissioner shall require,
16 except that an application for postponement of the initial date for jury
17 service may be made by telephone.

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

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

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1 is to commence and such date is selected by the prospective
2 juror, provided that if the prospective juror is a breastfeeding [~~moth-~~
3 ~~er~~] person, the postponement date may be a date certain up to two years
4 after the date on which such service otherwise is to commence.

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

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