§ 517. Excuses and postponements. (a) (1) Except as otherwise provided in paragraph two of this subdivision, the commissioner of jurors may, in such commissioner's discretion, on the application of a prospective juror who has been summoned to attend, excuse such prospective juror from a part or the whole of the time of jury service or may postpone the time of jury service to a later day during the same or any subsequent term of the court, provided that if the prospective juror is a breastfeeding mother and submits with her application a note from a physician or nurse practitioner indicating that the prospective juror is breastfeeding, the commissioner shall excuse the prospective juror or postpone the time of jury service. The application shall be presented to the commissioner at such time and in such manner as such commissioner shall require, except that an application for postponement of the initial date for jury service may be made by telephone.

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

(b) A person whose application has been denied by the commissioner, or who has not applied to the commissioner for an excuse or postponement, may apply to the trial court, or to the court having supervision of the grand jury, as the case may be, which may, in its discretion, excuse such person from a part or the whole of the time of jury service, or may postpone the time of jury service to a later day during the same or any subsequent term of the court. If the applicant cannot personally attend, he or she shall send the summons and application by a person capable of making the necessary proof in relation to the application.

(c) In determining whether an application for excusal should be granted, the commissioner or the court shall consider whether the applicant has a mental or physical condition that causes him or her to be incapable of performing jury service or there is any other fact

indicates that attendance for jury service in accordance with the summons would cause undue hardship or extreme inconvenience to the applicant, a person under his or her care or supervision, or the public. Except as provided in paragraph two of subdivision (a) of this section, in determining whether an application for postponement should be granted, the commissioner or the court shall be guided by standards promulgated by the chief administrator of the courts.