



Superior Court
Of Snohomish County

ADMINISTRATIVE ORDER 30-08
EXCUSAL AND POSTPONEMENT FOR JURY SERVICE
For Non-Capital Cases

Adopted: July 13, 2005
Updated: December 10, 2008

The Superior Court bench, having determined that uniform standards for excusal and postponement of service for prospective jurors are necessary and should be implemented, adopts the following provisions for excusal and postponement of prospective jurors to be implemented by the Snohomish County Clerk's Office and Superior Court staff:

1. Definitions

- a. **Excusal** is defined as the process from which a citizen name is removed from the JURY + database for the current year.
- b. **Postponement** is defined as delaying a citizen's jury service no more than twelve (12) months from the date of the original summoned jury term.
- c. **Permanent Removal** is the process by which a citizen's name is permanently removed from the JURY + database. Permanent removal is to be granted only for terminal illness, death or a serious, debilitating illness which will not improve, or at the direction of a judicial officer.

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2. Disqualification by Statute

Upon the Clerk's Office Jury Management staff receiving juror questionnaires they will review and determine a juror's eligibility under RCW 2.36.070, which provides:

A person is competent to serve as a juror in the State of Washington unless that person:

1. Is less than eighteen years of age;
2. Is not a citizen of the United States;
3. Is not a resident of the county in which he or she has been summoned to serve;
4. Is not able to communicate in the English language; or
5. Has been convicted of a felony and has not had his or her civil rights restored.

If a juror is found to be ineligible, the Clerk's Office staff will excuse the juror for the jury term. If a juror submits a questionnaire and has failed to answer the disqualification questions, the questionnaires will be forwarded to the Superior Court Jury Coordinator to follow up with the juror regarding the juror's qualification to serve under RCW 2.36.070.

3. Excusals/Permanent Removal

- a. Clerk's Office Jury Management staff shall excuse Superior Court jurors only if the juror is deceased, is not qualified to serve under RCW 2.36.070, is terminally ill or has a serious, debilitating illness which will not improve or if the juror's summons has been returned by the post office as undeliverable. All other Superior Court juror requests for excusal/permanent removal shall be forwarded to the Superior Court Jury Coordinator staff for review. Excusal may only be granted within the parameters set forth by the bench in this administrative order. Staff will not excuse citizens from jury service when the person is asking for a postponement unless it is determined through discussion that they are not qualified per statute.
- b. Per **RCW 2.36.100** no person may be excused from jury service by the court except upon a showing of **undue** hardship, **extreme** inconvenience, public necessity, or any other reason deemed sufficient by the court for a period of time the court deems necessary. Postponement shall be considered prior to excusal/permanent removal.

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- c. The Jury Coordinator may excuse persons from jury service within the scope of departmental training for the following reasons based on a signed declaration, completed questionnaire or other supporting documentation;
 1. Disqualification defined by statute (see details above in first section)
 2. Judicial excusal – judicial decision to excuse (either verbal or written, to be documented by Jury Coordinator)
 3. Prior service - A juror who has previously served may be excused only if he or she has submitted a request to be excused because the juror was summoned and appeared for jury service within the preceding twelve months. Such prior jury service may include service in Superior Court, a Court of Limited Jurisdiction, the United States District Court, or service on a jury of inquest.
 4. Undeliverable – returned by the post office. The Clerk’s Office shall forward the names/addresses to the Auditor’s office No longer done Financial/Work Hardship – When a juror demonstrates serving would create a substantial hardship for the juror or members of the community.
 5. Care of Invalid/Minor Child –If the juror is the primary care giver for an invalid or the primary care giver for child(ren) under the age of 12 for whom no other care is reasonably available
 6. Military Service – active military duty stationed out of local area
 7. Transportation – does not drive or have a vehicle and public transportation is not readily available.
 8. Non-Permanent Medical – a medical condition which is likely to improve but the recovery time is longer than one year.
4. Juror Postponement as defined in 1(b)
 - a. **Clerk’s Office Postponements:** The Clerk’s Office may grant up to two postponements for any reason; any additional requests for postponement will be referred to the Superior Court Jury Coordinator.
 - b. **Jury Coordinator Postponements:** The Jury Coordinator may grant a third postponement based on the criteria set forth in paragraph (5) below.

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5. Postponement Criteria

- a. Care of invalid/minor child/child care issues
- b. Military Service
- c. Temporary Medical for self/family (i.e. recovering from surgery, broken arm, illness)
- d. Student
- e. No Transportation
- f. Temporary work hardship
- g. Court obligation which conflicts with jury service
- h. Forgot
- i. Vacation/Temporarily away from area
- j. Recent death in family
- k. Religious holiday or other religious observance
- l. When request for excusal/permanent removal is made with no supporting documentation, a postponement may be granted to allow time for the juror to submit age of children, doctor's letter, employer's pay policy or any other documentation that may clarify the nature of the request.
- m. Other as authorized by Jury Coordinator, Presiding Judge or assigned Judge.

Dated this 10th day of December, 2008

Larry E. McKeeman, Presiding Judge

Supersedes: Updated 12/10/08; adopted August 15, 2003.