

AUTHORITY TO EXCUSE JURORS DAY OF TRIAL

Submitted by Edwina Harper – Yolo County
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Question:

I need to find out if there is a specific code, which states that the only person with authority to excuse jurors on their day of service is the judge or is this one of those unwritten practices that the jury staff does not excuse jurors on the day of service except in extreme cases.

1	Sherry Spears – Fresno	I don't know of any code, in Fresno we excuse, postpone and disqualify jurors on the day that they report unless they are already assigned to a courtroom as a trial juror. If assigned then it has to be the court that excuses them.
2	Jennifer Bolin – Imperial	Same as Fresno
3	Keri Shane ~ El Dorado	In El Dorado County, we excuse on the day of service depending on their excuse. If they have a Dr.'s note etc. they will be excused by staff. All other excuses are handled in the courtroom by the Judge. As some may be financial, vacations, etc. and we do not know how long the trial is expected to last.
4	Debbie Jurevich ~ San Benito	The same for San Benito County.
5	Gloria Winans ~ Tulare	In Tulare we only excuse on the day of the summons for emergency or things beyond their control. Our summons does state to be excused you must contact prior to your summons date. Actually to answer your question, there isn't a specific code. 218 does stateIt shall be left to the discretion of the jury commissioner to accept an excuse under subdivision (b) Section 204 without a personal appearance. All excuses shall be in writing setting forth the basis of the request and shall be signed by the juror.
6	Bridget Carley ~ Calaveras	I don't know of a specific code, but as clerks we are not allowed to excuse the day of trial, unless extreme situations. I had a guy who was a convicted felon and let him go.
7	Joe Yniquez ~ Stanislaus	In Stanislaus, we go over the qualifications (age, citizen, resident, etc) during orientation so we'll excuse even on the day of appearance unless they've already been assigned to court. Then excuse will need to be addressed in the courtroom.
8	Gail Shultz ~ Inyo	The same for Inyo County, unless the reports have gone to the judge, then he and counsel make the call.

