

NON RESIDENT VALIDITY

Submitted by Shana Simpson

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I have a prospective juror disputing/challenging the validity of his summons. At the time the initial summons was generated this individual says that he was not a resident of Sacramento but living in Berkley, and had registered to vote and updated his address information with DMV to his Berkley address. However, since the time of the initial summons and/or FTA he has relocated back to Sacramento (to the address we have in our system),,, BUT feels he should be excused as a non resident since he did not live in this county when initially summoned and it would not be considered a random process if he were rescheduled to serve under these circumstances.

Oh yea...did I mention that he is an attorney!

1	Sherry Spears	Fresno - Interesting, but I assume he didn't submit his disqualification when he was a non-resident since he's in FTA status. If he had, he probably would have been excused. So to me, he cannot submit after the fact since he is now qualified to serve. I guess we could argue the reverse - if a juror was initially summoned in one county and then moved to another county - would we force them to come back to the original county to serve? No. If that happened here I might postpone him so he could get a "new" summons but I wouldn't excuse him. Let me know how it goes!
2	Diane Collins	Mendocino - What I think I would do is give him a new date to appear. Then when he came in and was sent to court I would send the judge copies of all correspondence showing the judge the juror's attempt to escape jury service. The juror could then argue his case with the judge, not me.
3	Debbie Cravea	Napa - Since everything is stemmed off the initial summons, and he was a non resident at the time of the initial summons. I would disqualify him. His FTA status is a result of the initial summons, and if he can prove that he was not a resident at the time of the initial summons, all subsequent actions I feel would be moot, but I could be wrong..
4	Diana Gifford-Tuggle	Shasta - I so agree with Diane!
5	Frances Johnson	Los Angeles, would tell him to let the court know this when he is sent to the courtroom, that staff does not interpret the law