

ASSEMBLY BILL

No. 1814

Introduced by Assembly Member Lempert

February 3, 2000

An act to amend Sections 204 and 210 of the Code of Civil Procedure, relating to jury service.

LEGISLATIVE COUNSEL'S DIGEST

AB 1814, as introduced, Lempert. Jury service: breast-feeding.

(1) Existing law provides that an eligible person may be excused from jury service only for undue hardship, upon themselves or upon the public, as defined by the Judicial Council.

This bill would require the Judicial Council to provide that a mother of a breast-fed child is excused from jury service for undue hardship, without having to appear, until the child is no longer breast-feeding; and would require the Judicial Council to provide for the implementation of this provision.

(2) Existing law specifies the required contents of a jury summons.

This bill would impose a state-mandated local program by requiring a jury summons to summarize the undue hardship provisions adopted by the Judicial Council.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of

mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 204 of the Code of Civil
2 Procedure is amended to read:

3 204. (a) No eligible person shall be exempt from
4 service as a trial juror by reason of occupation, race, color,
5 religion, sex, national origin, or economic status, or for any
6 other reason. No person shall be excused from service as
7 a trial juror except as specified in subdivision (b).

8 (b) An eligible person may be excused from jury
9 service only for undue hardship, upon themselves or
10 upon the public, as defined by the Judicial Council. *In this*
11 *regard, the Judicial Council shall specifically provide that*
12 *the mother of a breast fed child is excused from jury*
13 *service for undue hardship, without having to appear,*
14 *until the child is no longer breast feeding.*

15 SEC. 2. Section 210 of the Code of Civil Procedure is
16 amended to read:

17 210. The summons shall contain the date, time, and
18 place of appearance required of the prospective juror or,
19 alternatively, instructions as to the procedure for calling
20 the jury commissioner for telephonic instructions for
21 appearance, *and a summary of the undue hardship*
22 *provisions adopted by the Judicial Council pursuant to*
23 *subdivision (b) of Section 204,* as well as such additional
24 juror information as deemed appropriate by the jury
25 commissioner.

26 SEC. 3. Notwithstanding Section 17610 of the
27 Government Code, if the Commission on State Mandates
28 determines that this act contains costs mandated by the



1 state, reimbursement to local agencies and school
2 districts for those costs shall be made pursuant to Part 7
3 (commencing with Section 17500) of Division 4 of Title
4 2 of the Government Code. If the statewide cost of the
5 claim for reimbursement does not exceed one million
6 dollars (\$1,000,000), reimbursement shall be made from
7 the State Mandates Claims Fund.

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