

## BENTON & FRANKLIN COUNTIES SUPERIOR COURT

### JUDICIAL RESOLUTION NO. 14-001

#### JUROR POSTPONEMENT, EXCUSAL AND/OR DISQUALIFICATION

Pursuant to CR 28, RCW 2.36.100 and RCW 2.36.110, the Superior Court Judges of the Benton and Franklin Counties Judicial District, by this document hereby delegate to the County Clerks of each county, authority, in the process of administering the jury system for the Court, to do the following:

**DISQUALIFICATION:** The County Clerks are authorized to disqualify any summoned juror for the jury term, based on his or her response in a written or electronic declaration signed or submitted under penalty of perjury, who:

- a) Is less than eighteen years of age; or
- b) Is not a citizen of the United States; or
- c) Is not a resident of the county in which he or she has been summoned to serve; or
- d) Is not able to communicate in the English language; or
- e) Has been convicted of a felony and has not had his or her civil rights restored.

**DEFERRAL:** The County Clerks are authorized to defer a potential juror's service to another term within the succeeding twelve month period following issuance of the summons based on a claim by the juror of undue hardship, extreme inconvenience or public necessity. A new summons will be sent to the potential juror for the term into which he or she has had jury service deferred. This deferment may be done at a potential juror's request only one time during a twelve month period.

Undue hardship may include, but is not limited to jurors who:

- a) Are sole providers for dependent children with financial hardship;
- b) Have an injury or physical condition which would interfere with the juror sitting for long periods of time;
- c) Have a close family member or friend with a serious illness or hospitalization requiring the juror's care;
- d) Have crucial projects, such as harvest, plant opening or closing or a presentation, at their place of employment or their business, farm or ranch, etc. which cannot be delayed;
- e) Are the sole care givers for physically or mentally challenged individuals;

Extreme inconvenience may include, but is not limited to jurors who:

- a) Have planned vacations, weddings, business trips or other important functions previously scheduled;
- b) Do not drive and have no means of transportation available;
- c) Are professionals with scheduled appointments with clients/patients and will need time to free his or her schedule.

Public necessity may include but is not limited to a juror who:

- a) Is a military reservist called for active duty or training during the term for which he or she was summoned or is active duty military out of the area;
- b) Is a college student attending school during the school year;
- c) Is required by his or her work or profession to obtain continuing education during the term for which he or she was summoned.

**EXCUSES:** The County Clerks are authorized to permanently excuse jurors who:

- a) Are seventy-five (75) years of age or older and indicate they cannot perform the duties of a juror for any reason;
- b) Have a permanent chronic debilitating or terminal illness and who have submitted a doctor's statement indicating the juror is unable to perform the duties of a juror;
- c) Have a permanent chronic mental disorder.

The County Clerks are authorized to excuse jurors for the pending jury term and one year thereafter who:

- a) Are physically handicapped, but only at the request of the potential juror;
- b) Are in occupations which keep them away from home for long periods of time and who do not know when they might be available (e.g. long-haul truck drivers);
- c) Have completed a term of jury service within the past year;
- d) Have completed a term of jury service by having been empaneled on and served on a jury within the past 12 month period in Superior Court, a court of limited jurisdiction or the United States District Court.

The County Clerks are further directed that all juror requests for excuse from jury service not covered by the delegation of authority herein contained shall be referred to a Superior Court Judge.

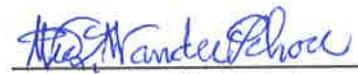
This delegation shall supersede and replace all prior directions from the Court in conflict with this order.

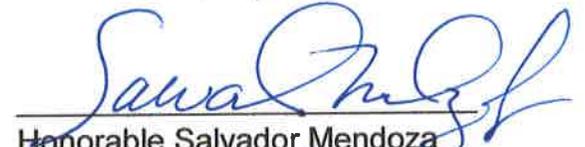
  
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Honorable Bruce A. Spanner  
Presiding Judge  
Dated: 3/3/14

  
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Honorable Robert G. Swisher  
Assistant Presiding Judge  
Dated: FEB 27 2014

  
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Honorable Carrie Runge  
Dated: 3/3/14

  
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Honorable Cameron Mitchell  
Dated: 3/3/14

  
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Honorable Vic VanderSchoor  
Dated: 2/27/14

  
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Honorable Salvador Mendoza  
Dated: 2/27/14