

OFFICE OF THE PUBLIC DEFENDER

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TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No. 5646

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE – PROCEDURE GENERALLY – JURY LISTS

Dear Chairman Craven and Members of the House Judiciary Committee:

The Office of the Public Defender wishes to express concerns with HB5646, which seeks to exempt individuals seventy (70) years of age and older from jury service. While the proposed bill is well intentioned and may represent an effort to accommodate older citizens who may face challenges in fulfilling this civic responsibility, our office believes unintended negative consequences may result, which could undermine the core principles of our justice system.

Jury duty is a fundamental aspect of our democratic process and gives citizens an essential role in ensuring that justice is served impartially and fairly. Exempting a specific age group based on age alone, rather than on individual circumstances, risks excluding a valuable segment of our society that has lived through decades of diverse experiences. Older individuals often bring wisdom, knowledge, and life experience to the jury box, which can be crucial in helping to reach fair and just verdicts.

Additionally, the proposed exemption could unintentionally suggest that older adults are less capable of contributing to the civic process than their younger counterparts. Age should not be automatically equated with an inability to serve; many older adults are healthy, active, and more than capable of participating fully in jury duty. Exempting individuals who are seventy and older could also place an undue burden on other members of society, by shrinking the pool of available jurors. It is important that jury duty remains representative of the community at large, and a fair and equitable representation of all age groups is critical to that representation.

Individual health, mobility, and accessibility concerns can be addressed on an individual basis through the jury commissioner's office or during jury empanelment. The Office of the Public Defender urges the Committee to consider our concerns and the impact this legislation would have on our jury system.

Sincerely,

A handwritten signature in blue ink, appearing to read "Megan F. Jackson", followed by a long horizontal flourish.

Megan F. Jackson

Legislative Liaison

Office of the Public Defender

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