



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

520 Capitol Mall, Suite 600 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

March 29, 2018

Hon. Mark Stone, Chair
Assembly Judiciary Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: Assembly Bill 2240 (Grayson), as introduced – Oppose
Hearing: Assembly Judiciary Committee – April 3, 2018

Dear Assembly Member Stone:

The Judicial Council opposes AB 2240, which prohibits the selection of designated parole and correctional officers for voir dire in both criminal and civil matters.

The council has a longstanding policy of opposing categorical exemptions from jury service and has continually found that statutorily exempting specific categories of persons from jury duty reduces the number of available jurors, makes it more difficult to select representative juries, and unfairly increases the burden of jury service on other segments of the population. The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

Furthermore, existing law and California Rules of Court make categorical exceptions unnecessary, as both authorize courts to grant a hardship excuse in appropriate circumstances and to make scheduling accommodations without requiring a court appearance. Hardships noted

Hon. Mark Stone
March 29, 2018
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in the promotion of bills like AB 2240, including lack of transportation, personal obligation to provide care for another, and that the prospective juror's services "are immediately needed for the protection of the public health and safety," would all be grounds constituting undue hardship under California Rules of Court, rule 2.1008.

Many changes in recent years designed specifically to lessen the burden of jury duty on citizens also render categorized exemptions unnecessary. Such changes include creation of a one day/one trial system statewide, improving the summons process to allow requests for excuses to be made, and adoption of a rule of court to ensure that jurors can request scheduling accommodations without appearing in court.

Courts must constantly balance the need to ensure access to the justice system with the need to respect jurors' time. However, while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals based on the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council opposes AB 2240.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed March 29, 2018

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Tim Grayson, Member of the Assembly
Ms. Danielle Sanchez, Legislative Director, Chief Probation Officers of California
Mr. Nicholas Liedtke, Counsel, Assembly Judiciary Committee
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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Director, Governmental Affairs

April 13, 2018

Hon. Reginald B. Jones-Sawyer, Sr., Chair
Assembly Public Safety Committee
State Capitol, Room 2117
Sacramento, California 95814

Subject: Assembly Bill 2240 (Grayson), as amended April 9, 2018 – Oppose
Hearing: Assembly Public Safety Committee – April 24, 2018

Dear Assembly Member Jones-Sawyer:

The Judicial Council opposes AB 2240, which prohibits the selection of designated parole and correctional officers for voir dire in criminal matters.

The council has a longstanding policy of opposing categorical exemptions from jury service and has continually found that statutorily exempting specific categories of persons from jury duty reduces the number of available jurors, makes it more difficult to select representative juries, and unfairly increases the burden of jury service on other segments of the population. The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

Furthermore, existing law and California Rules of Court make categorical exceptions unnecessary, as both authorize courts to grant a hardship excuse in appropriate circumstances and to make scheduling accommodations without requiring a court appearance. Hardships noted

Hon. Reginald B. Jones-Sawyer, Sr.

April 13, 2018

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Many changes in recent years designed specifically to lessen the burden of jury duty on citizens also render categorized exemptions unnecessary. Such changes include creation of a one day/one trial system statewide, improving the summons process to allow requests for excuses to be made, and adoption of a rule of court to ensure that jurors can request scheduling accommodations without appearing in court.

Courts must constantly balance the need to ensure access to the justice system with the need to respect jurors' time. However, while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals based on the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council opposes AB 2240.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed on April 13, 2018

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Members, Assembly Public Safety Committee
Hon. Tim Grayson, Member of the Assembly
Ms. Danielle Sanchez, Legislative Director, Chief Probation Officers of California
Ms. Liah Burnley, Counsel, Assembly Public Safety Committee
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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CORY T. JASPERSON
Director, Governmental Affairs

May 4, 2018

Hon. Reginald B. Jones-Sawyer, Sr., Chair
Assembly Public Safety Committee
State Capitol, Room 2117
Sacramento, California 95814

Subject: Assembly Bill 2240 (Grayson), as amended April 9, 2018 – Oppose
Hearing: Assembly Public Safety Committee – May 8, 2018 (VOTE ONLY)

Dear Assembly Member Jones-Sawyer:

The Judicial Council opposes AB 2240, which prohibits the selection of designated parole and correctional officers for voir dire in criminal matters. AB 2240 was heard on April 24, 2018, and was held without recommendation.

The council has a longstanding policy of opposing categorical exemptions from jury service and has continually found that statutorily exempting specific categories of persons from jury duty reduces the number of available jurors, makes it more difficult to select representative juries, and unfairly increases the burden of jury service on other segments of the population. The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

Furthermore, existing law and California Rules of Court make categorical exceptions unnecessary, as both authorize courts to grant a hardship excuse in appropriate circumstances

Hon. Reginald B. Jones-Sawyer, Sr.

May 4, 2018

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and to make scheduling accommodations without requiring a court appearance. Hardships noted in the promotion of bills like AB 2240, including lack of transportation, personal obligation to provide care for another, and that the prospective juror's services "are immediately needed for the protection of the public health and safety," would all be grounds constituting undue hardship under California Rules of Court, rule 2.1008.

Many changes in recent years designed specifically to lessen the burden of jury duty on citizens also render categorized exemptions unnecessary. Such changes include creation of a one day/one trial system statewide, improving the summons process to allow requests for excuses to be made, and adoption of a rule of court to ensure that jurors can request scheduling accommodations without appearing in court.

Courts must constantly balance the need to ensure access to the justice system with the need to respect jurors' time. However, while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals based on the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council opposes AB 2240.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed on May 4, 2018

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Members, Assembly Public Safety Committee
Hon. Tim Grayson, Member of the Assembly
Ms. Danielle Sanchez, Legislative Director, Chief Probation Officers of California
Ms. Liah Burnley, Counsel, Assembly Public Safety Committee
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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TANI G. CANTIL-SAKAUYE
Chief Justice of California
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MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

June 18, 2018

Hon. Nancy Skinner Chair
Senate Public Safety Committee
State Capitol, Room 2059
Sacramento, California 95814

Subject: Assembly Bill 2240 (Grayson), as amended April 9, 2018 – Oppose
Hearing: Senate Public Safety Committee – June 26, 2018

Dear Senator Skinner:

The Judicial Council opposes AB 2240, which prohibits the selection of designated parole and correctional officers for voir dire in criminal matters.

The council has a longstanding policy of opposing categorical exemptions from jury service and has continually found that statutorily exempting specific categories of persons from jury duty reduces the number of available jurors, makes it more difficult to select representative juries, and unfairly increases the burden of jury service on other segments of the population. The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

Furthermore, existing law and California Rules of Court make categorical exceptions unnecessary, as both authorize courts to grant a hardship excuse in appropriate circumstances and to make scheduling accommodations without requiring a court appearance. Hardships noted

Hon. Nancy Skinner, Sr.

June 18, 2018

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in the promotion of bills like AB 2240, including lack of transportation, personal obligation to provide care for another, and that the prospective juror's services "are immediately needed for the protection of the public health and safety," would all be grounds constituting undue hardship under California Rules of Court, rule 2.1008.

Many changes in recent years designed specifically to lessen the burden of jury duty on citizens also render categorized exemptions unnecessary. Such changes include creation of a one day/one trial system statewide, improving the summons process to allow requests for excuses to be made, and adoption of a rule of court to ensure that jurors can request scheduling accommodations without appearing in court.

Courts must constantly balance the need to ensure access to the justice system with the need to respect jurors' time. However, while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals based on the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council opposes AB 2240.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed on June 18, 2018

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Members, Senate Public Safety Committee
Hon. Tim Grayson, Member of the Assembly
Ms. Danielle Sanchez, Legislative Director, Chief Probation Officers of California
Ms. Mary Kennedy, Chief Counsel, Senate Public Safety Committee
Mr. Eric Csizmar, Consultant, Senate Republican Office of Policy
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

August 28, 2018

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: Assembly Bill 2240 – Request for Veto

Dear Governor Brown:

The Judicial Council respectfully requests your veto on AB 2240, which prohibits the selection of designated parole and correctional officers for voir dire in criminal matters.

The council has a longstanding policy of opposing categorical exemptions from jury service and has continually found that statutorily exempting specific categories of persons from jury duty reduces the number of available jurors, makes it more difficult to select representative juries, and unfairly increases the burden of jury service on other segments of the population. The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

Furthermore, existing law and California Rules of Court make categorical exceptions unnecessary, as both authorize courts to grant a hardship excuse in appropriate circumstances and to make scheduling accommodations without requiring a court appearance. Hardships noted in the promotion of bills like AB 2240, including lack of transportation, personal obligation to provide care for another, and that the prospective juror's services "are immediately needed for

Hon. Edmund G. Brown, Jr.

August 28, 2018

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the protection of the public health and safety,” would all be grounds constituting undue hardship under California Rules of Court, rule 2.1008.

Many changes in recent years designed specifically to lessen the burden of jury duty on citizens also render categorized exemptions unnecessary. Such changes include creation of a one day/one trial system statewide, improving the summons process to allow requests for excuses to be made, and adoption of a rule of court to ensure that jurors can request scheduling accommodations without appearing in court.

Courts must constantly balance the need to ensure access to the justice system with the need to respect jurors’ time. However, while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals based on the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council requests your veto on AB 2240.

Should you have any questions or require additional information, please contact Sharon Reilly at 916-323-3121.

Sincerely,

Mailed on August 28, 2018

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/yc-s

cc: Hon. Tim Grayson, Member of the Assembly
Ms. Danielle Sanchez, Legislative Director, Chief Probation Officers of California
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California