



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

March 18, 2014

Hon. Luis Alejo
Member of the Assembly
State Capitol, Room 2117
Sacramento, California 95814

Subject: AB 1708 (Alejo), as introduced - Oppose
Hearing: Assembly Judiciary Committee – March 25, 2014

Dear Assembly Member Alejo:

The Judicial Council opposes AB 1708, which excludes additional peace officers including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the Board of Parole Hearings, from voir dire in civil and criminal matters.

The opposition to AB 1708 is consistent with the council's longstanding policy on categorical exemptions from jury service. 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. Approximately 3 million individuals are required for jury service each year in California's courts. Categorical exemptions

complicate this task unnecessarily, especially given the policies that are in place to grant an excuse or make a scheduling accommodation on a case-by-case basis.

Categorical exemptions are unnecessary because existing law and the California Rules of Court authorize courts to grant a hardship excuse in appropriate circumstances or to make scheduling accommodations without requiring a court appearance. 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* are all grounds constituting undue hardship under California Rules of Court, rule 2.1008.

For these reasons, the Judicial Council regrettably opposes AB 1708.

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Ms. Danielle Higgs, Legislative Director, Chief Probation Officers of California
Mr. Albert Torrico, Legislative Advocate, State Coalition of Probation Organizations
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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March 19, 2014

Hon. Bob Wieckowski, Chair
Assembly Judiciary Committee
State Capitol, Room 4016
Sacramento, California 95814

Subject: AB 1708 (Alejo), as introduced - Oppose
Hearing: Assembly Judiciary Committee – March 25, 2014

Dear Assembly Member Wieckowski:

The Judicial Council opposes AB 1708, which excludes additional peace officers including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the Board of Parole Hearings, from voir dire in civil and criminal matters.

The opposition to AB 1708 is consistent with the council's longstanding policy on categorical exemptions from jury service. 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. Approximately 3 million individuals are required for jury service each year in California's courts. Categorical exemptions

complicate this task unnecessarily, especially given the policies that are in place to grant an excuse or make a scheduling accommodation on a case-by-case basis.

Categorical exemptions are unnecessary because existing law and the California Rules of Court authorize courts to grant a hardship excuse in appropriate circumstances or to make scheduling accommodations without requiring a court appearance. 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* are all grounds constituting undue hardship under California Rules of Court, rule 2.1008.

For these reasons, the Judicial Council regrettably opposes AB 1708.

Sincerely,

A handwritten signature in cursive script, reading "Sharon Reilly".

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Luis Alejo, Member of the Assembly
Ms. Danielle Higgs, Legislative Director, Chief Probation Officers of California
Mr. Albert Torrico, Legislative Advocate, State Coalition of Probation Organizations
Mr. Drew Liebert, Chief Counsel, Assembly Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy



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CORY T. JASPERSON
Director, Office of Governmental Affairs

April 24, 2014

Hon. Tom Ammiano, Chair
Assembly Public Safety Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: AB 1708 (Alejo), as amended April 9, 2014 - Oppose
Hearing: Assembly Public Safety Committee – April 29, 2014

Dear Assembly Member Ammiano:

The Judicial Council opposes AB 1708, which excludes additional peace officers including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the Board of Parole Hearings, from voir dire in civil and criminal matters.

The opposition to AB 1708 is consistent with the council's longstanding policy on categorical exemptions from jury service. 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.

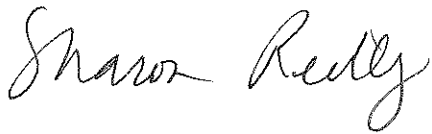
The courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors. Approximately 3 million individuals are required for jury service each year in California's courts. Categorical exemptions

complicate this task unnecessarily, especially given the policies that are in place to grant an excuse or make a scheduling accommodation on a case-by-case basis.

Categorical exemptions are unnecessary because existing law and rules of court authorize courts to grant a hardship excuse in appropriate circumstances and to make scheduling accommodations without requiring a court appearance. The Judicial Council specifically adopted a rule pertaining to service by public safety officers, which provides that when a prospective juror's services "*are immediately needed for the protection of the public health and safety*" that is grounds constituting undue hardship under California Rules of Court, rule 2.1008. The Judicial Council believes that while jury service requires sacrifice on the part of citizens, exempting certain classes of individuals on the basis of the burden it might put on them unfairly increases the burden on the others.

For these reasons, the Judicial Council regrettably opposes AB 1708.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Reilly".

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee
Hon. Luis Alejo, Member of the Assembly
Ms. Danielle Higgs, Legislative Director, Chief Probation Officers of California
Mr. Albert Torrico, Legislative Advocate, State Coalition of Probation Organizations
Mr. Gabriel Caswell, Chief Counsel, Assembly Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy