

BILL ANALYSIS

H.B. 2009
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

An important part of the judicial system is trial by jury. Jurors are required by law to respond in a timely manner to a summons for jury service and failure to do so can result in serious penalties. Recipients of the summons cannot always attend to the summons for reasons beyond their control and may request to be excused. If excused, the respondent must reschedule for a subsequent jury panel summons on a specific date. Counties may establish a method by which potential jurors may submit a request to be excused but certain counties are not allowed to implement a policy that may be more efficient.

Interested parties note that legislation is needed to allow, in certain counties, the designation of an individual who may receive a postponement request, grant or deny the request, and consider additional requests for postponement. H.B. 2009 seeks to address this issue relating to postponement of jury service in certain counties.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2009 amends the Government Code to authorize a person summoned for jury service, in a county that has a council of judges composed of the judges of the district courts and county courts at law and a designated jury duty court that addresses administrative matters related to jury service paid for by the county, to request a postponement of the person's initial appearance for jury service. The bill authorizes a person to request the postponement by contacting the council of judges' designee, in person, in writing, or by telephone before the date on which the person is summoned to appear. The bill requires the council of judges' designee to, on receipt of the request, grant the person a postponement if the person has not been granted a postponement in that county since the date on which the jury wheel from which the person was selected to appear was most recently reconstituted and if the designee and the person determine a substitute date on which the person will appear for jury service that is not later than six months after the date on which the person was originally summoned to appear.

H.B. 2009 authorizes a person who is granted such a postponement to request additional postponements in the manner described by the bill's provisions. The bill authorizes the council of judges' designee to grant an additional postponement if the designee and the person determine that the person has a legitimate reason for the postponement. The bill requires the designee and the person, before the designee is authorized to grant the additional postponement, to determine a date on which the person will appear for jury service that is not later than six months after the date on which the person was to appear after the later of the date of a postponement granted to a person who has not been granted a postponement in that county since the date on which the jury wheel from which the person was selected to appear was most recently reconstituted or the last additional postponement granted for a legitimate reason.

EFFECTIVE DATE

September 1, 2011.