

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**ENGROSSED**

## **House Bill 2584**

**2015 Carryover**

(BY DELEGATES ROHRBACH, SOBONYA, SHOTT, MILLER,  
HICKS, REYNOLDS AND ROWE)

[Introduced February 4, 2015; referred to the  
Committee on the Judiciary.]



1 A BILL to amend and reenact §52-1-11 of the Code of West Virginia, 1931, as amended, relating  
 2 to jury service; allowing a judge to excuse a potential juror from jury duty until a later date  
 3 based on seasonal employment.

*Be it enacted by the Legislature of West Virginia:*

1 That §52-1-11 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 1. PETIT JURIES.**

**§52-1-11. Excuses from jury service.**

1 (a) The court, upon request of a prospective juror or on its own initiative, shall determine  
 2 on the basis of information provided on the juror qualification form or interview with the prospective  
 3 juror or other competent evidence whether the prospective juror should be excused from jury  
 4 service. The clerk shall enter this determination in the space provided on the juror qualification  
 5 form.

6 (b) A person who is not disqualified for jury service under section eight of this article may  
 7 be excused from jury service by the court upon a showing of undue hardship, extreme  
 8 inconvenience, or public necessity, for a period the court deems necessary, at the conclusion of  
 9 which the person shall reappear for jury service in accordance with the court's direction.

10 (c) For purposes of this section, a person that is engaged in seasonal employment may  
 11 be excused from jury service by the court for the duration of the seasonal employment on the  
 12 basis of undue hardship, extreme inconvenience, or public necessity: *Provided*, That the court  
 13 may, upon facts known or made known to it, make the determination as to whether a prospective  
 14 juror is engaged in seasonal employment and the duration of said seasonal employment.

NOTE: The purpose of this bill is to allow a judge to excuse a potential juror from jury duty until a later date based on seasonal employment.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.