

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 234
Committee Substitute Favorable 3/16/11

Short Title: Juror Qualifications/Disabilities.

(Public)

Sponsors:

Referred to:

March 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER
3 TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO
4 PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS
5 FROM JURY DUTY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 9-3 reads as rewritten:

8 "**§ 9-3. Qualifications of prospective jurors.**

9 All persons are qualified to serve as jurors and to be included on the jury list who are
10 citizens of the State and residents of the county, who have not served as jurors during the
11 preceding two years, who are 18 years of age or over, who are physically and mentally
12 competent, who can ~~hear and~~ understand the English language, who have not been convicted of
13 a felony or pleaded guilty or nolo contendere to an indictment charging a felony (or if
14 convicted of a felony or having pleaded guilty or nolo contendere to an indictment charging a
15 felony have had their citizenship restored pursuant to law), and who have not been adjudged
16 non compos mentis. Persons not qualified under this section are subject to challenge for cause."

17 **SECTION 2.** G.S. 9-6.1 reads as rewritten:

18 "**§ 9-6.1. Requests to be excused.**

19 (a) Any person summoned as a juror who is ~~72~~ 66 years or older and who wishes to be
20 excused, deferred, or exempted may make the request without appearing in person by filing a
21 signed statement of the ground of the request with the chief district court judge of that district,
22 or the district court judge or trial court administrator designated by the chief district court judge
23 pursuant to G.S. 9-6(b), at anytime five days before the date upon which the person is
24 summoned to appear.

25 (b) Any person summoned as a juror who has a disability that could interfere with the
26 person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may
27 make the request without appearing in person by filing a signed statement of the ground of the
28 request, including a brief explanation of the disability that interferes with the person's ability to
29 serve as a juror, with the chief district court judge of that district, or the district court judge or
30 trial court administrator designated by the chief district court judge pursuant to G.S. 9-6(b), at
31 any time five days before the date upon which the person is summoned to appear. Upon request
32 of the court, medical documentation of any disability may be submitted.

33 (c) A person may request either a temporary or permanent exemption under this
34 section, and the judge or trial court administrator may accept or reject either in the exercise of
35 discretion conferred by G.S. 9-6(b), including the substitution of a temporary exemption for a
36 requested permanent exemption. In the case of supplemental jurors summoned under G.S. 9-11,



1 notice may be given when summoned. In case the chief district court judge, or the judge or trial
2 court administrator designated by the chief district court judge pursuant to G.S. 9-6(b), rejects
3 the request for exemption, the prospective juror shall be immediately notified by the trial court
4 administrator or the clerk of court by telephone, letter, or personally."

5 **SECTION 3.** This act becomes effective July 1, 2011.