

HB 435

2011

1 A bill to be entitled
2 An act relating to excuse from jury service; amending s.
3 40.013, F.S.; expanding parental eligibility to be excused
4 from jury service; including practicing psychologists in
5 the list of persons a judge is authorized to excuse from
6 jury service; providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsections (4) and (5) of section 40.013,
11 Florida Statutes, are amended to read:

12 40.013 Persons disqualified or excused from jury service.—

13 (4) Any expectant mother, any mother who is breastfeeding
14 a child under 2 years of age, and any parent who is not employed
15 full time and who has custody of a child under 6 years of age,
16 upon request, shall be excused from jury service.

17 (5) A presiding judge may, in his or her discretion,
18 excuse a practicing attorney, a practicing physician, a
19 practicing psychologist, or a person who is physically infirm
20 from jury service, except that no person shall be excused from
21 service on a civil trial jury solely on the basis that the
22 person is deaf or hearing impaired, if that person wishes to
23 serve, unless the presiding judge makes a finding that
24 consideration of the evidence to be presented requires auditory
25 discrimination or that the timely progression of the trial will
26 be considerably affected thereby. However, nothing in this
27 subsection shall affect a litigant's right to exercise a
28 peremptory challenge.

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Section 2. This act shall take effect July 1, 2011.