

SENATE BILL No. 1459

November 3, 2004, Introduced by Senators KUIPERS, TOY, ALLEN and BIRKHOLZ and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 1313 and 1314 (MCL 600.1313 and 600.1314),
section 1313 as amended by 2004 PA 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1313. (1) The board shall supply a juror
2 qualifications questionnaire to persons on the first jury list.
3 This questionnaire shall contain blanks for the information the
4 board desires, concerning qualifications for, and exemptions
5 from, jury service. Persons on the first jury list are required
6 to return the questionnaire fully answered to the jury board
7 within 10 days after it is received.

8 (2) In any county, the jury questionnaire described in this
9 section and the written summons notice described in section 1332
10 may be provided together in the same mailing.

1 (3) In addition to any other information requested by the
2 board under subsection (1), the questionnaire shall ask whether
3 the person is a nursing mother and shall inform the person that
4 if she is a nursing mother, she may be excused from jury service
5 for the period during which she is nursing her child if she
6 provides a letter from a physician or a certified nurse midwife
7 verifying that fact. As used in this subsection:

8 (a) "Physician" means an individual licensed by the state to
9 engage in the practice of medicine or osteopathic medicine and
10 surgery under article 15 of the public health code, 1978 PA 368,
11 MCL 333.16101 to 333.18838.

12 (b) "Certified nurse midwife" means an individual licensed as
13 a registered professional nurse under article 15 of the public
14 health code, 1978 PA 368, MCL 333.16101 to 333.18838, who has
15 been issued a specialty certification in the practice of nurse
16 midwifery by the board of nursing under section 17210 of the
17 public health code, 1978 PA 368, MCL 333.17210.

18 (4) ~~—(3)—~~ If a qualifying questionnaire is returned with an
19 indication by the United States postal service that the person to
20 whom the questionnaire is addressed is deceased, the name of the
21 person shall be removed from the first juror list and that name
22 and circumstance may be forwarded to the local clerk.

23 Sec. 1314. On the basis of answers to the juror
24 qualifications questionnaires the board may excuse from service
25 persons on the first jury list who claim exemption and give
26 satisfactory proof of such right, and all persons who are not
27 qualified for jury service. **The board shall excuse from service**

1 a nursing mother who complies with the requirements of section
2 1313(3). The board may investigate the accuracy of the answers to
3 the questionnaires and may call upon all law enforcement agencies
4 for assistance in the investigation.