

**IN THE COURT OF COMMON PLEAS**

**SUMMIT COUNTY, OHIO**

IN RE:	)	MISC. NO. 325
RULES OF PRACTICE AND PROCEDURE OF	)	
COURT OF COMMON PLEAS –	)	
GENERAL DIVISION AMENDMENT TO	)	<b><u>AMENDMENT TO COURT RULES</u></b>
LOCAL RULE 24 – JURY USE AND	)	
MANAGEMENT PLAN FOR ALL SUMMIT	)	
<u>COUNTY JURORS</u>	)	<b><u>ORDER</u></b>

IT IS HEREBY ORDERED AND DECREED THAT THE RULES OF COURT OF COMMON PLEAS – GENERAL DIVISION OF SUMMIT COUNTY IN REGARD TO LOCAL RULE 24 – JURY USE AND MANAGEMENT PLAN FOR ALL SUMMIT COUNTY JURORS, SECTION 24.06 EXCEPTION EXCUSE AND DEFFERAL SHALL BE AMENDED PURSUANT TO ORC 2323.14 AND 2323.15 TO READ AS FOLLOWS:

**24.06 EXCUSALS AND POSTPONEMENT**

- (A) There shall be no automatic excuses or exemptions from jury service.
- (B) Eligible persons who are summoned may only be excused from jury service when it is shown to the satisfaction of the presiding judge or jury commissioners that one or more of the following applies:
  - (1) The interests of the public will be materially injured by the prospective juror’s attendance.
  - (2) The prospective juror’s spouse or a near relative of the prospective juror has recently died or is dangerously ill.
  - (3) The juror is a cloistered member of a religious organization.
  - (4) The prospective juror has a mental or physical condition that causes the prospective juror to be incapable of performing jury service.
  - (5) Jury service would otherwise cause undue or extreme physical or financial hardship to the prospective juror or person under the care or supervision of the prospective juror. In addition to the presiding judge or the jury commissioners, the judge of the Court or their designee may also excuse a prospective juror that was called to jury service in
  - (6) The prospective juror is over seventy-five years of age, and the prospective juror

requests to be excused.

- (7) The prospective juror is an active member of a recognized Amish sect and requests to be excused because of the prospective juror's sincere belief that as a result of the membership the prospective juror cannot pass judgment in a judicial matter.
- (8) The prospective juror is on active military duty.

(C) Postponement: A prospective juror may request a postponement of jury service if both of the following apply:

- (1) The prospective juror has not previously been granted a postponement, and
- (2) The prospective juror and the appropriate court employee agree to a specified date on which the prospective juror will appear for jury service. The specified date shall be one on which the court is in and, unless extraordinary circumstances exist, that is within the jury year and not more than six months after the date of which the prospective juror was originally summoned to serve.

(D) A second or subsequent postponement of jury service for a prospective juror will be granted only in the event of an extreme emergency that could not have been anticipated at the time the initial postponement was granted. Before receiving a second or subsequent postponement, the prospective juror and the appropriate court employee shall agree to a specified date on which the juror will appear for jury service on a date when the court is in session and that is not more than six months after the date of the postponement.

(E) The presiding judge shall automatically postpone and reschedule to a mutually agreeable date, not more than six months from the date of the summons, the service of a prospective juror of an employer with twenty-five or fewer full-time employees, or their equivalent, if another employee of that employer has previously been summoned to appear and served as a juror within thirty (30) days prior.

(F) Any postponement of jury service if properly requested and approved by the presiding judge or jury commissioners shall not extend beyond that jury year. A prospective juror may only be postponed to the next jury year due to the court(s) scheduling issues that arise at the end of the current jury year, but postponement for such basis shall not be for more than six months.

(G) Permanent Excusal: Only the presiding judge shall grant permanent excusals. A prospective juror will be permanently excused only when the presiding judge determines that the underlying grounds for being excused are of a permanent nature.

(H) A prospective juror who requests their service be excused or postponed pursuant to (B) of this section shall inform the appropriate court employee appointed by the court of the prospective juror's request to be so excused not later than the date on which the prospective juror is scheduled to appear for jury duty. All requests for postponements or excusals from jury service may be done by appearing in person, by telephone, in writing, or by electronic mail. All such requests shall be ruled upon by the presiding judge, unless the presiding judge specifically delegates such requests in part to the jury commissioners, bailiff or other jury staff. When possible, the appropriate court employee may notify the prospective juror of the postponement or

excusal by telephone. The jury commissioner shall keep a record of all persons who are granted a postponement or permanent excusal, and of the time of and reasons for each excuse or postponement.

THE ABOVE AMENDMENT TO SECTION 24.06 OF LOCAL RULE 24 JURY USE AND MANAGEMENT PLAN FOR ALL SUMMIT COUNTY JURORS SHALL BE IN EFFECT IMMEDIATELY UPON FILING OF THIS ORDER.

**IT IS SO ORDERED.**