



HOUSE BILL 284: Civil Contempt/Jury Duty

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-210

Date:

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SUMMARY: *S.L. 2015-210 clarifies that imposition of a fine is not an allowable sanction for civil contempt and permits excused jury duty for students attending postsecondary schools out-of-state.*

The provision pertaining to civil contempt became effective October 1, 2015, and applies to civil contempt orders entered on or after that date. The provisions pertaining to jury duty became effective on August 11, 2015, and apply to requests for excusal from jury service made on or after that date.

CURRENT LAW: G.S. 5A-21 governs civil contempt. Subject to certain limitations, a person found in civil contempt may be imprisoned for no more than 90 days for the same act of disobedience or refusal to comply with a court order. A person who has not purged himself or herself of the contempt within the period of imprisonment may be recommitted for one or more successive periods of imprisonment, each not to exceed 90 days. The total period of imprisonment for the same act of disobedience or refusal to comply with a court order shall not exceed 12 months.

G.S. 9-6 governs jury service and declares it is the solemn obligation of all qualified citizens. Together with G.S. 9-6.1, these statutes detail the process and the acceptable reasons for which a citizen may be excused from jury service.

BILL ANALYSIS: Session Law 2015-210 adds a new subsection to G.S. 5A-21 to clarify a person found in civil contempt is not subject to the imposition of a fine. This law also adds a new subsection to G.S. 9-6 to permit excused jury duty for students attending an out-of-state postsecondary public or private educational institution. Further the law provides, the Administrative Office of Courts, in consultation with the North Carolina Conference of Clerks of Superior Court shall study excusals from jury service. This study shall consider all the current exemptions from jury service and examine whether or not excusals should be granted for prospective jurors who are on work assignments outside of the state.

EFFECTIVE DATE: The section pertaining to civil contempt became effective October 1, 2015, and applies to civil contempt orders entered on or after that date. The sections pertaining to jury duty became effective on August 11, 2015, and apply to requests for excusal from jury service made on or after that date. The remainder of the act became effective on August 11, 2015.

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