Notice to Jurors

This is official notification that you have been selected for duty on a jury panel during the upcoming term of this Court. You will be contacted by mail. You are required to come to Court for jury selection. This term is for one year. The fact that you have been called to serve does not mean that you must be on call or on duty all of the term. The average trial lasts about one day and you will be one of a jury panel of 25-35 persons.

Jury service is both a duty and a privilege. However, every duty imposes some inconvenience. The Judge will grant excuses for lawful reasons only, and not for matters of inconvenience.

Please fill out the enclosed questionnaire and return it to this Court. Obtaining this information in advance serves to expedite the selection of a jury and will save time and money for all concerned. **PLEASE USE BLACK INK OR A TYPEWRITER WHEN FILLING OUT THE QUESTIONNAIRE AND/OR AFFIDAVIT.**

The following is taken from the Montana Codes Annotated and is the law with regard to excusing any jurors from jury duty service.

**3-15-313. Who may be excused -- affidavit to claim excuse -- permanent exclusion for chronically incapacitated.**(1) The court or the jury commissioner with the approval of the court shall excuse a person from jury service upon finding that jury service would entail undue hardship for the person, a dependent of the person, or the public served by the person. An excuse may be granted if the prospective juror is a breastfeeding mother or otherwise has a personal obligation to provide actual and necessary care to another, including a sick, aged, or special needs dependent who requires the prospective juror's personal care and attention, and comparable substitute care is either unavailable or impractical without imposing an undue economic hardship on the prospective juror or dependent person.   
     (2) If a person believes jury service would entail undue hardship for the person, a dependent of the person, or the public served by the person, the person may make and transmit an affidavit to the jury commissioner for which the person is summoned, stating the person's occupation or other facts that the person believes will excuse the person from jury service. The affidavit must be filed with the jury commissioner, who shall transmit it to the court. The court or the jury commissioner with the approval of the court shall excuse a prospective juror from jury service if the prospective juror satisfies the provisions of subsection (1).   
     (3) A person who is chronically incapacitated by illness or injury may request a permanent exclusion from jury service by making and transmitting an affidavit to the jury commissioner of the person's place of residence. The affidavit must include a certification by the person's physician that the person is chronically incapacitated by illness or injury. The affidavit must be filed with the jury commissioner, who shall transmit it to the court. The court or jury commissioner with the approval of the court may permanently excuse a prospective juror from jury service if the prospective juror satisfies the provisions of this subsection (3).   
     (4) For purposes of subsection (3), a person is chronically incapacitated if the person has a condition due to an illness or injury that restricts the person's ability to leave the person's place of residence without the aid of supportive devices, such as crutches, a cane, a wheelchair, or a walker, that restricts the person's ability to leave home without the use of special transportation or the assistance of another person, or that causes leaving home to be medically contraindicated. Examples of factors to be taken into account in determining whether chronic incapacitation exists include but are not limited to the following:   
     (a) paralysis by a stroke or other cause;   
     (b) blindness;   
     (c) senility;   
     (d) loss of the use of a person's extremities requiring the assistance of another in leaving the person's place of residence;   
     (e) arteriosclerotic heart disease of such severity that a person is required to avoid all stress and physical activity; or   
     (f) a psychiatric problem if the illness is manifested in part by a refusal to leave home or is of such a nature that it would not be considered safe for the person to leave home unattended, even if there are no physical limitations.

An affidavit to claim excuse is provided. Please sign in the presence of a notary public, a court clerk or before the judge.

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Date Judge