

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1359 (Ahrens)
Version: January 5, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ME

SUBJECT

Jury service exemptions

DIGEST

This bill streamlines and simplifies the process for a person 80 years or older to receive a permanent excuse from jury service.

EXECUTIVE SUMMARY

Under current law all persons are eligible and qualified to be prospective trial jurors, except in limited circumstance such as if a person is less than 18 years of age or is not a citizen of the United States, among other reasons. The law specifies that an eligible person cannot generally be exempt from service as a trial juror. However, an eligible person may be excused from jury service for undue hardship, upon themselves or upon the public, as defined by the Judicial Council.

California Rules of Court Rule 2.1008 specifies the reasons a juror may be excused for undue hardship. One of the reasons is if the prospective juror has a physical or mental disability or impairment, not affecting that person's competence to act as a juror, that would expose the potential juror to undue risk of mental or physical harm. In any individual case, unless the person is aged 70 years or older, the prospective juror may be required to furnish verification or a method of verification of the disability or impairment, its probable duration, and the particular reasons for the person's inability to serve as a juror. That person remains in the jury pool and may be summoned in the future and again assert that they have a physical or mental impairment that would cause undue hardship.

California Rules of Court Rule 2.1009 provides a mechanism by which an individual may be permanently excused from jury service for a medical reason. In order to receive the permanent excuse, the applicant must submit a written request for a permanent exemption to the jury commissioner and provide a supporting letter, memo, or note

from a treating health care provider. The provider must state that the individual has a permanent disability rendering the individual incapable of jury duty and sign off on official letterhead.

This bill allows individuals aged 80 or older to seek the permanent exemption without providing a supporting letter, memorandum, or note from a treating health care provider. This bill is intended to make it easier for the elderly to choose to be removed from their jury obligation permanently instead of having to repeatedly ask to be removed. If a person over the age of 80 wishes to continue serving on a jury, then they may choose to do so.

This bill is sponsored by the California Senior Legislature, and supported by the Retired Public Employees Association of California. There is no known opposition. Should the bill pass this Committee, it will next be referred to the Senate Appropriations Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that no eligible person shall be exempt from service as a trial juror by reason of occupation, economic status, or any characteristic listed or defined in Section 11135 of the Government Code, or for any other reason. (Code Civ. Proc. § 204 (a).)
- 2) Provides that no person shall be excused from service as a trial juror except that an eligible person may be excused from jury service only for undue hardship, upon themselves or upon the public, as defined by the Judicial Council. (Code Civ. Proc. § 204 (b).)
- 3) Provides that all persons are eligible and qualified to be prospective trial jurors, except the following:
 - a) Persons who are not citizens of the United States.
 - b) Persons who are less than 18 years of age.
 - c) Persons who are not domiciliaries of the State of California, as specified.
 - d) Persons who are not residents of the jurisdiction wherein they are summoned to serve.
 - e) Persons who have been convicted of malfeasance in office and whose civil rights have not been restored.
 - f) Persons who are not possessed of sufficient knowledge of the English language, as specified.
 - g) Persons who are serving as a grand or trial juror in any court of this state.
 - h) Persons who are the subject of a conservatorship.
 - i) Persons while they are incarcerated in any prison or jail.

- j) Persons who have been convicted of a felony and are currently on parole, postrelease community supervision, felony probation, or mandated supervision for the conviction of a felony.
- k) Persons who are currently required to register as a sex offender pursuant to Section 290 of the Penal Code based on a felony conviction. (Code Civ. Proc. § 203.)

This bill:

- 1) Specifies that an eligible person 80 years of age or older may seek a permanent excuse from jury service without a supporting letter, memorandum, or note from a treating health care provider.
- 2) Provides that a person 80 years of age or older who seeks a permanent excuse from jury service pursuant to 1) shall be permanently excused from jury service.
- 3) Permits the Judicial Council to adopt or amend a rule of court and publish related judicial forms as necessary to implement the revised law.

COMMENTS

1. Stated need for the bill

According to the author:

Attaining a permanent exemption from jury service in California can be a challenging process for older adults. Currently, it requires arranging an appointment with a health care provider, obtaining a note that describes one's medical impairment, and submitting the exemption document to the court. This onerous process can induce stress, confusion, and potentially risk the physical and mental well-being of elderly individuals. Should a senior choose to attend jury duty, the hardships may be even greater. They may be forced to wake up earlier than normal, coordinate transportation to and from court, and experience disruptions in their daily routines.

By requiring Judicial Council to amend their Rules of Court, AB 1359 expedites the pathway to permanent exemption from jury service for individuals aged 80 or older. Specifically, it removes the burdensome requirement of requesting a note from a health care provider and acquiring approval from the jury commissioner. This will simplify the exemption process for senior citizens who are no longer fit to serve on a jury, reducing confusion and enhancing peace of mind.

2. Would make it easier for eligible jurors over the age of 80 to be permanently exempted from jury service

Under current law, all persons are eligible and qualified to be prospective trial jurors, except in limited circumstances such as if a person is less than 18 years of age or is not a citizen of the United States, among other reasons. The law specifies that an eligible person cannot be exempt from service as a trial juror by reason of occupation, economic status, or any characteristic listed or defined in Section 11135 of the Government Code, or for any other reason. An eligible person may only be excused from jury service for undue hardship, upon themselves or upon the public, as defined by the Judicial Council.

Individuals may be excused from jury service if they have a physical or mental impairment that would cause undue hardship. If an individual is 70 years or older, they are not required to provide verification of impairment in order to be excused from jury service. However, that person remains in the jury pool and may be summoned in the future. Each time they are summoned they must again assert that they have a physical or mental impairment that would cause undue hardship. There is a mechanism by which an individual may be permanently excused from jury service for a medical reason. In order to receive the permanent excuse, the applicant must submit a written request for a permanent exemption to the jury commissioner and provide a supporting letter, memo, or note from a treating health care provider. The provider must state that the individual has a permanent disability rendering the individual incapable of jury duty and sign off on official letterhead. The author notes that the “process of obtaining a doctor’s note and sending it to the jury commissioner can be burdensome and challenging for older individuals, who may struggle to confront the technological expertise and physical demands that are required for this process.”

This bill would streamline and simplify the process for a person 80 years or older to receive a permanent excuse from jury service. This bill allows these older individuals to seek the permanent exemption without providing a supporting letter, memorandum, or note from a treating health care provider.

According to a 2025 policy brief by the Public Policy Institute of California, “California is on the cusp of an unprecedented demographic shift: projections indicate a dramatic increase in the state’s older adult population by 2040.” Additionally, the policy brief explains that “one in three adults over the age of 80 will have difficulties staying in their homes without assistance, and one in five will experience self-care limitations.”

This bill is intended to make it easier for people 80 years or older to choose to be removed from their jury obligation permanently instead of having to repeatedly ask to be removed. If a person over the age of 80 wishes to continue serving on a jury, then they may choose to do so.

The Retired Public Employees Association of California writes the following in support of the bill:

This measure provides a common-sense accommodation by allowing individuals 80 years of age and older to obtain a permanent excuse from jury service without requiring documentation from a health care provider.

Many older Californians face mobility, transportation, caregiving, or health-related challenges that make jury service difficult, even if they do not have a specific medical condition requiring a physician's note. The bill reduces unnecessary burdens on seniors, courts, and health care providers while preserving the ability of older Californians who wish to serve to continue participating in the jury system.

LeadingAge California explains the following in support of the bill:

As California's population continues to age, it is critical that state policies reflect the needs and realities of older adults. Many individuals over the age of 80 experience mobility challenges, chronic health conditions, or caregiving responsibilities that can make repeated jury summons difficult or disruptive. While current rules allow for temporary excusals, they often require older adults to repeatedly navigate processes that can be confusing, time-consuming, and stressful.

AB 1359 provides a commonsense solution by establishing a clear, permanent exemption for individuals who voluntarily request it. This approach will reduce stress and administrative complexity for residents who are frequently called for jury duty despite ongoing limitations.

AB 1359 respects the dignity and autonomy of older Californians while reducing unnecessary strain on both individuals and their caregivers.

SUPPORT

California Senior Legislature (sponsor)
Alzheimer's Association
LeadingAge California
Retired Public Employees Association of California

OPPOSITION

None known

RELATED LEGISLATION

AB 1359 (Ahrens)

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Pending Legislation: None known.

Prior Legislation: None known.

PRIOR VOTES:

Assembly Floor (Ayes 73, Noes 1)

Assembly Appropriations Committee (Ayes 13, Noes 1)

Assembly Judiciary Committee (Ayes 11, Noes 0)
