

## **JURY DUTY**

Occasionally, a Soldier has questions about serving on jury duty after receiving notice to appear at a local courthouse to determine whether the person is fit to serve on a jury. Federal law exempts active duty military members from jury duty in certain circumstances.

Generally, federal law exempts a member of the armed forces on active duty from state or local jury duty if the member's service Secretary determines that jury duty: (1) would unreasonably interfere with the performance of member's military duties or (2) would adversely affect the readiness of the member's unit, command, or activity. Federal law allows the service Secretary to codify this exemptions in regulations.

Army Regulation (AR) 27-40 implements the federal law for the Army. AR 27-40 recognizes that active duty Soldiers should fulfill their civic responsibility by serving on state and local juries, so long as such service does not interfere with military duties. The Regulation lists specific active duty Soldier's that are exempt from complying with a summons to serve on a state or local jury. The Soldiers that are exempt are:

- (1) General Officers
- (2) Commanders
- (3) Active duty Soldiers stationed outside the U.S., Puerto Rico, Guam, the Northern Mariana Islands, American Samoa, and the Virgin Islands
- (4) Active duty Soldiers in training status
- (5) Active duty Soldiers assigned to forces engaged in operations

Other active duty Soldiers may be exempted from serving on juries if compliance with the summons would have either of the following effects:

- (1) It would interfere unreasonably with the performance of the Soldier's military duties;  
or,
- (2) It would affect adversely the readiness of a summoned Soldier's unit, command, or activity.

If you have questions, contact the Fort Bliss Legal Assistance Office at (915) 568-7141/7150 for an appointment to speak with an attorney.