

Information Paper

SUBJECT: Soldiers Summoned to Serve on State/Local Juries

1. PURPOSE. To inform commanders of procedures to follow when a Soldier is summoned to serve on a state or local jury.

2. FACTS.

a. Federal law and AR 27-40, Chapter 10, authorize special court-martial convening authorities (SPCMCAs) to exempt active duty Soldiers from serving on state and local juries.

(1) General Officers, commanders, and Soldiers in a training status are exempt from state/local jury duty.

(2) SPCMCA may also exempt other Soldiers from jury duty if jury service would unreasonably interfere with the Soldier's military duties or adversely affect military readiness.

b. Soldiers summoned for jury duty must inform the unit commander.

(1) If the unit commander determines that the Soldier is not exempt from jury duty, the commander will process the Soldier for permissive TDY.

(2) If the unit commander believes the Soldier should be exempt, then the commander must forward the summons and related documents, with recommendations, to the SPCMCA for final determination. If the SPCMCA decides the Soldier is exempt from serving on the jury, the SPCMCA must notify the appropriate civil officials and cite Title 10, United States Code, Section 982, as the authority for the exemption.

c. Soldiers must turn in any jury service fees they receive to Finance since these funds must be paid to the U.S. Treasury. Soldiers may, however, keep any reimbursement they receive for transportation, parking, meals, and other jury duty expenses.

d. There is no general exemption for Soldiers summoned to serve on federal juries. Commanders should contact this office to resolve federal jury duty questions.

3. POC is the Military Law & Ethics Division at 4-7414/4668.

Chief, Military Law & Ethics Division