Medical Exemptions for Jury Duty

By Jamie Wells, M.D. — April 10, 2017

When I received my official summons for jury duty the other day, the form guided me to complete a juror qualification questionnaire. In so doing, I came upon my state’s list of acceptable excuses which included, among others, an automatic exemption for those 75 years or older if so inclined—no infirmity required.

When I delved further, it appears not all states comply with the same age guidelines. Some allow self recusal over 65 or 70, others warrant proof of distance to courthouse or doctor’s written verification. Pennsylvania permits those 75 or older and breastfeeding women to be exempt if so desire. Each state supports its own policies, as expected, with some more universal stipulations or disparate degrees of restrictions.

What the governing agencies deem acceptable for absence extends beyond health or medical impairments, like volunteering for first aid responder roles or undue financial burdens of sole proprietors, for example. What a doctor would discern as fit or unfit prompts a distinct thought cascade.

As a physician, it is a matter of routine to be asked to assess an individual’s capacity to perform a task albeit for an elite sport, job, circus or safari, for instance. Though the activity may be highly variable, the approach to deciphering safety or competence necessitates a methodical, systematic one. In the realm of jury duty, the consideration would likely be expanded to include primary caregivers of those with profound disability or illness.
Occupational hazards, current medical status (history and physical examination) and job descriptions are essential components to making such determinations. This was extensively explored in “Who’s NOT Medically Fit to be President?” [3]

**So, what does being a juror entail? What is considered medically disqualifying?**

As I am assigned to be a “petit juror,” the State of New Jersey [4] describes the role as follows:

“Petit Jury service includes criminal and civil trials. Petit jurors who sit on a criminal trial decide guilt or innocence in a criminal matter. Petit jurors who sit on a civil trial decide liability or damages. You must be physically and mentally able to perform the functions of a juror, noting that the Judiciary will provide accommodations consistent with the Americans with Disabilities Act. If you suffer from a medical condition that is unlikely to change within a year, and this condition prevents you from serving jury duty, you must submit a doctor’s note indicating that you are unable to perform jury duty. The doctor’s note must be written on your doctor’s letterhead and signed by your doctor. Requests written by jurors to be excused for medical conditions without verification from a doctor will be denied.”

Massachusetts [5] offers very specific medical disqualification standards:

“In order for a registered physician or Christian Science Practitioner to write a letter seeking a medical disqualification, he or she must be of the opinion that the potential juror is not able to render satisfactory jury service. According to Mass. Gen. Laws c.234A, §4(4) [6], “[i]n reaching such opinion, the physician shall apply the following guideline: A person shall be capable of rendering satisfactory juror service if such person is able to perform a sedentary job requiring close attention for six hours per day, with short work breaks in the morning and afternoon sessions, for three consecutive business days.”

The previous examples demonstrate the diverse range of definition of eligibility. So, reviewing your own state’s requirements would be the superior method of properly evaluating your obligations.

**How would a physician determine medical “fitness” to serve on a jury?**

Upon reviewing your individual state’s requirements and understanding the comprehensive clinical picture of his/her patient, a doctor could make a more informed determination. Aside from being over 18 years old due to eligibility requirements, age would be an unlikely consideration in deciphering medical fitness. The individual’s personal capabilities would be of concern, not the wide brush of age [7] 75 or what-have-you.

Being in good health —physical and mental— to withstand the standards set forth by the Massachusetts example would not be limited by age. Personally, I view wisdom or insightfulness as ageless characteristics that could be an asset to a jury. However, the implementation of those rules of age-determinant self recusal seemingly exist to minimize any hardships or undue burdens on those who might have difficulty traveling to the courthouse or obtaining a doctor’s note, for example.

Medical conditions that prompt hospitalization, round-the-clock nursing care or immobility with limited or dangerous transportation options would certainly be factored into these exclusions.
Profound dementia or psychosis would be instances where the level of cognition would be unsuitable for the task at hand. Chronic disease would be highly variable in terms of elimination. Being a juror would pose challenges for an individual not optimally controlled by medication for seizures of high frequency or an extremely brittle diabetic on dialysis with extensive end organ damage. That said, many undergoing chemotherapy do so with portable mechanisms and are able to go to work daily and successfully perform their occupations. Basically, case-by-case would be the needed means of evaluating a person’s ability to serve as a juror.

Whether an illness were acute or long-term would obviously be of significant consideration. As would appreciating a potential juror’s responsibilities as a caretaker for a sick child or other dependent and whether any reasonable alternatives exist that would not command severe financial or undue hardship.

As per breastfeeding, where one state permits excuse other locations might permit re-scheduling on more generous time lines or require the potential juror to seek alternative solutions or provide “suitable private locations for their use during that day.” Knowing your state laws is vital to understanding your requirements.

**Take-home message…**

Though I look forward to this experience and consider it fulfilling my obligation as a responsible citizen, it is important to recognize that medical exemptions exist to ease the burden for those whose service would impose tremendous hardship. For those who meet this criteria, review your state’s laws on their respective websites and discuss with your physician how best to proceed.

---

**COPYRIGHT © 1978-2016 BY THE AMERICAN COUNCIL ON SCIENCE AND HEALTH**

---

**Source URL:** https://www.acsh.org/news/2017/04/10/medical-exemptions-jury-duty-11110

**Links**

[1] https://www.shutterstock.com
[6] https://malegislature.gov/Laws/GeneralLaws/PartIII/TitleII/Chapter234A/Section4