

Getting Out of Jury Duty

Serving on a jury can be a rewarding experience, but more than that, it's also a chance for any Australian citizen over the age of 18 to directly take part in the legal process.

The role of the jury

The [role of a jury is to hear evidence and then apply the law](#) as directed by the judge, to decide if a person is guilty or not guilty of a particular crime they've been accused of. The jury's decision is called a 'verdict'.

In New South Wales, juries do not participate in the sentencing process.

If you are summoned, you must to attend court at a certain time on a certain date. A summons is a legal document so unless you have express permission not to partake, you need to attend court when you're required to do so, or you may face a hefty fine.

But even if you do attend court, you might not be chosen as part of a jury. And there are many reasons for this. Only a small portion of people who attend court for jury duty actually end up as part of a jury in a court room.

The most recent statistics released by the Office of the NSW Sheriff are from the year 2014-2015. They suggest that 278,000 citizens were selected throughout the state to be on the jury roll, but only 58,000 were actually required to attend court. Of those, 7050 actually served on a jury.

Reasons for asking to be excused

In the same year, [the following excuses were knocked-back:](#)

- "I need to look after my cat,"
- "I'm allergic to air conditioning" and

- “I’m scared of buses and trains and have no one to drive me to court”.

However, the legal system can be understanding if you have a pressing reason, such as you own your own business and are indispensable to its day-to-day operations, or if you work in the system itself (lawyers, judges, police and politicians are not permitted to serve on juries).

If you attend court and realise you know the judge, one of the lawyers, the defendant, complainant or one of the witnesses, this is normally a valid reason for being excused.

People who are ineligible for jury duty include anyone who:

- has served time in prison in the previous 10 years,
- has been detained in a detention centre or other juvenile facility (excluding for a failure to pay a fine), or
- is currently bound by a court order that relates to a criminal charge or conviction; such as bail, a good behaviour bond, parole order, community service order, apprehended violence order or disqualification from driving.

If you fall into one of those categories, you can write to the Sheriffs department asking to be excused from jury duty even before attending court.

Otherwise, you can inform the Sheriff at court about your reasons for requesting to be excused – which may be decided in court by the judge.

‘Exemption’ versus ‘excused’

Some people can apply for exemptions from jury duty. If you work in emergency services or are a full-time carer, a member of the clergy or live a very long way from any courthouse, you may apply for an exemption, which, if granted, means you will

not be chosen for jury duty for a specified period of time.

However, if you are chosen you will need to apply [to be 'excused'](#). This is different altogether, but illness, disability and work commitments, as well as pre-booked and paid for holidays may be valid reasons for being excused, so long as you can provide suitable evidence. Again, you may write to the Sheriffs department advising them of your reasons before attending court, or wait until you get to court to apply.

A change of address may also be a valid reason, especially if you are no longer in the state where you are required for jury duty. However, if you don't keep your address details up to date and therefore don't receive the summons, you may nevertheless be fined.

Jurors get paid

It's worth noting that jurors [get paid for their services](#), and there are travel allowances in some circumstances, and meals provided too.

The average trial in New South Wales is about 7 days long. If you're summoned, then remember how important it is to partake in this civic duty, especially for the ongoing benefit of the system itself.

Besides, it could be one of the most interesting experiences you'll ever have.