

CAREGIVER SERVICES

Submitted by Debra Cravea, Napa

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We are wondering here in Napa how all of you handle the CA Rule 2.1008 (d)(7):

(7) The prospective juror has a personal obligation to provide actual and necessary care to another, including sick, aged, or infirm dependents, or a child who requires the prospective juror's personal care and attention, and no comparable substitute care is either available or practical without imposing an undue economic hardship on the prospective juror or person cared for. If the request to be excused is based on care provided to a sick, disabled, or infirm person, the prospective juror may be required to furnish verification or a method of verification that the person being cared for is in need of regular and personal care.

Do you excuse, for example a grandparent that picks up a child from school and the child has no medical issues? We only honor this for family members who have medical issues and need a caregiver. Do any of you use this for childcare providers?

1	Donald Lewin	Sonoma does not use this for childcare purposes.
2	Esperanza Esparza	Del Norte does not use this for childcare providers. We require a doctor's note for those requesting to be excused pursuant to this section.
3	Dolores Curiel	Merced is the same as Del Norte.
4	Deb Preston	Marin does not use this rule for childcare excuses. Our business practice does allow us to excuse parents of children under age 10 who do not work outside the home. We do not excuse grandparents.
5	Rose Hamblin	Kings County does not use this for childcare providers. We require a doctor's note from the patient's doctor stating the prospective juror is the care-provider and how they are related to the patient.
6	Diana Gifford-Tuggle	Shasta County does not use this for childcare.
7	Edwina Harper	Yolo County is the same as San Diego.
8	Alison Blackwell	<p>San Diego calls this a "Personal Care to Another or Childcare Hardship" when the person requesting to be excused has "a personal obligation to provide actual and necessary care between the hours of 8:00am and 5:00pm, Monday through Friday and comparable care is not economically available". (This is what our summons reads.) We require the juror list the name(s), age(s) and relationship(s) of the person(s) being cared for and the reason the care is necessary.</p> <p>This does not apply to PAID childcare providers which would be considered an employer/employee relationship and would then (potentially) be a financial hardship issue. As for grandparents, we would review on a case-by-case basis. There are situations in which grandparents DO have a personal obligation to provide care for their grandchildren and not necessarily because they have custody.</p>
9	Arlene Cervantes	<p>Riverside we are also somewhat similar to San Diego.....</p> <p>However, we will not excuse jurors if their children are over 3 and potty trained. If they need to pick up the child from school during these hours, we postpone them to a time when the children are out of school. At that time, they can use our childcare facility or make their own arrangements.</p> <p>If we did not have child care at the court as an option for the juror, San Diego's policy would seem like a good policy to follow.</p> <p>On a side note, if the child has a special need that would require the children's room staff to provide special care, we would excuse the juror regardless of the age of the child.</p>

10	Sherry Spears	Fresno - To answer just the question re: childcare providers, we would not excuse them. If the summoned juror is watching someone else's child or children and they are not the guardians or do not have custody of the child, we postpone their service so that the parents of the child they are caring for can make other childcare arrangements.
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