

STATE OF MISSISSIPPI



Fifteenth Circuit Court District

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ANTHONY A. MOZINGO
CIRCUIT JUDGE - PLACE 1

TIM EVANS
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CRYSTAL L. BROWNING
COURT ADMINISTRATOR

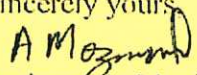
Dear Fellow Citizen:

As the enclosed summons indicates, you have been selected from the voter rolls for jury duty on the date, time and place indicated. Your reaction may first be to attempt to avoid this personal inconvenience, but jury service is an important civic duty upon which our court system depends. For the justice system to be fair and impartial, it is important to have a true cross section of our county represented and to have a full jury panel for the cases to be heard during your service. This is your court system and the quality of justice will only be as good as the composite intelligence and wisdom of citizens like you who serve on a jury.

I recognize that circumstances sometimes exist wherein a person cannot serve and should not be required to serve. Copies of these two sections are enclosed for your review. The Court can only excuse you for one of the specific statutory reasons. Whether presented by your doctor's certificate, affidavit, in person or in open Court, your excuse must meet one of the statutory guidelines. All written excuses must be presented five days before the court date to the Circuit Clerk. You are subject to penalty of perjury for any wrongful information given therein. A doctor's certificate may also be returned in the enclosed envelope.

To minimize the risk of exposure to COVID-19, all prospective jurors will be required to wear a face mask or face covering into the courthouse. Prospective jurors will also be required to maintain a six-foot distance from each other while inside the courthouse.

I will do everything I can to make your jury service as convenient as possible. Most who serve are glad they were called. By learning about their court system, they have more pride and confidence in it. At the end of your service you will have the satisfaction of knowing that you did your part to bring justice among your fellow citizens. I look forward to working with you toward that end.

Sincerely yours,

Anthony A. Mozingo
Circuit Court Judge

§ 13-5-23. Exemptions; length of service of tales and grand jurors.

(1) All qualified persons shall be liable to serve as jurors, unless excused by the court for one (1) of the following causes:

- (a) When the juror is ill and, on account of the illness, is incapable of performing jury service;
- (b) When the juror's attendance would cause undue or extreme physical or financial hardship to the prospective juror or a person under his or her care or supervision; or
- (c) When the potential juror is a breast-feeding mother.

(2) An excuse of illness under subsection (1)(a) of this section may be made to the clerk of court outside of open court by providing the clerk with a certificate of a licensed physician, stating that the juror is ill and is unfit for jury service, in which case the clerk may excuse the juror. If the excuse of illness is not supported by a physician's certificate, a judge of the court for which the individual was called to jury service shall decide whether to excuse an individual under subsection (1)(a) of this section.

(3)

(a) The test of an excuse under subsection (1)(b) of this section for undue or extreme physical or financial hardship shall be whether the individual would either:

(i) Be required to abandon a person under his or her personal care or supervision due to the impossibility of obtaining an appropriate substitute caregiver during the period of participation in the jury pool or on the jury; or

(ii) Incur costs that would have a substantial adverse impact on the payment of the individual's necessary daily living expenses or on those for whom he or she provides the principal means of support; or

(iii) Suffer physical hardship that would result in illness or disease.

(b) "Undue or extreme physical or financial hardship" does not exist solely based on the fact that a prospective juror will be required to be absent from his or her place of employment or business.

(c) A judge of the court for which the individual was called to jury service shall decide whether to excuse an individual under subsection (1)(b) of this section.

(d) A person asking to be excused based on a finding of undue or extreme physical or financial hardship must take all actions necessary to have obtained a ruling on that request by no later than the date on which the individual is scheduled to appear for jury duty.

(e) A person asking a judge to grant an excuse under subsection (1)(b) of this section may be required to provide the judge with documentation such as, but not limited to, federal and state income tax returns, medical statements from licensed physicians, proof of dependency or guardianship and similar documents, which the judge finds to clearly support the request to be excused. Failure to provide satisfactory documentation may result in a denial of the request to be excused.

(f) In cases under subsection (1)(c) of this section, the excuse must be made by the juror in open court under oath.

(4) A person is excused from jury service permanently only when the deciding judge determines that the underlying grounds for being excused are of a permanent nature. A person who has been summoned for jury duty who meets the age threshold for exemption from jury service shall have the option to be permanently excused from jury service due to age by filing with the circuit clerk a notarized request to be permanently excused.

(5) Grand jurors shall serve until discharged by the court.

§ 13-5-25. Who is exempt as a personal privilege.

Every citizen over sixty-five (65) years of age, and everyone who has served as a grand juror or as a petit juror in the trial of a litigated case within two (2) years, shall be exempt from service if the juror claims the privilege. No qualified juror shall be excluded because of any such reasons, but the same shall be a personal privilege to be claimed by any person selected for jury duty. Any citizen over sixty-five (65) years of age may claim this personal privilege outside of open court by providing the clerk of court with information that allows the clerk to determine the validity of the claim.

Provided, however, that no person who has served as a grand juror or as a petit juror in a trial of a litigated case in one (1) court may claim the exemption in any other court where the juror may be called to serve.

Regarding COVID-19

If you have any symptoms of COVID-19 recognized by the Center for Disease Control, please contact the Marion County Circuit Clerk's Office to submit your excuse:

Email: circuitclerk@marioncountymys.com Phone: 601-736-8246