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Senate Bill 330 (as passed by the Senate)
Sponsor: Senator Mallory McMorrow
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 10-30-25

RATIONALE

According to the Centers for Disease Control and Prevention (CDC), approximately one in five adults across the United States serves as a caretaker to a family member or friend.¹ Being a familial caretaker for a hospice patient or a parental caregiver for a child with a serious health condition can be difficult and time-consuming; however, caretakers or caregivers currently may not be legally excused from jury service if they receive a summons. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, some courts accept caretaking or caregiving as a legitimate excuse from jury service, but some courts do not. Those not afforded an excuse must comply with the summons or face the possibility of being in contempt of court, even though they may not feasibly be able to serve because of their duties as caretaker. Accordingly, expanding the legal exemptions for jury service to include such caretakers and caregivers has been suggested.

CONTENT

The bill would amend Chapter 13 (Jurors) of the Revised Judicature Act to allow a familial caretaker of a hospice patient and a parental caregiver of a child with a serious health condition to claim exemption from jury service for the period of care.

Generally, an individual who is a citizen of the United States, at least 18 years old, and a resident of the applicable county qualifies as a juror. The Act currently allows specific individuals to claim exemptions from jury service, such as an individual who is a nursing mother during the nursing period and an individual who is a service member of the United States Armed Forces during the individual's period of active duty. The Act requires individuals who qualify to claim exemptions to provide specific proof, such as a doctor's letter for a nursing mother or a copy of the service member's orders.

Under the bill, an individual who was the familial caretaker of a hospice patient or was in a period of bereavement could claim exemption from jury service for the period of care. The individual would have to be exempt upon making the request to the court and providing a letter from a physician, a certified nurse, or any official member of the hospice team assigned to the patient's care that verified that the individual was a familial caregiver of the patient.

The bill would define "period of care" as the period of time that an individual is a familial caretaker and includes a period of bereavement. "Familial caretaker" would mean a family member, close family friend, or another important adult in the patient's life or the patient's family's life that provides full-time care, nurturing, or protection of the patient. "Family member" would mean a spouse, adult child, grandparent, aunt, uncle, sibling, or a member of the individual's tribe or clan. "Period of bereavement" would mean one year after the death of the patient in hospice.

¹ Kilmer, Greta, *et al.*, "Changes in Health Indicators Among Caregivers — United States, 2015–2016 to 2021–2022", *CDC*, August 29, 2024.

Additionally, the bill would allow an individual who was the parental caregiver of a child with a serious health condition to claim exemption from jury service for the period of care. The individual would have to be exempt upon making the request of the court and providing a letter from a physician, a certified nurse, or an official member of the health care team assigned to the child's care that verified the individual was the parental caregiver of the child with a serious health condition.

The bill would define "parental caregiver" as an individual who is the caregiver of any of the following:

- The individual's biological, adopted, or foster child, stepchild, or legal ward.
- A child of a covered individual's domestic partner.
- A child to whom a covered individual stands in loco parentis.
- An individual to whom a covered individual stood in loco parentis when the child was a minor.

"Serious health condition" would mean an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential care facility or continuous treatment by a health care provider.

MCL 600.1307a

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would remove an undue burden placed on caregivers. According to the U.S. District Court for the Eastern District of Michigan, the average trial lasts three to five days, but some trials may continue for weeks.² For caregivers, especially those caring for terminally or seriously ill individuals, the time lost due to jury duty may prove burdensome. For this reason, some caregivers seek an exemption from jury duty; however, according to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, courts vary in their willingness to accept caregiving as a legitimate exemption. In Grand Traverse County, caregivers may be excused if, "[their] circumstances fall within the statutory provisions for an excuse from service based upon undue or extreme physical or financial hardship".³ Some courts may allow it, but some may not, forcing a caregiver to seek alternative caregiving arrangements. If a caregiver cannot find an alternative, the caregiver faces the possibility of being held in contempt by the court. Testimony also indicates that some caregivers must navigate medical and court bureaucracy to receive an exemption, which adds further stress to an already difficult situation. Caregivers must juggle their own responsibilities and health and that of their dependents. Those caring for the terminally or seriously ill also struggle with grief. Caregivers deserve compassion, and the bill would support them by creating an exemption and a clear way for caregivers to access that exemption.

Opposing Argument

Jury duty is an important responsibility that is undermined by the State's many exemptions. The Act already allows a court to defer the jury service of an individual for whom jury duty

² "Information For Jurors Frequently Asked Questions", U.S. District Court for the Eastern District of Michigan. Retrieved 10-23-25.

<https://www.mied.uscourts.gov/index.cfm?pageFunction=Information%20for%20jurorsFAQList&faqgroup=Information%20for%20jurors>.

³ "I am a caregiver to a disabled person, can I be excused?", Grand Traverse County. Retrieved 10-23-2025. <https://gtcountymi.gov/FAQ.aspx?QID=83>.

would prove an undue hardship.⁴ Caregivers denied an exemption do not meet this criterion. The bill would undermine the judicial process by making it more difficult for courts to find eligible, available jurors. Courts should retain the ability to determine deferral and exemption, and caregivers should be required to perform their civic duties.

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Michael Siracuse

⁴ See MCL 600.1320.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.