

Superior Court of California
County of Riverside



Frequently Asked Questions by Employers Who Have Employees Serving Jury Duty

Question: What if One of My Employees is Called for Jury Duty?

Answer: Pursuant to California Labor Code Section 230, no employer may terminate or in any manner discriminate against an employee for taking time off to serve on jury duty. Prior to taking time off to serve, an employee must give their employer reasonable notice that they have been called for jury duty.

Question: What if it's that busy time of year?

Answer: Just ask your employee to request a postponement. Your employee may postpone service for up to 90 days. This should help teachers, college students and employees work within our system to serve and to meet their other obligations.

Question: How long will my employee have to serve?

Answer: Because your courts and judges are aware that jury duty may result in lost income, the courts have implemented a shortened term of jury service called the “**one day, one trial, one year**” system. This system will reduce the financial burden on the employers of those serving. It permits individuals to serve who would otherwise be excused for hardship reasons. It cuts waste and induces more summoned jurors to appear by reducing travel and waiting time and allowing jurors to stand by at home or at work instead of at the courthouse.

Question: What is “one day, one trial, one year”?

Answer: This means that all jurors called will serve for one day or one trial only and will then be excused for at least one year. This should assist you as an employer in planning for and meeting your business commitments. We are hoping that the new plan will encourage more citizens to report because we will need the participation of all eligible jurors in order to keep our promise to excuse for a year.

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Question: Does my employee have to wait at the courthouse for jury duty?

Answer: Not all the time. Our telephone standby system allows summoned jurors to call the court the day before their service date to find out if they must report to the courthouse. If the juror's group is not required to report, they will remain on call-in status until Friday of their summoned week.

Jurors who are directed to call in for reporting instructions during business hours will have fulfilled their one-year obligation, whether or not they must report to the courthouse. We think this is only fair for those citizens who are standing by on the same day to see if they will be needed at the last minute.

If the juror is not required to report to the courthouse during the summoned period, they will have fulfilled their service obligation and will be exempt from receiving another summons until the next year.

Question: Are there differences among courts?

Answer: No. All courts have begun to operate on this system. This means that when jurors are instructed to come to the courthouse, regardless of whether or not they are selected to serve on a jury, their jury duty obligation is fulfilled for that year.

Question: Who Pays my Employee?

Answer: Five states require employers to pay their employees' regular wages for all or a portion of the time they serve jury duty. California does not, but most employers do pay as a matter of fairness. Each day, beginning with the second day of service, the court pays \$15.00 per day and 34 cents per mile, one way, from the juror's home to the courthouse.

Question: If I don't pay my employee, will this get them out of jury duty?

Answer: No. By law, all citizens are eligible for jury service (except for sworn peace officers) pursuant to Section 219, Code of Civil Procedure, as defined in Section 830.1 and subdivision (a) of Section 830.2 of the Penal Code. A juror not being paid wages by his/her employer during jury service is not one of the listed definitions of undue hardship.