



THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

<input checked="" type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input type="checkbox"/> REVISED			SUBJECT	
EFFECTIVE DATE 02/03/99		*TERMINATION DATE / /		
CLASSIFICATION # 2245	SUPERSEDES	DATED	DISTRIBUTION A	PAGE 1 OF 5 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER	
WILLIAM J. FRASER, ACTING CHIEF OF DEPARTMENT SIGNATURE			BERNARD B. KERIK SIGNATURE	

I. PURPOSE

This Directive is being promulgated to establish uniform procedures Department-wide, regarding jury duty service.

II. POLICY

A. EMPLOYEE RESPONSIBILITY

1. Employees called for jury service must present the subpoena specifying the date jury service begins to their Commanding Officer as soon as possible, and before the start of the term of jury service.
2. Employees must obtain written verification of the dates of actual jury duty service and present this documentation to their Commanding Officer.

B. FULL TIME EMPLOYEES

Employees eligible for paid leave for jury service under the Leave Regulations for Employees under the Career and Salary Plan or the Leave Regulations for Management Employees are not eligible for the per diem allowance paid by the city, county and state courts of New York State, but are entitled to travel expenses. This procedure also applies to those employees in prevailing rate titles who are eligible for paid leave for jury duty.

C. PART-TIME EMPLOYEES

1. The New York Judiciary Law requires that the agency pay \$40.00 for each of the first (3) days of jury service for part-time or per diem

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II. POLICY (cont.)

employees provided that the three (3) days are regularly scheduled work days. This applies to employees who are covered under the Leave Regulations of the Career and Salary Plan or the Leave Regulations for Management Employees. The State will continue to pay the travel expenses for the first three (3) days. Payment of the per diem allowance for jury duty served on days that are not regularly scheduled work days and for jury duty served beyond three (3) days will be paid by the State.

2. If jury duty occurs on a regular day off, the employee may keep the jury duty pay for that day, if applicable. If an employee is scheduled to work on a day when not serving jury duty, then the employee must work. If an employee is scheduled to work other than 9:00 A.M. to 5:00 P.M. on a day when serving on jury duty, then the employee does not have to work.
3. Jury duty leave is to be on scheduled work days only. Pass days shall not be considered jury leave days and reimbursement of jury duty fees shall be only for days on which leave was granted. Employees shall be expected to report for duty on scheduled work days when not serving jury duty.

III. GUIDELINES

A. Employee/Facility Responsibilities

1. The Commanding Officer must ensure that all jury duty subpoenas and certificates of attendance received by the employee are original documents. All questionable documents are to be verified through the appropriate court clerk's office in which the employee is required to or has already served.
2. The Commanding Officer must ensure that copies of all jury duty documentation for each employee is verified and filed in the personnel file for future reference, if requested.
3. The Commanding Officer must implement a filing system to ensure that the jury duty summonses and attendance certificates can be readily produced during the agency's quarterly audits.

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III. GUIDELINES (cont.)

4. If jury duty time is not confirmed by a certificate of attendance, the employees' annual leave or compensatory time balances will be charged equal to the number of days jury service cannot be confirmed. If the employee does not have sufficient leave balances to cover the days, the employees' paycheck will be reduced to reflect the number of days not worked. The employee must be informed in advance of the effective date of the paycheck deduction and may be subject to disciplinary action.
5. An employee's obligation to serve as a juror for any given jurisdiction (federal or state) depends on where he or she lives. If an employee lives in New York or Bronx counties, then the obligation is to serve no more than once every two (2) years as a juror in state court and no more than once every two (2) years in federal court. If an employee lives anywhere else, then the obligation to serve is no more than once every four (4) years in state court and no more than once every two (2) years in federal court. In any event, service in one jurisdiction's court does not relieve the employee of the obligation of service in the other jurisdiction's court.

B. Post-Audit Procedure

1. Documentation relative to jury duty service is to be maintained by the employee's Personnel Office and made available upon request when the agency's quarterly audits are conducted.
2. Commanding Officers are responsible to have periodic internal audits conducted to ensure that employees do not serve as jurors more often than required, (as defined in paragraph III. A. 5.).

C. Verification

Commanding Officers of facilities may contact the following New York State Court Clerk's Offices to verify documentation:

Criminal Courts Administration

- New York County - 100 Centre Street, New York 10013
(212) 374-6234

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III. GUIDELINES (cont.)

Criminal Courts Administration - continued

- Bronx County - 215 East 161st Street, Bronx, NY 10451
(718) 590-2865 - 6 - 7
- Kings County - 120 Schermerhorn Street, Brooklyn, NY 11201
(718) 643-4044 - 6
- Queens County - 125-01 Queens Blvd., Kew Gardens, NY 11415
(718) 520-3595
- Richmond County - 67 Targee Street, Staten Island, NY 10304
(718) 390-8400

Civil Courts of the City of New York

- New York County - 111 Centre Street, New York, NY 10013
(212) 374-8443
- Bronx County - 851 Grand Concourse, Bronx, NY 10451
(718) 590-3601
- Kings County - 141 Livingston Street, Brooklyn, NY 11201
(718) 643-8133
- Queens County - 120-55 Queens Blvd., Kew Gardens, NY 11424
(718) 520-3611
- Richmond County - 927 Castleton Avenue, Staten Island, NY 10310
(718) 390-5422

Federal Courts

- U.S. District Court, Southern District
500 Pearl Street, New York, NY 10007
(212) 805-0136 [Clerk's Office]
(212) 805-0179 [Jury Duty]
- U. S. District Court, Eastern District
225 Cadman Plaza, East, Brooklyn, NY 11201
(718) 260-2600 [Clerk's Office]
(718) 260-2370 [Jury Duty]

IV. REFERENCE

RULE & REGULATION #3.10.200(B)

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V. SPECIAL INSTRUCTIONS

Commanding Officers of Facilities, Divisions and Hospital Prison Wards shall ensure that command level orders are in place that will provide for full compliance with the provisions of this Directive. Copies of these orders are to be forwarded to the office of the respective Bureau/Assistant Chief.