

JURY DUTY LAWS BY STATE

The following information is stated in summary and is not the full law as written for each state. Additional laws may apply. A more stringent state administrative regulation or local ordinance may exist. Many states have some form of paid jury duty leave. Be certain you understand the specifics of the law of your state, local area and company policy. Remember, a company policy cannot be written to relieve an employer of mandated duties and requirements.

Alabama

Ala. Code § § 12-16-8 to 12-16-8.1

Paid leave: Full-time employees are entitled to usual pay.

Notice employee must give: Must show supervisor jury summons the next working day; must return to work the next scheduled hour after discharge from jury duty.

Employer penalty for firing or penalizing employee: Liable for actual and punitive damages.

Alaska

Alaska Stat. § 09.20.037

Unpaid leave: Yes.

Additional employee protections: Employee may not be threatened, coerced, or penalized.

Employer penalty for firing or penalizing employee: Liable for lost wages and damages; may be required to reinstate the fired employee.

Arizona

Ariz. Rev. Stat. § 21-236

Unpaid leave: Yes.

Additional employee protections: Employee may not lose vacation rights, seniority, or precedence. Employer may not require employee to use annual, sick, or vacation hours.

Employer penalty for firing or penalizing employee: Class 3 misdemeanor, punishable by a fine of up to \$500 or up to 30 days' imprisonment.

Note: Employers with 5 or fewer full-time employees: Court must postpone an employee's jury service if another employee is already serving as a juror.

Arkansas

Ark. Code Ann. § 16-31-106

Unpaid leave: Yes.

Additional employee protections: Absence may not affect sick leave and vacation rights.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Class A misdemeanor, punishable by a fine of up to \$2,500.

California

Cal. Lab. Code § § 230, 230.1

Unpaid leave: Employee may use vacation, personal leave, or comp time.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Employer must reinstate employee with back pay and lost wages and benefits.

Willful violation is a misdemeanor.

Colorado

Colo. Rev. Stat. § § 13-71-126, 13-71-133 to 13-71-134, 18-1.3-501

Paid leave: All employees (including part-time and temporary who were scheduled to work for the 3 months preceding jury service): regular wages up to \$50 per day for first 3 days of jury duty. Must pay within 30 days of jury service.

Additional employee protections: Employer may not make any demands on employee which will interfere with effective performance of jury duty.

Employer penalty for firing or penalizing employee: Class 2 misdemeanor, punishable by a fine of \$250 to \$1,000 or 3 to 12 months' imprisonment, or both. May be liable to employee for triple damages and attorneys' fees.

Connecticut

Conn. Gen. Stat. Ann. § § 51-247 and 51-247a

Paid leave: Full-time employees: regular wages for the first 5 days of jury duty; after 5 days, state pays up to \$50 per day.

Additional employee protections: Employee who serves eight hours of jury duty may not be required to work that day.

Employer penalty for firing or penalizing employee: Criminal contempt: punishable by a fine of up to \$500 or up to 30 days' imprisonment, or both. Liable for up to 10 weeks' lost wages for discharging employee. If employer fails to pay the employee as required, may be liable for treble damages and attorneys' fees.

Delaware

Del. Code Ann. tit. 10, § 4515

Unpaid leave: State pays \$20 per diem for travel, parking, other out of pocket expenses. State pays certain other expenses if jury is sequestered.

Employer penalty for firing or penalizing employee: Criminal contempt: punishable by a fine of up to \$500 or up to 6 months' imprisonment, or both. Liable to discharged employee for lost wages and attorneys' fees and may be required to reinstate the fired employee.

District of Columbia

D.C. Code Ann. § § 11-1913, 15-718

Paid leave: Full-time employees: regular wages for the first 5 days of jury duty.

Employer penalty for firing or penalizing employee: Criminal contempt: punishable by a fine of up to \$300 or up to 30 days' imprisonment, or both, for a first offense; up to \$5,000 or up to 180 days' imprisonment, or both, for any subsequent offense. Liable to discharged employee for lost wages and attorneys' fees and may be required to reinstate the fired employee.

Florida

Fla. Stat. Ann. § § 40.24, 40.271

Unpaid leave: Yes. State pays \$15 per day for first three days of service if juror doesn't receive regular wages. State pays \$30 per day for the fourth and subsequent days.

Additional employee protections: Employee may not be threatened with dismissal.

Employer penalty for firing or penalizing employee: Threatening employee is contempt of court. May be liable to discharged employee for compensatory and punitive damages and attorneys' fees.

Georgia

Ga. Code Ann. § 34-1-3

Paid leave: According to Opinion of the Attorney General 89-55, employers must pay an employee's wages while on jury duty, minus any funds the employee receives for jury service.

Additional employee protections: Employee may not be discharged, penalized, or threatened with discharge or penalty for responding to a subpoena or making a required court appearance.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Liable for actual damages and reasonable attorneys' fees.

Hawaii

Haw. Rev. Stat. § 612-25

Unpaid leave: Yes.

Employer penalty for firing or penalizing employee: Petty misdemeanor: punishable by a fine of up to \$1,000 or up to 30 days' imprisonment. May be liable to discharged employee for up to 6 weeks' lost wages and may be required to reinstate the fired employee.

Idaho

Idaho Code § 2-218

Unpaid leave: Yes.

Employer penalty for firing or penalizing employee: Criminal contempt: punishable by a fine of up to \$300. Liable to discharged employee for triple lost wages and reasonable attorney fees. May be ordered to reinstate the fired employee.

Illinois

705 Ill. Comp. Stat. § 310/10.1

Unpaid leave: Yes.

Additional employee protections: A regular night shift employee may not be required to work if serving on a jury during the day. May not lose any seniority or benefits.

Notice employee must give: Must give employer a copy of the summons within 10 days of issuance.

Employer penalty for firing or penalizing employee: Employer will be charged with civil or criminal contempt, or both; liable to employee for lost wages and benefits. May be ordered to reinstate the fired employee.

Indiana

Ind. Code Ann. § § 34-28-4-1, 35-44-3-11

Unpaid leave: Yes.

Additional employee protections: Employee may not be deprived of benefits or threatened with the loss of them.

Employer penalty for firing or penalizing employee: Class B misdemeanor: punishable by up to 180 days' imprisonment; may also be fined up to \$1,000. Liable to discharged employee for lost wages and attorneys' fees and may be required to reinstate the fired employee.

Iowa

Iowa Code § 607A.45

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee based on jury notice or jury duty.

Employer penalty for firing or penalizing employee: Contempt of court. Liable to discharged employee for up to 6 weeks' lost wages and attorneys' fees and may be required to reinstate the fired employee.

Kansas

Kan. Stat. Ann. § 43-173

Unpaid leave: Yes.

Additional employee protections: Employee may not lose seniority or benefits. (Basic and additional protections apply to permanent employees only.)

Employer penalty for firing or penalizing employee: Liable for lost wages and benefits, damages, and attorneys' fees and may be required to reinstate the fired employee.

Kentucky

Ky. Rev. Stat. Ann. § § 29A.160, 29A.990

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee based on jury notice or jury duty.

Employer penalty for firing or penalizing employee: Class B misdemeanor: punishable by up to 89 days' imprisonment or fine of up to \$250, or both. Liable to discharged employee for lost wages and attorneys' fees. Must reinstate employee with full seniority and benefits.

Louisiana

La. Rev. Stat. Ann. § 23:965

Paid leave: Regular employee entitled to one day full compensation for jury service. May not lose any sick, vacation, or personal leave or other benefit.

Additional employee protections: Employer may not create any policy or rule that would discharge employee for jury service.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: For each discharged employee: fine of \$100 to \$1,000; must reinstate employee with full benefits. For not granting paid leave: fine of \$100 to \$500; must pay full day's lost wages.

Maine

Me. Rev. Stat. Ann. tit. 14, § 1218

Unpaid leave: Yes.

Additional employee protections: Employee may not lose or be threatened with loss of employment or health insurance coverage.

Employer penalty for firing or penalizing employee: Class E crime: punishable by up to 6 months in the county jail or a fine of up to \$1,000. Liable for up to 6 weeks' lost wages, benefits, and attorneys' fees. May be required to reinstate the fired employee.

Maryland

Md. Code Ann., [Cts. & Jud. Proc.] § 8-502

Unpaid leave: Yes.

Additional employee protections: Employer cannot threaten or coerce an employee. An employee may not be required to use annual, sick, or vacation leave. An employee who spends at least 4 hours on jury service (including travel time) may not be required to work a shift that begins on or after 5 p.m. that day or before 3 a.m. the following day.

Employer penalty for firing or penalizing employee: Fine up to \$1,000.

Massachusetts

Mass. Gen. Laws ch. 234A, § § 48 and following

Paid leave: All employees (including part-time and temporary who were scheduled to work for the 3 months preceding jury service): regular wages for first 3 days of jury duty. If paid leave is an "extreme financial hardship" for employer, state will pay. After first 3 days, state will pay \$50 per day.

Michigan

Mich. Comp. Laws § 600.1348

Unpaid leave: Yes.

Additional employee protections: Employee may not be threatened or disciplined; may not be required to work in addition to jury service, if extra hours would mean working overtime or beyond normal quitting time.

Employer penalty for firing or penalizing employee: Misdemeanor, punishable by a fine of up to \$500 or up to 90 days' imprisonment, or both. Employer may also be punished for contempt of court, with a fine of up to \$7,500 or up to 93 days' imprisonment, or both.

Minnesota

Minn. Stat. Ann. § 593.50

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce the employee.

Employer penalty for firing or penalizing employee: Criminal contempt: punishable by a fine of up to \$700 or up to 6 months' imprisonment, or both. Also liable to employee for up to 6 weeks' lost wages and attorneys' fees and may be required to reinstate the fired employee.

Mississippi

Miss. Code Ann. § § 13-5-23, 13-5-35

Unpaid leave: Yes.

Additional employee protections: Employee may not be intimidated or threatened. Employee may not be required to use annual, sick, or vacation leave for jury service.

Notice employee must give: Reasonable notice is required.

Employer penalty for firing or penalizing employee: If found guilty of interference with the administration of justice: at least one month in the county jail or up to 2 years in the state penitentiary, or a fine of up to \$500, or both. May also be found guilty of contempt of court, punishable by a fine of up to \$1,000 or up to 6 months' imprisonment, or both.

Note: Employers with 5 or fewer full-time employees: Court must postpone an employee's jury service if another employee is already serving as a juror.

Missouri

Mo. Rev. Stat. § 494.460

Unpaid leave: Yes.

Additional employee protections: Employer may not take or threaten to take any adverse action. Employee may not be required to use annual, sick, vacation, or personal leave.

Employer penalty for firing or penalizing employee: Employer may be liable for lost wages, damages, and attorney's fees and may be required to reinstate the fired employee.

Montana

Mont. Admin. R. 24.16.2520

Paid leave: No paid leave laws regarding private employers.

Nebraska

Neb. Rev. Stat. § 25-1640

Paid leave: Normal wages minus any compensation (other than expenses) from the court.

Additional employee protections: Employee may not lose pay, sick leave, or vacation or be penalized in any way; may not be required to work evening or night shift.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Class IV misdemeanor, punishable by a fine of \$100 to \$500.

Nevada

Nev. Rev. Stat. Ann. § 6.190

Unpaid leave: Yes.

Additional employee protections: Employer may not recommend or threaten termination; may not dissuade or attempt to dissuade employee from serving as a juror, and cannot require the employee to work within 8 hours before jury duty or if employee's duty lasts four hours or more (including travel time to and from the court), between 5 p.m. that day and 3 a.m. the next day. Cannot be required to take paid leave.

Notice employee must give: At least three days' notice.

Employer penalty for firing or penalizing employee: Terminating or threatening to terminate is a gross misdemeanor, punishable by a fine of up to \$2,000 or up to one year's imprisonment, or both; in addition, employer may be liable for lost wages, damages equal to lost wages, and punitive damages to \$50,000 and must reinstate employee. Dissuading or attempting to dissuade is a misdemeanor, punishable by a fine of up to \$1,000 or up to 6 months in the county jail, or both.

New Hampshire

N.H. Rev. Stat. Ann. § 500-A:14

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee.

Employer penalty for firing or penalizing employee: Employer may be found guilty of contempt of court; also liable to employee for lost wages and attorneys' fees and may be required to reinstate the fired employee.

New Jersey

N.J. Stat. Ann. § 2B:20-17

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee.

Employer penalty for firing or penalizing employee: Employer may be found guilty of a disorderly persons offense, punishable by a fine of up to \$1,000 or up to 6 months' imprisonment, or both. May also be liable to employee for economic damages and attorney's fees and may be ordered to reinstate the fired employee.

New Mexico

N.M. Stat. Ann. § 38-5-18 to 38-5-19

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee. An employee may not be required to use annual, sick, or vacation leave.

Employer penalty for firing or penalizing employee: Petty misdemeanor, punishable by a fine of up to \$500 or up to 6 months in the county jail, or both.

New York

N.Y. Jud. Ct. Acts Law § 519

Unpaid leave: Yes.

Paid leave: Employers with more than 10 employees must pay first \$40 of wages for the first 3 days of jury duty.

Notice employee must give: Must notify employer prior to beginning jury duty.

Employer penalty for firing or penalizing employee: May be found guilty of criminal contempt of court, punishable by a fine of up to \$1,000 or up to 30 days in the county jail, or both.

North Carolina

N.C. Gen. Stat. § 9-32

Unpaid leave: Yes.

Additional employee protections: Employee may not be demoted.

Employer penalty for firing or penalizing employee: Liable to discharged employee for reasonable damages; must reinstate employee to former position.

North Dakota

N.D. Cent. Code § 27-09.1-17

Unpaid leave: Yes.

Additional employee protections: Employee may not be laid off, penalized, or coerced because of jury duty, responding to a summons or subpoena, serving as a witness, or testifying in court.

Employer penalty for firing or penalizing employee: Class B misdemeanor, punishable by a fine of up to \$1,500 or up to 30 days' imprisonment, or both. Liable to employee for up to 6 weeks' lost wages and attorneys' fees and may be required to reinstate the fired employee.

Ohio

Ohio Rev. Code Ann. § § 2313.19, 2313.99

Unpaid leave: Yes.

Additional employee protections: An employee may not be required to use annual, sick, or vacation leave.

Notice employee must give: Reasonable notice. Absence must be for actual jury service.

Employer penalty for firing or penalizing employee: May be found guilty of contempt of court, punishable by a fine of up to \$250 or 30 days' imprisonment, or both, for first offense.

Oklahoma

Okla. Stat. Ann. tit. 38, § § 34, 35

Unpaid leave: Yes.

Additional employee protections: Employee can't be subjected to any adverse employment actions and can't be required to use annual sick or vacation leave.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Misdemeanor, punishable by a fine of up to \$5,000. Liable to discharged employee for actual and exemplary damages; actual damages include past and future lost wages, mental anguish, and costs of finding suitable employment.

Oregon

Or. Rev. Stat. § 10.090

Unpaid leave: Yes (or according to employer's policy).

Additional employee protections: Employee may not be threatened, intimidated, or coerced, nor may employee be required to use annual, sick, or vacation leave.

Employer penalty for firing or penalizing employee: Court may order reinstatement with or without back pay, and a \$720 civil penalty.

Pennsylvania

42 Pa. Cons. Stat. Ann. § 4563; 18 Pa. Cons. Stat. Ann. § 4957

Unpaid leave: Yes (applies to retail or service industry employers with 15 or more employees and to manufacturers with 40 or more employees).

Additional employee protections: Employee may not be threatened or coerced, or lose seniority or benefits. (Any employee who would not be eligible for unpaid leave will be automatically excused from jury duty.)

Employer penalty for firing or penalizing employee: Liable to employee for lost benefits, wages, and attorneys' fees; may be required to reinstate the fired employee.

Rhode Island

R.I. Gen. Laws § 9-9-28

Unpaid leave: Yes.

Additional employee protections: Employee may not lose wage increases, promotions, length of service, or other benefit.

Employer penalty for firing or penalizing employee: Misdemeanor punishable by a fine of up to \$1,000 or up to one year's imprisonment, or both.

South Carolina

S.C. Code Ann. § 41-1-70

Unpaid leave: Yes.

Employer penalty for firing or penalizing employee: For discharging employee, liable for one year's salary; for demoting employee, liable for one year's difference between former and lower salary.

South Dakota

S.D. Codified Laws Ann. § § 16-13-41.1, 16-13-41.2

Unpaid leave: Yes.

Additional employee protections: Employee may not lose job status, pay, or seniority.

Employer penalty for firing or penalizing employee: Class 2 misdemeanor, punishable by a fine of up to \$500 or up to 30 days in the county jail, or both.

Tennessee

Tenn. Code Ann. § 22-4-106

Paid leave: Regular wages minus jury fees, as long as the employer has at least 5 employees and the employee is not a temporary worker and has been employed for at least 6 months.

Additional employee protections: Employer may not demote, suspend, or discriminate against the employee. Night shift employees are excused from shift work during and for the night before the first day of jury service.

Notice employee must give: Employee must show summons to supervisor the next working day after receiving it.

Employer penalty for firing or penalizing employee: Employees are entitled to reinstatement and reimbursement for lost wages and work benefits. Violating employee rights or any provisions of this law is a Class A misdemeanor, punishable by up to 11 months, 29 days' imprisonment or a fine up to \$2,500, or both. Liable to employee for lost wages and benefits and must reinstate employee.

Texas

Tex. Civ. Prac. & Rem. Code Ann. § § 122.001, 122.002

Unpaid leave: Yes.

Notice employee must give: Employee must notify employer of intent to return after completion of jury service.

Employer penalty for firing or penalizing employee: Liable to employee for not less than one year's nor more than 5 years' compensation and attorneys' fees. Must reinstate employee.

Note: Only applies to permanent employees.

Utah

Utah Code Ann. § 78B-1-116

Unpaid leave: Yes.

Additional employee protections: Employer may not threaten or coerce employee or take any adverse employment action against employee. Employee may not be requested or required to use annual or sick leave or vacation.

Employer penalty for firing or penalizing employee: May be found guilty of criminal contempt, punishable by a fine of up to \$500 or up to 6 months' imprisonment, or both. Liable to employee for up to 6 weeks' lost wages and attorney's fees and may be required to reinstate the fired employee.

Vermont

Vt. Stat. Ann. tit. 21, § 499

Unpaid leave: Yes.

Additional employee protections: Employee may not be penalized or lose any benefit available to other employees; may not lose seniority, vacation credit, or any fringe benefits.

Employer penalty for firing or penalizing employee: Fine of up to \$200.

Virginia

Va. Code Ann. § 18.2-465.1

Unpaid leave: Yes.

Additional employee protections: Employee may not be subject to any adverse personnel action and may not be forced to use sick leave or vacation. Employee who has appeared for 4 or more hours cannot be required to start a shift after 5 p.m. that day or before 3 a.m. the next morning.

Notice employee must give: Reasonable notice.

Employer penalty for firing or penalizing employee: Class 3 misdemeanor, punishable by a fine of up to \$500.

Washington

Wash. Rev. Code Ann. § 2.36.165

Unpaid leave: Yes.

Additional employee protections: Employee may not be threatened, coerced, harassed, or denied promotion.

Employer penalty for firing or penalizing employee: Intentional violation is a misdemeanor, punishable by a fine of up to \$1,000 or up to 90 days' imprisonment, or both; also liable to employee for damages and attorney's fees and may be required to reinstate the fired employee.

West Virginia

W.Va. Code § 52-3-1

Unpaid leave: Yes.

Additional employee protections: Employee may not be threatened or discriminated against; regular pay cannot be cut.

Employer penalty for firing or penalizing employee: May be found guilty of civil contempt, punishable by a fine of \$100 to \$500. May be required to reinstate the fired employee. May be liable for back pay and for attorneys' fees.

Wisconsin

Wis. Stat. Ann. § 756.255

Unpaid leave: Yes.

Additional employee protections: Employee may not lose seniority or pay raises; may not be disciplined.

Employer penalty for firing or penalizing employee: Fine of up to \$200. May be required to reinstate the fired employee with back pay.

Wyoming

Wyo. Stat. § 1-11-401

Unpaid leave: Yes.

Additional employee protections: Employee may not be threatened, intimidated, or coerced.

Employer penalty for firing or penalizing employee: Liable to employee for up to \$1,000 damages (for each violation), costs, and attorneys' fees. May be required to reinstate the fired employee with no loss of seniority.