

Jury Duty Procedures

Purpose: The School Board believes serving on a jury is a fundamental responsibility of citizenship; and that one should respond to lawfully issued subpoenas requiring testimony.

Policies:

School Board Policy 6Gx50-3.70 Witness or Jury Duty

1. Policy Statement.

- a. ***Court Appearances.*** -- An employee may be granted temporary leave and shall receive his or her regular compensation and benefits for appearances in state or federal court matters under the following circumstances:
 - i. When summoned to appear as a federal or state court juror during work hours. If, upon reporting for jury duty, the employee is dismissed prior to serving one-half day, the employee is to report back to the regular duty assignment. A reasonable amount of time will be allowed for travel.
 - ii. When summoned to appear as a defendant or a witness, during work hours, in an action arising out of and in the course of employment with the School District.
 - iii. When summoned to appear as a witness, during work hours, in any civil or criminal action in which the employee is not the defendant or the plaintiff.

Any fees received by an employee related to court or witness appearances as provided in this paragraph shall be remitted to the Accounting Department in check or money order, less permissible travel expenses and payments received for days the employee was not scheduled to work, if any, as provided in School Board Policy 6.01.

- b. ***Administrative Proceedings.*** -- Board employees who are subpoenaed to appear as witnesses in an administrative proceeding of the School Board shall be entitled to the following:
 - i. For administrative proceedings within Palm Beach County, the employee shall be compensated for travel expenses at the rate provided under Fla. Stat. § 112.061 and Policy 6.01,
 - ii. For administrative proceedings outside of Palm Beach County, the employee shall be compensated for per diem and travel expenses at the rate provided under Fla. Stat. § 112.061 and Policy 6.01,
2. **Exception to Payment of Witness Fees for School Board Employees.** -- Witness fees shall not be paid to School Board employees summoned as witnesses on behalf of the School Board, School District or Superintendent, whether such summons are for federal or state court proceedings or administrative proceedings. However, such employees

shall be entitled to his or her regular compensation and benefits as provided in paragraph 2 herein.

3. **Employee's Personal Litigation.** -- In no case shall temporary duty leave with pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request to use personal or annual leave subject the approval of the responsible supervisor.

School Board Policy 6Gx50-3.75 Witness Duty – *this policy was repealed on June 3, 2009*

Courts:

Palm Beach County Court - 205 N. Dixie Highway, West Palm Beach, FL

You are entitled to a \$15.00 per day payment from the state if you are regularly employed and your employer **does not** pay your wages while you're on jury duty. If you are selected for a trial that is longer than three (3) days, you will be paid \$30.00 per day for the 4th day and for each day thereafter. The county does not reimburse for mileage. Free parking for jurors is provided at the Judicial Parking Garage, and jurors should bring their parking ticket to the Jury Office to be validated each day.

United States District Court – 701 Clematis Street, West Palm Beach, FL

Jurors are compensated \$40.00 for each day of service and reimbursed for mileage to and from the courthouse based on zip code. Free parking is available at the courthouse.

District employees can indicate on the payment form attached to their Jury Duty Summons that they are being paid for these days by their employer (PBCSD).

Procedures:

- Upon receipt of the Jury Duty Summons, it should be presented to the employee's supervisor and Payroll Contact.
- Employee completes Leave/TDE Form PBSO 0032 for attendance reporting purposes. Payroll Contacts code this time as **JUR** on the timesheet.
- Payroll Contacts should retain the original Leave/TDE Form PBSO 0032 at their work site along with other absence request forms in accordance with Records Retention requirements.
- No further action is required by the employee if there were no payments received from the court.

If payment is received from the court the employee shall remit funds as follows:

- County Court – Employees should remit funds to the District in excess of any travel expense amount. Since parking is free for jurors at the Judicial Parking Garage, then applicable mileage would apply. Employees should determine mileage to the courthouse in excess of their normal commute and apply the applicable IRS mileage rate for the dates of service. This procedure is comparable to that used for Travel reimbursement claims. This amount should be retained by the employee and it should be deducted from the funds received from the County before remitting funds to the District.
- US District Court – Employees will receive a ledger with their jury duty service check. The amount to be remitted to the District is stated on the ledger separately from the travel expense.
- All funds should be directed to the School/Department Payroll Contact payable by check or money order (no cash).
- The Payroll Contact completes Form PBSO 0150, indicating 'Jury Duty' under the 'Other Revenue' section.
- Form PBSO 0150, a copy of the Jury Duty Summons and a copy of Leave/TDE Form PBSO 0032 along with the payment is then forwarded to the Accounting Services Department/Payroll to the attention of Stephanie Griffith.
- The form and summons will be filed with the Payroll Analyst for that location.
- The payment will be deposited into a miscellaneous revenue account for the District.
- Twice a month Payroll will conduct an audit to ensure that payments are being received from employees that attended jury duty.
- Payroll will notify the location and employee if payment was due and has not been received.
- The employee will have two weeks to resolve the matter with the District.

Tax Implications of Payment:

If the payment received from the jury duty attendance is over \$600.00, a Form 1099 will be issued by Palm Beach County or the US District Court. Travel expense payments are not taxable.