



## CHANCERY OFFICE ARCHDIOCESE OF NEW YORK

May 3, 2022

Dear Father:

I bring to your attention that guidelines promulgated by the chief administrator of the New York State courts, pursuant to section 517, New York State judiciary law provide for excusal from New York jury service, upon request, for members of the clergy based on matters of conscience.

To request such excusal, upon receipt of a summons for jury duty, submit to the commissioner of jurors of the court involved, by certified mail, return receipt requested, the following:

- Statement of request for excusal on parish/institution stationery using the enclosed draft form;
- Reproduction of the support letter from His Eminence (enclosed).

Keep copies of the summons and all papers submitted to the commissioner of jurors. Your name will be deleted from any list of prospective jurors upon receipt of your request.

In the event that you receive further communication from the commissioner of jurors, contact the archdiocesan office of legal affairs at 646-794-2407.

For clergy residing in the counties of Bronx, Dutchess, Manhattan, Orange, Putnam, Rockland, Sullivan and Westchester, make note that the United States District Court for the Southern District of New York (in which these counties are located) does not provide for statutory or regulatory excusal for members of the clergy based upon matters of conscience. However, the court, in its discretion, upon personal appearance and verbal explanation, may otherwise grant an excusal.

If you receive a summons for jury service in the United States District Court Southern District of New York:

- Write a letter to the clerk of the court, using the enclosed draft form;
- Complete the juror information form;
- Mail both to the clerk of the court via certified mail, return receipt requested.

A letter from the cardinal archbishop, although necessary for state excusal, is not required for the United States District Court. Keep copies of all papers so mailed to the clerk of the court.

You should not expect to receive a reply from the clerk unless your request is denied. In that case, you should then appear at the office of the clerk at the federal court house at the appointed date and time and make your request orally. The clerk may grant your request for excusal or instruct you to make your request to a judge of the court.

Faternally in the Lord,



Reverend Monsignor Joseph P. LaMorte, VG  
*Vicar General and Moderator of the Curia*

JPL:df

Enclosures

*LETTER REQUESTING JURY DUTY EXCUSAL FROM NEW YORK STATE COURT*

[Date]

Commission of Jurors  
[Address]

Dear Commissioner:

On \_\_\_, \_\_\_, I received jury summons No. \_\_\_ returnable before the \_\_\_ court on \_\_\_. Treat this letter as an application for excusal from jury service based on matters of conscience, pursuant to section 128.6 of the rules of the chief administrator of the courts and section II(c) of the corresponding guidelines, as amended by administrative order, dated February 28, 1996.

I am a member of the clergy and serve as a priest of the Roman Catholic Church. One of the primary roles of a clergy member is that of counselor and pastor. The community-at-large views the clergy as a haven for support, guidance and service, both for themselves and for their family members. Moreover, communication between the clergy and those in their community is very often confidential in nature. Jury service poses a profound conflict for the clergy and threatens relationships developed within the community by destroying the pastoral bond of trust. To require jury service of the clergy seriously compromises this essential role by placing the clergy in a judgmental and often adversarial position, which is contrary to the religious beliefs and teachings of my religious profession.

Therefore, I respectfully request that I be excused from jury service on the following grounds:

1. The right of personal freedom of conscience based on religious beliefs and teachings of my religious profession as secured by the Free Exercise Clause of the New York State and Federal constitutions; and,
2. The authority of the *Code of Canon Law* of the Roman Catholic church, canons 285.2, 289.2, and 672.

This request is accompanied by a letter of support from my archbishop, His Eminence, Timothy Cardinal Dolan, Archbishop of New York.

Respectfully yours,

*LETTER REQUESTING JURY DUTY EXCUSAL FROM  
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK*

[Date]

Clerk  
US District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Juror No. \_\_\_\_

Dear Mr./Ms.:

I am a Roman Catholic priest [and pastor/administrator/parochial vicar] of [Name of Church] located at \_\_\_\_\_, New York.

I respectfully request to be excused from jury service. Jury service will constitute an extreme hardship and undue conflict on my ministry as a priest [and pastor/administrator/parochial vicar] of my parish.

I am grateful for your consideration of my request.

Respectfully yours,



OFFICE OF THE CARDINAL  
1011 FIRST AVENUE  
NEW YORK, NY 10022

May 3, 2022  
Month of Our Lady  
Paschaltide

Dear Brother Priests:

I am advised that legislation, effective January 1, 1996, designed to reform the New York State Jury system, removed all exemptions from jury duty, including that for members of the clergy. Section 128.6-a of the Rules of the Chief Administrator of the Courts and its corresponding guidelines were subsequently amended by Administrative Order to provide a specific protocol for the excusal from jury service of members of the clergy, including deacons and religious, based on matters of conscience.

In accordance with the protocol, this letter is intended to accompany and support all excusal requests made to the Commissioner of Jurors. The Individual clergy applicant has been previously identified in the list filed with the Office of Court Administration. The request for a "matters of conscience" excusal is grounded on the right to personal freedom of conscience based on the religious beliefs and teachings of the religious profession as secured by the Free Exercise Clause of the First Amendment of the Federal Constitution and Article 1, Section 3 of the New York State Constitution, and on the authority of the Code of Canon Law of the Roman Catholic Church, Canons 285.2, 289.2 and 672

Thank you for your attention to this important matter.

Fraternally in Christ,

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†Timothy Michael Cardinal Dolan  
Archbishop of New York

TMD:mb