

Jury Duty Exemption

Jury duty is a legal obligation for most U.S. citizens. Jurors are randomly chosen from a pool of eligible citizens to serve in a court of law. Jurors are responsible for reviewing facts, deliberating with fellow jurors, and rendering a verdict. Jury duty applies to both civil and criminal cases and are responsible for ensuring the defendant's Sixth Amendment right is upheld. Failure to appear in court will result in being held in contempt of court.

When a Service member on active duty is summoned to perform State or local jury duty, the Secretary of the Military Department concerned or Commandant, USCG, will determine if such jury duty would:

1. Unreasonably interfere with the performance of the Service member's military duties, or
2. Adversely affect the readiness of the unit, command, or activity to which the Service member is assigned.

If you are an active duty military member stationed overseas you are eligible for an exemption under federal law 10 U.S.C. § 982. Under the DoD Directive the following active duty personnel are exempt from jury duty:

1. General officers
2. Commanders
3. Active duty member assigned to an operating force, in training, or stationed outside the US

Thus, if you are stationed at Misawa Air Base, Japan or any other installation in Japan, you are exempt from jury duty in your state of residence. However, you still must officially notify the court of your exemption with a letter from your immediate commander.

OTHER RESOURCES:

[DoDI 5525.08](#)

[https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/552508p.pdf)

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Legal Assistance Hours:

By Appointment Only

Notary Hours:

Monday-Friday: 0900-1600



Do you have additional questions? If so, contact the Misawa Air Base Legal Office and request to schedule a Legal Assistance Appointment.

35th Fighter Wing Contact Information:

Email: 35fw.ja@us.af.mil

DSN Phone: [315-226-4022](tel:315-226-4022)

DSN Fax: [315-226-2185](tel:315-226-2185)

Commercial Phone: [011-81-176-77-4022](tel:011-81-176-77-4022)



35th Fighter Wing
Office of the Staff Judge Advocate
Building 656

JURY DUTY EXEMPTION (ACTIVE MILITARY)

This Brochure Includes:

- Information on exemption for Jury Duty for Active Duty Military personnel



The information in this brochure is of a general nature and is not intended as a substitute for legal counsel.
Last updated January 2021.

Here is a sample exemption letter:

IMMEDIATE COMMANDER'S LETTERHEAD

RETURN ADDRESS

CLERK OF COURT ADDRESS

RE: Excusal From Jury Service **(NAME OF SERVICE MEMBER)**

Dear Sir or Madam:

(GRADE AND NAME), a member of the United States Air Force on active duty, has been summoned to perform jury duty **(WHEN, WHERE, AND ON WHAT JURY)**. Under 10 U.S.C. § 982, Department of Defense Directive 5525.08, and Air Force Instruction 51-301, this member has been determined by me, an authorized designee of the Secretary of the Air Force, as exempt from duty on the jury in question because such jury service would unreasonably interfere with the performance of the member's military duties or would adversely affect the readiness of the unit, command, or activity to which the member is assigned. Under 10 U.S.C. § 982(b) this determination is conclusive.

Please excuse **(GRADE AND NAME)** from jury duty. If you have questions or cannot accommodate this request, please contact me at **(COMMANDER'S DUTY PHONE NUMBER)** or the Misawa Air Base Legal Office at (315) 226-4022. Thank you for your cooperation.

Sincerely,

IMMEDIATE COMMANDER'S SIGNATURE BLOCK