

## Jury Duty: Breastfeeding and Lactation Accommodations

California law<sup>55</sup> states that “the mother of a breastfed child” can delay jury duty for up to one year, and can ask for an extension after her infant is one year old. The law also requires that the exemption for breastfeeding be part of the standard jury duty summons so that all lactating persons are aware of this protection.<sup>55</sup>

If a breastfeeding or lactating parent needs lactation accommodations while serving for jury duty, it is important they advocate for themselves. Parents should immediately notify the court clerk and request accommodations for pumping when they arrive to serve jury duty. Lactating parents can ask the court clerk where lactating employees go to express breast milk and can ask to use the same place. Lactating parents can remind the court clerk that California law requires them to provide a place for court employees to express breast milk that is not a bathroom.

There is not a specific law that governs lactation accommodations such as pumping breaks during jury duty. If the parent runs into resistance from the court when requesting lactation accommodations, the parent could cite the Unruh Civil Rights Act<sup>58</sup> and the government’s anti-discrimination provision,<sup>56</sup> which require public accommodations and government actors, respectively, to accommodate lactating people.

While serving jury duty, the parent can also request that someone bring their child to the courthouse, because California Civil Code 43.3 protects the right to breastfeed in public. For more information about breastfeeding in public see the section *Breastfeeding in Public* on page 42.

**While not yet passed**, the Fairness for Breastfeeding Mothers Act H.R. 1174,<sup>57</sup> introduced to the House of Representatives in 2017, would require all buildings that are federally owned or leased to provide a designated, private, clean place for lactating parents to express breast milk. **This law has not passed yet**, but would provide additional protections to breastfeeding and lactating parents who need to express breast milk during jury duty.

