

Barriers to Jury Service and Policy Options

For September 29, 2026 Meeting

Barriers

- Financial burden and low compensation
- Transportation and parking
- Employment and educational responsibilities
- Loss of insurance coverage
- Unemployment rules
- Caregiving costs and responsibilities (children and other dependents)
- Health issues
- Accessibility (physical, language, etc.)
- Trauma and anxiety triggered by the facts of the case and/or case type
- Juror privacy and safety
- Longer terms of service/multi-day trials
- Lack of inclusion in jury source lists (particularly for unhoused individuals)
- Lack of understanding and public education about:
 - The rights, roles, and expectations for jurors
 - The importance of jury service
- Negative court and jury experiences
 - Long wait times at the court when called in for service
 - Other negative experiences
- Psychological/behavioral barriers
 - Limited bandwidth
 - Lack of certainty about process and length of service
 - Fear/distrust of the court system
 - Forgetting
- Peremptory challenges & discrimination
- Criminal convictions
- Statutory eligibility (conviction eligibility, citizenship, age, etc.) and excusal/deferral criteria

Policy Options

- **Compensation**

- Increase rate of compensation per day paid by the State and/or cities/counties:
 - Flat rate for all days of service
 - Graduated rate that increases after 2 days of service
 - Increased rate for lengthy trials (after X days of service)
 - Increased rate for grand jury service
 - Provide for ongoing increases based on Consumer Price Index, local income rates, or some other metric
- Tier juror compensation based on income
- Employer pays regular rate of pay for days serving jury duty
 - Could be made applicable only to employers of X or more employees
- Tax credit for employers who pay employees while they attend jury service
- Cost-sharing models
 - Require parties in civil cases to contribute toward the cost of paying juror fees
 - Add a fee to attorney bar dues to help pay juror fees
 - Employer pays a portion of juror fees and state pays a portion
- Increase filing fees to raise funds for juror compensation
- Increase mileage reimbursement to federal/DAS rate
- Reimburse jurors for parking expenses unless free parking is provided by the court
- Create a stipend for child/dependent care expenses
- Make improvements to the extraordinary expenses program to make it more accessible
 - Provide more information to jurors about the existence of the program
 - Create clearer guidelines for what is reimbursable through the program (e.g., dependent care, lodging for jurors when travel is long/difficult/unsafe)
 - Simplify the procedures for obtaining funds through the program
- Consider special circumstance funds, like a Lengthy Trial Fund
- Improve payment methods so jurors receive compensation faster

- Implement a pilot program in X counties to study the impact of increased compensation on response and excusal rates
- Data collection and analysis requirement tied to any increase in compensation to study how much of an impact it has on response and excusal rates
- **Transportation**
 - Provide a court shuttle:
 - In counties that don't have adequate public transportation
 - For jurors with physical disabilities that make travel difficult
 - Agreements between courts and public transport services to allow jurors to use their summons as a bus pass
 - Agreements between courts and businesses for using parking lots that are closer to the court and/or to use summons as a parking pass
 - Consider staggered reporting times or delayed starts for families with limited transportation or children in school (i.e. single car family, school drop off and pick up)
- **Public education**
 - Advertisements/public service announcements (print, radio, TV)
 - Short educational videos and other online collateral to be used on OJD's website, partner websites, social media
 - Provide educational materials (posters, pamphlets, videos, lesson plans) to schools and educators
 - High school, college, educational associations
 - Topics for all of the above:
 - Importance of jury service
 - Likelihood of short length of service
 - What to expect when serving on a jury
 - Mock jury trial programs, particularly for youth
 - Ensure online information linked to on summons includes a typical agenda (run of the day) so jurors know what to expect
 - Collaborate with BOLI on education for employers/employees
 - Revamp juror orientation video (last updated in 2018)
 - Judges in the classroom; increase courthouse tours/experiences and jury simulations

- Community outreach – bring court professionals to community areas (i.e. elder care facilities to speak on juror scams, community centers to speak about civic education, library or public spaces for open dialogues)

- **Employment protections**

- Add provision to employment protections that states that employees are not required to work night shift on the same day they have jury service (from Illinois law)
- Strengthen protections related to health insurance coverage continuity during jury service:
 - Reduce or eliminate the threshold number of employees before the protections kick in
 - Make it clear that hours spent serving on jury duty must count toward any minimum number of hours people have to work to get health insurance coverage during the time period that includes jury service
 - Remove the requirement that jurors “elect” to keep insurance coverage and notify their employer of the election in compliance with the employer’s policy, replacing it with a requirement that the employee simply notify the employer that they have been called for jury service
 - Explore whether a change is needed to the provisions that allow an employer to recover the cost of insurance “that should have been paid by the employee.”
- Allow a person to obtain unemployment insurance during jury duty, even if they miss an opportunity to perform suitable work
 - Require waiver of juror fee if a person obtains unemployment insurance or allow a person to obtain both
- Create sample juror leave policies for employers
 - Put them on the Oregon Judicial Department’s website and/or BOLI’s jury information website

- **Trauma/Anxiety**

- Provide online juror qualification questionnaires in advance of going to court to determine if a particular case or case type may be triggering or traumatic for a given potential juror
- Protect jurors’ rights during jury selection and offer questioning alternatives for privacy/safety
- For grand jurors and petit jurors in cases (civil and or criminal) involving violence and sexual assault:
 - Provide resource lists

• Ensure resources are diverse, to meet the needs of diverse jurors

Formatted: Font: (Default) Arial

- Provide post-venire and pre-trial training for jurors on self-care, secondary trauma and/or trauma-informed deliberation
- Provide post-trial debrief
- Provide access to post-jury duty counseling and/or facilitated group sessions
- Check-ins with jurors during and after jury service (to connect with services and solicit feedback)
- Provide access to peer support

Formatted: Font: (Default) Arial

○ Provide critical incident stress debriefing sessions for everyone in the room during a critical incident during a trial

○ State funding to District Attorneys to pay for:

- Staff to provide trauma-related training, resources and support to grand jurors

○ State funding to OJD to pay for:

- Staff to provide trauma-related training, resources and support to petit jurors in circuit court
- Development of resources and training for courts (circuit, justice, and municipal) and DAs who want to make improvements in this area

• Ensure development process includes consultation with individuals with lived experience as jurors and diverse community groups, particularly those that provide trauma support

- Development of Training-training for judges and/or attorneys on trauma-informed trial practices

• **Accessibility**

- Provide language translation for people who don't speak English as a first language and enact a statute similar to ORS 10.115 (interpreters for individuals with disabilities) that would allow language interpreters to be present for jury deliberations

• **Logistical changes**

- Reduce time people spend waiting
- Stagger juror panel sign-ins to avoid long security/check-in lines
- Utilize technology to keep people from lengthy wait periods
- Provide an option to let the court know if you can only attend a one-day trial

- Implement new Uniform Trial Court Rules so the court knows further in advance which cases will need jurors
- Work towards the goal of one-day/one trial across counties – reduce separate orientation days
- Remote juror orientation, questionnaires and/or jury selection
- Increase trial certainty and set stronger restrictions for Call Hearings.

- **Miscellaneous**

- Change “master jury list” to “primary jury list” or something similar
- Collect post-jury duty feedback to identify additional areas that may be improved
- Use additional source lists (e.g., to try to include people who are unhoused)
- Conduct a source list evaluation to review for accuracy and validity and identify need or potential of other source lists
- Conduct a review of the USPS mailing accuracy and validity, including the rates of Oregonians utilizing the National Change of Address program (related to undeliverable rates)
- Reduce or eliminate peremptory challenges
- Special considerations for trials (trials with people in custody, self-represented/pro se litigants. Lengthy or high-profile trials)
- Educate communities on jury scams, ensure protections to jurors whenever possible