Draft - Meeting Minutes (to be voted on at the 12/10/26 meeting)
Task Force on Removing Barriers to Jury Service

Date: November 5, 2026

Time: 11:30 a.m. – 1:00 p.m.

Location: Virtual via WebEx Webinar

Members in Attendance: Chair Kimberly McCullough, Derek Sangston, Aaron Felton, Tim Dooley, Royce Williams, Judge Matthew Shirtcliff, Kia Tolbert, Keren Farkas

Members Not in Attendance: Senator James I. Manning, Jr., Senator Kim Thatcher, Representative Tom Andersen, Representative Kim Wallan, Nansi López, Honorable Matthew Shirtcliff, Honorable Chanpone Sinlapsai, Honorable Tucker Rossetto

Quorum: Yes (6)

Ratify Prior Meeting Minutes

- McCullough asked if anyone had changes to the prior meeting minutes
    - Felton asked that the note about him saying coffee cups were purchased for jurors by Polk County be changed to clarify that it was Polk County Courts that made the purchase
        - McCullough noted that that change will be made to the minutes to reflect that
- McCullough asked if there were any objections to ratifying the meeting minutes with the above change incorporated
    - There were none, so Chair McCullough stated that the minutes will be ratified with that change

Previous Discussion About Extending the Task Force

- How long should we extend the Task Force?
    - Chair McCullough noted that we'll need a break January through June for legislative session and could have the first meeting in August 2027 and have monthly meetings until breaking for the 2028 legislative session (January through March) and then meeting again until December 2028
        - We would have a supplemental report to submit to the legislature, but the Task Force could finish early if the work was completed before December 2028
- Tolbert asked Chair McCullough to elaborate on the constraints of the Task Force continuing to work during legislative sessions
    - The senators and representatives who are members of the Task Force will be extremely busy during session
    - Sangston, Dooley, and Chair McCullough are extremely busy throughout the legislative session

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    - The Task Force is technically scheduled to end in December 2026, so any meetings during legislative session wouldn't be as a task force, but rather as interested community members and wouldn't be able to conduct official Task Force business
- Tolbert agrees with extending the Task Force and breaking for legislative session
    - She asked that when the Task Force breaks we have a sense of direction for where it will be heading when it resumes
        - Chair McCullough noted that we could discuss that plan at the next meeting
- Sangston also requested to suspend the Task Force's work during legislative session
    - Dooley seconded
- Chair McCullough asked for a motion to extend the Task Force for another two years (end of December 2028) with a report due December 15, 2028, knowing that the Task Force may finish our work early
    - Tolbert made a motion for a two year extension
        - Dooley seconded
    - Chair McCullough asked if there were any objections to the motion
        - None were heard
    - Chair McCullough ratified the vote

Juror Orientation Video

- Chair McCullough wanted to provide a second chance to provide feedback on that video, but since today's meeting involves discussing the draft report, we will move this to a future meeting
    - There were no objections to moving this item
    - Chair McCullough noted this will be put on a future agenda

OJD Public Service Campaign

- There was a question at the last meeting asking about the content of the materials from OJD's public service campaign
    - Molly Harvis, OJD's Statewide Jury Coordinator, put together some materials with the content of those ads (included in the meeting materials)
        - Chair McCullough asked if anyone had any comments on that
            - There were none

Overview of Task Force Report Review Process

- After this meeting, please take some time to review the report and send any feedback to Chair McCullough and Kiely Lyons (Analyst, OJD) by November 13, 2026

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    - Send as either redlines in a Word document or by noting your edits/comments in the body of the email
    - Suggested changes will be incorporated into an updated draft of the report
    - Note: To comply with public meetings law, emails and drafts will be included as meeting materials and will be made public
- Lyons, Harvis, the State Court Administrator, and possibly the Chief Justice of the Oregon Supreme Court will be reviewing the draft as well
- Feedback/edits will be incorporated into an updated draft which will be sent out to members, ideally by November 18, 2026
    - There will be a redline version showing what has changed and a clean version with those changes incorporated
    - The Task Force will have until November 25, 2026, to make additional suggestions
        - Those additional changes will be incorporated into a new version that will be sent out by December 2, 2026, and the Task Force will review that version at the December 10, 2026, meeting
            - If there are more changes at that point they can be made and voted on at the meeting since the report is due December 15, 2026

Draft Task Force Report Discussion

- Chair McCullough walked through the draft with the group
    - Task Force Members section
        - Please take a look and make sure your name/title look correct
        - Sangston asked that “Oregon Business and Industry” be changed to “Oregon Business & Industry”
    - Executive Summary
        - Chair McCullough noted that when the report is done a copy of the executive summary will be sent to all legislators (it includes a link to the full report)
        - We can update this to reflect the dates that were voted on early in the meeting for extending the Task Force
        - A piece will be added about how to contact Chair McCullough with questions
    - Glossary
        - It’s the same as the one that was provided in the meeting materials at the March 12, 2026, meeting
        - Each time one of the terms appears in the report, we will add a link to the glossary

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- Introduction
    - Expands on what's in the executive summary
    - Frames why the Task Force is important
    - Notes that SB 1175 (2025) passed with bipartisan support
    - Lists the members and who appointed each of them
        - Notes the fact that the appointing authorities were directed to consider the need for a diverse Task Force
    - Outlines the Task Force's tasks, the requirement to submit a final report, and the effective and repeal dates for SB 1175
- Task Force Process
    - Shows what the main topics discussed at each meeting and provides links to agendas, minutes, and recordings
    - Still need to add the information for the November 5 and December 10, 2026, meetings
- Jury Duties, Importance, and Rights
    - Based on Judge Sinlapasai's presentation from the March 12, 2026, meeting
    - Outlines, what juries decide, the importance of juries, the right to a jury, etc.
        - If there are reasons that juries are important that were not included, let Chair McCullough know
    - Highlights the federal and state constitutional provisions relating to the right to a jury, as well as the right to a jury outlined in the Oregon Revised Statutes and the Oregon Rules of Civil Procedure (ORCP)
        - The full text of those constitutional provisions and the relevant Oregon Revised Statutes and ORCPs will be added to the appendices
    - Lists the types of proceedings where someone does not have the right to a jury trial
- Oregon Jury Service Overview
    - Pulled from an earlier presentations on how juries function in Oregon, the summons process, and the online juror portal
        - We will add the ORS citations to this section, and they will link to the appendix that has the full text of the statutes
    - Circuit Courts

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        - Jury list, summons process (example of postcard), online juror portal, exemptions/excusals, compensation/mileage, information about extraordinary expenses reimbursement, employment protections, jury anonymity, jury service term, and jury selection
    - Municipal and Justice Courts
        - Lists what's the same and different compared to the circuit courts
        - Chair McCullough will ask Judges Rossetto and Briggs-Mayfield:
            - Which local courts that have jury trials?
                - If we do not have that information, then we should note in the report that more research is needed to determine that
                - If the Task Force ends up recommending a something that will impact compensation at local courts, then we'd want to know which courts need to be informed
            - What types of cases have juries in municipal and justice courts?
                - E.g., Justice courts handle landlord-tenant cases, but you can request a jury trial
            - How do municipal/justice courts generate and use juror lists?
                - Judge Shirtcliff noted that the justice court in Baker uses their own list, separate from the circuit court
                - Harvis noted that it varies by court and that local courts generally have their own jurisdiction for pulling their lists, but there are some smaller areas that need assistance with getting their lists
                    - Two years ago the OJD assisted McMinnville Municipal Court with getting their jury lists
            - How long are jury service terms in municipal and justice courts? Is more research needed?
            - Are juries in municipal and justice courts six or 12 jurors? Or both, depending on case type? Is more research needed?
        - Harvis will send Chair McCullough some ORS' the relate to municipal and justice courts that may help with some of these questions
        - Reviews juror compensation for jurors in municipal and justice courts
            - Chair McCullough asked if we know if there are jurisdictions that have decided to pay jurors more than the required minimum or if more research is needed

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- Grand Juries
    - Lists what is the same as in circuit courts
        - Chair McCullough asked the group, but particularly Felton, if the summary of what is the same between circuit court jurors and grand jurors is the same (page 25 of the draft)
    - Chair McCullough asked if it's correct that grand jurors are summoned with circuit court jurors and then selected at the courthouse at random from jurors called to serve jury duty in the circuit court (they aren't summoned separately)?
        - Harvis confirmed that that is correct
    - Chair McCullough asked if OJD recommends that courts send a separate summons specifically for grand juries?
        - Harvis replied that the National Center for State Courts (NCSC) doesn't have a major recommendation on sending a separate grand jury summons versus pulling from the pool of trial jurors, as long as jurors are still being selecting randomly
            - NCSC and the Oregon Jury Management Guide recommend, from a customer service standpoint, providing transparent information
            - OJD encourages courts to use a special summons if there's particular information that needs to be conveyed to individuals
    - Reviews juror eligibility, service term, size, and selection
        - Chair McCullough asked if the section of jury service term is accurate?
            - Harvis replied that the length of service ranges by county and recommended instead saying something like "Grand jury service ranges from X to Y."
                - Chair McCullough asked if OJD has data on that range?
                    - Harvis has a map showing all the different term of service lengths for grand juries across the state and will send that to Chair McCullough
- Jury Service Data
    - Chair McCullough asked if the charts/graphs/maps should be moved to an appendix so they can be made bigger or keep them in the body of the document?
        - Tolbert felt that people reviewing on a computer can use the zoom feature and that the images print out clearly

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            - Chair McCullough noted that we can darken and enlarge some of the font in the graphics
    - Felton asked about the distinction between grand juries and circuit court juries
        - He thinks the report should steer away from using the term “petit jury” and instead use “circuit court trial jury”
            - E.g., the title of the map under the Length of Service section
    - Chair McCullough asked Harvis to review the graphics to make sure all the data looks up to date
    - Chair McCullough asked Harvis if the image referring to summons response and qualifications rates referred to both circuit court juries and grand juries?
        - Harvis confirmed that is correct
    - Chair McCullough asked Harvis if the chart breaking down response rates by county related to both circuit court trial juries and grand juries?
        - Harvis confirmed that is correct
    - Data Not Currently Collected
        - Noted the juror information that is not collected (demographic data beyond age and postal code)
            - Harvis explained that the demographic questions have been left off of the Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF) voluntary juror survey
                - Those questions are awaiting approval by the Chief Justice
        - Chair McCullough suggested that separating this into two sections
            - Data collected but not yet compiled
                - The survey is new, so does not have meaningful data to share, but there is some anecdotal information that could potentially be used
            - Data not collected
                - The demographic portion of the survey is not yet live
        - Tolbert asked if the survey asks about experiential questions, such as whether you have had a racial experience as a juror, rather than directly asking about demographic information
            - Harvis replied that the survey does not have experience-based questions like that, it was developed by OSCIFF and based on similar NCSC examples

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            - Harvis will send a PDF copy of the survey questions to Chair McCullough so the Task Force can see what it looks like
    - Grand Jury Data
        - Chair McCullough asked Harvis if OJD has data on the average number of days per grand jury service?
            - Harvis noted that she sent McCullough a list of counties that do a separate summonsing pool for grand jurors
                - It would take some more digging to get the data on the other counties that don't use a separate pool
                - Chair McCullough asked Harvis to resend that email to both her and Lyons
                - Chair Mccullough suggested saying something along the lines of here is the data we have and identify that more work is needed to get data about length of service in the counties that aren't listed
    - Chair McCullogh asked that if anyone had additional areas where more data would be helpful to let her know
- Barriers to Jury Service
    - Sangston noted that he previously said employment protections were already strong, and without evidence that individuals were having issues with them Oregon Business & Industry (OBI) wouldn't want to include employment protections as barriers
        - Chair McCullough noted that for "employment and educational responsibilities", a lot of people cite employment as a reason they can't attend jury service
        - Sangston asked if there was any evidence for loss of insurance coverage being a barrier
            - He has spoken with some employers over the course of the Task Force, and they have noted that the administrative burden of tracking employee hours and removing them during the period of time they serve is more burdensome than just continuing their coverage
            - OBI would have concerns about including it without evidence backing that it's an issue for folks
            - Chair McCullough asked Harvis if OJD has anecdotal data that loss of insurance coverage has been a barrier?
                - Harvis noted that she would need to look into it either by posing the question to cooridnators across the state, or by doing a keyword search for "insurance" in the excusal requests (data would only go back two years)
            - Chair McCullough noted that "loss of insurance coverage" can be removed for now and we can add it back in if we get more evidence that it has been a barrier or leave it in with a note that more research is needed

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        - Tolbert felt it should be removed because “identified” implies data has already been found that shows it’s a barrier
        - Chair McCullough will remove it from the draft for now
- Juror Compensation
    - Circuit Court and Grand Juror Compensation in 2025
        - Harvis verified that the compensation rates listed are for both circuit court and grand jurors
    - Legislative History
        - Showed rates of compensation across the years
    - National Landscape
        - NSCS provided some information about compensation by state, that graph will go into an appendix
        - Chair McCullough will add a summary about the highest, lowest, and average amounts of compensation
    - Current Compensation Rates by State
        - Chair McCullough asked NCSC for changes made in the last 3-5 years, but the data they provided didn’t strongly emphasize that, so she will do some additional research
    - Tolbert suggested adding a paragraph about alternative models of payment
        - That may help show that Oregon doesn’t have to be locked into the current model
    - Potential Policy Solutions
        - Chair McCullough suggested removing the bullet on creating a tax credit for employers who pay employees while they attend jury service and the bullet on increasing filing fees to raise funds for juror compensation
            - The Task Force received feedback that the tax credit would create an administrative burden for employers; and the legislature has made clear their decision to not tie filing fees to specific allocations
            - Please think about this and let Chair McCullough know if you agree
        - Sangston noted that the Task Force had previously discussed potentially adding Oregon State Bar (OSB) fees to go towards juror compensation
            - From OBI’s view, that makes more sense than putting it on employers
            - Chair McCullough noted that, for employer cost-sharing, we could note that objections and, therefore, that option may not be viable
            - Tolbert felt that this issue effects society as a whole not just OSB members, so placing the burden solely on attorneys seems like a misappropriation of responsibility
                - Unsure what the solution would be

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        - Chair McCullough asked members to send her any further comments on this
- Due to time constraints, there were a few other places in the draft where Chair McCullough had questions and made some edits that the group did not have a chance to review today

Public Comment

- None, a written comment was included in the meeting materials

Next Meeting (if applicable)

- Date: December 10, 2026
- Time: 11:30 a.m. – 1:00 p.m.
- Via: Webex Webinar

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