

Draft - Meeting Minutes (to be voted on at the 8/12/26 meeting)
Task Force on Removing Barriers to Jury Service

Date: July 14, 2026

Time: 11:30am-1:00pm

Location: Virtual via WebEx Webinar

Members in Attendance: Derek Sangston, Chair Kimberly McCullough, Tim Dooley, Honorable Matthew Shirtcliff, Representative Tom Andersen, Royce Williams, Kia Tolbert, Nansi López, Keren Farkas, Honorable Tucker Rossetto, Representative Wallan

Members Not in Attendance: Senator James Manning, Jr., Honorable Chanpone Sinlapasai, Bryan Brock, Senator Kim Thatcher

Quorum: Yes (8)

Ratify Prior Meeting Minutes

- Chair McCullough noted that while Bryan Brock is no longer the executive director of ODAA, he will continue serving on the task force for a short amount of time until the member reappointment process for his replacement is complete
- Chair McCullough asked if anyone had objections to ratifying the June 8, 2026, meeting minutes
 - Tolbert asked to clarify in the notes that the reference to “...especially in criminal cases, many of the parties Tolbert represents are unhoused individuals” be changed to “especially in criminal cases, many of the clients represented are unhoused individuals”
 - Chair McCullough requested that change be made to the minutes and asked, with that, if anyone had any objections to ratifying them
 - There were no objections, so Chair McCullough noted they are ratified

Online Deferrals and Excusals

- Chair McCullough noted there was a question from the last meeting about when the process for deferrals and excusals is available
 - There was also a suggestion about making sure that that process is available online
- Harvis provided an overview of the online process for excusals and deferrals and reviewed the juror questionnaire
 - When a person receives a summons they can respond or request excusals/deferrals by coming in-person to the court, calling, sending an email, or using the online juror response portal (most common)
 - Courts send out jury summons four to six weeks before service to give folks time to respond and account for delays in the mail

- You can request an excusal or deferral up to 5:00 p.m. the day before the first day of service (some counties may cut it off a little sooner depending on staff hours)
- The jury summons will have a QR code or link that will generally take you to the county's jury service hub, which includes the summons response form
 - Harvis walked the group through opening and completing the form
 - Eligibility questions will still be asked even if a person is trying to ask for an excusal or deferral
 - There are several questions related to juror compensation
 - In order to receive your wages, must you decline juror pay?
 - How would you like to receive eligible reimbursement?
 - Would you like to waive any of that to the Jury Improvement Fund?
 - How you plan on getting to jury service (indicates potential mileage/public transport reimbursement)
 - Asks juror for phone number and email, so courts can provide alerts and communications regarding jury service
 - Courts can choose to include supplemental questions
- There are buttons on the main page for excusal and deferral requests
 - Some courts may require additional documentation to support excusals
 - When requesting a deferral, the court may allow for good cause a first time deferral and may allow a second one but there are more restrictions
 - You can always check your service status, reporting time/location, directions to court, edit your questionnaire, print a letter of your service, and check on the status of an excusal request
- Representative Andersen asked if there is a penalty for someone who refuses to respond to a summons?
 - When someone doesn't respond, we send a reminder closer to the reporting date
 - No Oregon courts hold contempt cases for failures to respond, some will do a failure to appear if it's a special trial but that's rare (mostly happens if a seated juror leaves for lunch and doesn't come back)

- López asked how we verify the Deferral-Transportation reason? Are there any deferral reasons pertaining to personal reasons such as holidays?
 - Harvis replied it is up to the court to decide how to handle hardship/inconvenience reasons and whether they want verification for it
 - We generally try to see if it could be a deferral instead of an excusal, so that they can still serve later at a better time rather than missing out on the opportunity altogether
 - Courts have discretion and it's generally up to the judge(s) reviewing the request
 - Chair McCullough asked if the Oregon Judicial Department (OJD) has guidelines for excusal requests due to culturally significant holidays
 - Harvis replied there are statewide guidelines which recommend a deferral over an excusal, so they still have access to serve later
 - We may ask questions to clarify if it is a case of that specific date(s) not being doable
 - Harvis noted that we try to look at the larger statute, which says no one shall be denied the right to jury service for any reason based on one of the cognizable groups (e.g., religion)
- Dooley asked how the supplemental question part of the jury summons works? Are they done by the parties in each case and then added in?
 - Harvis replied that there are two kinds of supplemental questionnaires:
 - Standard: if a court has agreed with their local jurisdiction that they're going to have a set number of supplemental questions for all petit cases, then OJD will manually build those into the questionnaire for that court
 - Case-Specific: We make a call with the litigants and the judge on if it's worth doing the manual entry into the questionnaire/portal or if it's best to ask those questions in person
 - Dooley asked why, if the questions are for voir dire, does each judicial district do it differently?
 - Harvis replied it's because some courts don't feel they need to use a supplemental questionnaire, while others feel they do
 - It's all up to preference, but OJD created some templates, for those who do want to use them, to help have some consistency, but OJD doesn't require use of them
- Tolbert asked if the idea was that jurors must sign up for the online portal in advance of service? How many people don't or are unable to?
 - Harvis replied that we see that most people are finding the online portal to be a useful resource for potential jurors and a majority respond through the portal

- Of those who reply over the phone, it's mostly people who are 70 years of age or older
- Judge Shirtcliff noted that the issues on trials are so vast and different that it's hard to create general supplemental questions in the bigger questionnaire, which is why his court does not currently use supplemental questions
 - Harvis noted she has seen case-specific supplemental questions come with summaries of the case and give more context than the more general supplemental questions
- López asked if, aside from the 70 years of age or older group, if OJD tracks who's calling with questions? What about the people who don't have access to internet?
 - Harvis replied that the information OJD collects is anecdotal
 - We know how an excusal request was collected (phone, web, in-person) and what the request was
 - Across the state, the reason of being 70+ years old is the most common reason
 - For phone calls, the second most common reason is medical (people tend to want to explain and offer more information)
 - Requests due to being a student, not having transportation, or requests marked as "Other" reason, we have to rely more on the anecdotal emails and information we get, though we do try to have courts track those things, if possible
- Chair McCullough noted that the word "deferral" may not be something everyone knows/understands
 - She suggested postponement may be easier to understand and that saying "postponement/deferral" in the online portal may be clearer and easier to understand
 - Harvis noted that in the main hub they did remove deferral and say "reschedule service" instead and the internal system uses "postponement" and the different uses can sometimes cause some confusion as well when they're not consistent
- Chair McCullough asked that further questions around the online portal and juror response process be sent to her and that she will send them to Harvis

Employment Related Issues

- This discussion will be moved to the next meeting

Juror Compensation Continued

- As of this morning, the Illinois law requiring employers to pay for compensation is awaiting Governor signature (has been with the Governor since June 18, 2026)

- If the Task Force recommended a policy requiring the state to pay jurors more and have them pay \$50/day for all days, it would cost \$9.8 million per biennium in addition to what we are already paying
 - If we also increased Oregon's mileage rate to the federal mileage rate, that would cost \$3.2 million per biennium
 - Chair McCullough asked members to let her know if there are other numbers they'd like to see
 - Representative Andersen asked what percentage of an increase would the above be compared to what we're currently paying?
 - Chair McCullough noted that in the 2025 biennium Oregon paid \$3.5 million for juror compensation
 - Current per diem rate is \$10/day for the first two days and \$25/day for each additional day
 - López asked if the \$13 million we're looking at if juror pay increased to \$50/day includes employers that would pay for jury duty?
 - Chair McCullough replied that the state pays jurors directly the per diem and then mileage and the \$13 million would include increasing the per diem to \$50/day and increasing the mileage pay
 - Chair McCullough noted that if employers pay juror compensation, then the state does not, and if the employer doesn't pay but the person waives their jury service then the state still pays but the money goes into the Jury Improvement Fund
 - Judge Rossetto noted that the increase to \$13 million is so high because juror compensation hasn't been updated since 2002, so that's many years of inflation and wage increases that haven't been accounted for
 - Chair McCullough agreed and briefly reviewed the juror compensation and mileage information from the June 8th meetings' historical juror wage presentation
- Dooley asked if we have looked at what those juror compensation/mileage increases would be for municipal and justice court costs?
 - Chair McCullough replied that we would need to do some additional work looking into that and that she may ask Judge Rossetto to help with those information requests
 - The number of jury trials in municipal and justice courts is much lower than in circuit courts
 - Maybe we could do a survey or sampling of courts to determine how much compensation they are paying currently?
 - We will circle back and get some numbers on this

Overview of Barriers and Potential Policy Solutions

- A list of barriers and potential policy solutions was included in the meeting materials
 - One thing not included in the compensation section was increasing mileage to the federal or DAS reimbursement rate
 - We will continue updating the document and including it with the meeting materials
- Representative Andersen noted he is interested in cost-sharing models, particularly in discussing the idea of having parties contribute to paying jurors fees
 - We already have a high barrier to getting to court with the cost and filing fees, so it seems unfair to impose more costs for people to get access to justice
 - Does not like this option
 - Chair McCullough agreed that that could be a challenge
 - She noted that some parties in civil cases are business entities with money, but some are people who don't even have an attorney, it's a big range, and many civil cases are debt collection, landlord/tenant, etc. cases
 - Representative Andersen suggested that maybe there could be a system where having to contribute to juror costs is dependent on what the party is suing for (i.e., a few thousand dollars in back rent vs. \$2 million in corporate litigation)
- Chair McCullough noted that, with the idea of a cost-sharing model with attorney bar dues, it's important to note that there is a wide range in attorney incomes which could make cost sharing with that a hardship for individuals
- Tolbert asked if there is a cap of how much we are willing to spend on juror compensation? That would help us understand which model may work best to recommend
 - She noted, regardless of what the cap may be, juror compensation based on each juror's income seems most amicable/fair
 - There could be a cap for those with very high incomes
 - Chair McCullough asked if that means someone with a lower income would receive more pay than someone with a higher income and how a system of determining pay based on income would work?
 - Chair McCullough noted that determining someone's income can take a lot of work which creates an administrative burden

- Morgan Novitt from the National Center for State Courts noted that they can compile a list of states that determine juror compensation based on income
 - San Francisco did a program increasing juror pay for those with low to moderate income
 - Novitt will send the link to that to Chair McCullough
 - We want to see how they administered it and what the outcome was
- Chair McCullough noted that the cap of where we're willing to spend to increase jury compensation is a difficult question to answer since it's mostly up to the legislature and those in charge of the budget
 - Legislators that are on this Task Force and those members that are lobbyists may have some insight on if there is appetite for increasing juror compensation at the state level
- Dooley asked Sangston what Oregon Business and Industry's (OBI's) view is on some model involving employer-based compensation? (e.g., employer pays, employer pays a portion, etc.)
 - Sangston noted that OBI wasn't strongly in favor of it since not all employers are rich, and many are struggling throughout the state
 - OBI would likely oppose the idea that employers be required to pay for leave or pay for all or part of juror compensation
 - Chair McCullough asked about the idea of tax credits for employers? It would have a revenue impact, but a lower one than paying for juror compensation. Could that encourage more employers to be willing to pay for juror compensation?
 - Sangston replied that while it could be something good to offer employers, he thought that some of the employers that do offer jury leave would find a tax credit burdensome, particularly smaller employers who don't have a tax department and don't have the ability to suddenly have to increase their bookkeeping and record keeping on employees that are out on jury leave
 - About 80% of employers are small employers with 50, or less, employees
- López noted that, under public education, she wanted to add that we want to make sure when talking about community outreach that we think about the diversity of our communities
 - We should ensure we're hitting the communities we typically don't think about in these spaces, especially communities of color, to make sure people understand this process and are included in it
 - López noted her appreciation for the trauma and anxiety considerations being included in the Task Force's list

- López noted, for the accessibility consideration, Lopez noted that the juror process is limited for those who are non-English speakers
 - Would accessibility mean opening the process to those who are non-English speakers?
 - Chair McCullough replied that in Oregon people have to have a certain level of English proficiency to serve on a jury, she found one state that provides translation service for those who don't speak English to serve on a jury
 - They found under their constitution that folks had a right to serve on a jury regardless of language spoken
 - There has been legislation in Oregon before regarding providing translation services for jurors, but it didn't make it through before due to the cost
- Chair McCullough noted that we can dive into the topics of trauma/anxiety, accessibility, and public education more at future meetings
- Tolbert noted, on employers sharing juror costs, that being an employer is expensive
 - For large corporations or franchises, it may not have as much of an impact as on family-owned businesses and businesses in rural counties
 - Seems problematic because it would take away the responsibility of the government to do their part and force it on employers

Where Are We Going From Here

- Next meeting (8/12): Discuss employment-related issues we didn't get to today
- The following meeting (9/16): Trauma to jurors (someone from the Multnomah District Attorney's office will speak)
- The following meeting (9/29): Public education
- If anyone has any questions, suggestions, or resources they'd like to share, please send them to Chair McCullough
 - Chair McCullough will look at the document Tolbert sent her
- Chair McCullough will continue updating the barriers/policies document

Public Comment

- None

Next Meeting

- Date: August 12, 2026
- Time: 11:30 a.m.-1:00 p.m.
- Via: Webex Webinar