

Ratified - Meeting Minutes (voted on at the 4/7/26 meeting)

Task Force on Removing Barriers to Jury Service

Date: March 12, 2026

Time: 11:30 a.m. – 1:00 p m

Location: Virtual via WebEx Webinar

Members in Attendance: Bryan Brock, Honorable Chanpone Sinlapasai, Derek Sangston, Keren Farkas, Kia Tolbert, Chair Kimberly McCullough, Representative Kim Wallan, Andy Smith for Representative Tom Andersen, Honorable Matthew Shirtcliff, Nansi López, Royce Williams, Tim Dooley, Honorable Tucker Rossetto

Members Not in Attendance: Senator James Manning, Jr., Senator Kim Thatcher,

Presenters/Speakers: Honorable Chanpone Sinlapasai, Multnomah County Circuit Court, Molly Harvis, Statewide Jury Coordinator, Oregon Judicial Department

Quorum: Yes (10 voting members present)

Ratify Prior Meeting Minutes

- Draft minutes from the January 22, 2026, meeting were included with the meeting materials
 - Chair McCullough asked if anyone had any corrections, changes, or additions to those minutes
 - No one indicated they did
 - Chair McCullough asked if there were any objections to ratifying those meeting minutes
 - There were no objections
 - Chair McCullough stated those meeting minutes are ratified

Goal of this Meeting

- Get everyone on the same page regarding jury basics, the right to a jury trial, and how jury service works in local courts
- We will talk about municipal/justice courts and grand juries at next meeting

Gifts and Public Officials

- Chair McCullough addressed the question regarding gifts and public officials that was raised at the last meeting
 - Because this task force is advisory in nature for the legislature, those serving on it are public officials
- The meeting materials contain an Oregon Government Ethics Commission (OGEC) document that addresses gifts on pages 26-32

- Chair McCullough noted that for more advice or questions you can reach out to OGE, visit their website, or search through past questions they've answered (on their website)

Glossary & Relevant Authorities

- Chair McCullough reviewed the Glossary and US/Oregon Constitutional Provisions documents that were included in the meeting materials
 - Note that the constitutional provisions document contains bolding showing the portions related to juries
- Oregon Revised Statutes (ORS) Chapter 10 was included in the meeting materials as a PDF for ease of review compared to the online version
- Chair McCullough noted there are other authorities relevant to juries as well
 - Some courts have Supplementary Local Rules (SLRs) which may apply to juries
 - If there is interest, we can look at the differences between courts
 - Provisions related to grand juries will be discussed at the next meeting
 - ORS Chapter 136 (criminal provisions) will be included in the materials for the next meeting

Jury Rights in Oregon

- The Honorable Judge Sinlapasai, Multnomah County Circuit Court, presented a PowerPoint on Jury Rights in Oregon (slides available in the meeting materials)
- Reviewed what juries decide
 - Issues of fact
 - Criminal cases: whether the defendant is guilty or not beyond a reasonable doubt
 - If acquitted, defendant can't be tried again for the same crime
 - If no conviction or acquittal, it is a hung jury, so the defendant may be tried again
 - If found guilty, judge determines the sentence based on parameters set by the legislature
 - Civil cases: whether the plaintiff has proven that the defendant has caused harm to the plaintiff in one or more ways
 - 3/4 of the jury must agree under a preponderance of the evidence standard
 - If the plaintiff has proven that, then, the jury decides the amount of damages to award to a plaintiff
 - Grand juries decide whether to indict a defendant in felony cases

- Discussed a handful of reasons why juries are important (e.g., civic participation, checks and balances, fairness/impartiality, transparency/public trust, etc.)
- Reviewed the right to a jury
 - Everyone has a right to a trial by an impartial jury of their peers
 - Federal constitutional provisions regarding this right were included in the meeting materials
 - Discussed Article III, section 2, clause 3, the Fifth Amendment, the Sixth Amendment, and the Seventh Amendment
 - Note, there are overlaps and differences between how federal jury rights apply in federal courts versus state courts
- Reviewed jury rights in the Oregon constitution
 - The right to a jury was established in Oregon prior to statehood
 - The full text of the relevant Oregon constitutional provisions is in the meeting materials
 - Reviewed the following Oregon constitutional provisions:
 - Article I sections 6, 11, 16, 17, 40, 45
 - Note, sections 11 and 40 are outdated after the 2020 US Supreme Court case *Ramos v. Louisiana* held that all defendants have a right to a unanimous guilty verdict in criminal cases
 - Because of *Ramos*, a guilty verdict in criminal cases in Oregon must be unanimous, regardless of what the state constitution says
 - Article IV section 23
 - Article VII sections 3, 5, and 9
- There are statutes and rules outside the federal or Oregon constitutions relating to juries
 - Discussed Oregon Revised Statute (ORS) 136.001 and Oregon Rules of Civil Procedure (ORCP) 50
- Not all court proceedings have a right to a jury, noted some examples

Jury Service Overview: Oregon Circuit Courts (Molly Harvis)

- Molly Harvis, Statewide Jury Coordinator, Court Programs Division, Oregon Judicial Department, presented a PowerPoint on Jury Service Overview: Oregon Circuit Courts (slides available in the meeting materials)
- While the way jury trials operate varies by location, this presentation was meant to share commonalities between all circuit court jury trials

- How Juror Lists are Generated
 - “Master jury list” is statutory language describing the compiled statewide list of all the names OJD gets from source lists that are drawn annually and used to furnish a fair cross section of citizens by each county
 - Last year, OJD began using a list through the Oregon Health Authority’s Center for Health Statistics, which helps remove names of deceased adults from the source lists
 - Once the list is prepared the SCA provides the list by county to each county to use for summoning jurors for jury trials
 - Jurors are selected using a randomized computer formula
 - Procedures are in place if a county runs out of jurors on their list, but they’re rarely needed
- Summons Process
 - Must be summoned within reasonable time before attendance (courts aim for 4-6 weeks prior)
 - A sheriff or another appointed officer can summon eligible persons if there is an immediate need and not enough jurors (very rare)
 - Reviewed an example of a postcard summons from Benton County
 - In 2024-2025, OJD upgraded its juror management software which led to statewide updates (e.g., postcard summons, real-time text and email updates, public online portal to respond to jury summonses, upgrades to jury webpages for courts and the statewide webpage)
 - Prior to this there was no statewide consistency in summons format
 - Consistent formatting helps protect public against jury scams
 - All Oregon circuit courts are now using postcard summonses (some may have supplemental or alternate summons for special cases)
 - Example postcard summonses are in the meeting materials
- Walked through some example screenshots of the online jury summons portal and the different things jurors can do through the portal:
 - Respond to jury summons, complete eligibility form, sign up for real-time texts/emails, get directions to court, request an excusal/deferral, check reporting time/date/location, access/download jury attendance letters)
- Reviewed the qualifications for juror eligibility in civil and criminal/grand jury cases
- Discussed the rules around nondiscrimination and accommodations for jurors
 - No religious test for jurors

- ORS 10 and ORCP 57 provide broad protections against discrimination based on membership in protected classes/cognizable groups
- ORS' outline the obligations a court must follow for jurors who are hard of hearing or speech impaired
- If a juror requires a qualified interpreter or assistive communication device, the court must provide that and incur the cost
- Courts have local ADA coordinators and there is a statewide coordinator
- Peremptory challenges cannot be used to exclude jurors based on any protected or cognizable class
- Note, we do not provide accommodations for empaneled/seated jurors who aren't fluent in English, interpreters are just provided to make sure potential jurors have sufficient English comprehension to fulfill duties as a juror
- Reviewed who may request exemptions/excusals and when they must be granted
- Reviewed the circumstances under which a person may request a deferral and the thresholds they must meet if it is not their first time requesting a deferral
- Juror Compensation
 - Generally, \$10 for the first two days then \$25 per day, but that must be waived if a juror's employer pays them for jury service
 - Travel is reimbursed for public transport (about \$6/day) or \$0.20/mile if driving
 - Compensation and mileage may be voluntarily waived, and if it is it goes to the Juror Access and Experience Improvement Fund (JIF) to be used to pay for things that improve access and experience for jurors (e.g., snacks, drinks, accessible furniture, informational/educational materials etc.)
 - Jurors may request reimbursement for extraordinary expenses from the court (e.g., lodging or taxi for juror that had to travel for service), but this is rarely done
 - Different from JIF funds
 - Example of the form used to make this request is in the meeting materials
 - Courts may order that food, drink, lodging, and transportation be paid for jurors in cases of lengthy trials to offset the inconvenience of the situation, but this a rare occurrence (e.g., if the jury is sequestered)
- Due to time constraints, Harvis' presentation ended early and will be finished at the next meeting

Where We Are Going from Here

- Finish going through Harvis' PowerPoint presentation and follow-up questions
- Discuss municipal/justice courts and grand juries
- Data presentation
- Tolbert previously asked about how juries operated during COVID
 - Chair McCullough has pulled together materials on this and we will discuss it at either the next meeting or the one after that, then we will begin diving into discussing barriers to jury service
 - We will aim to get the resources on barriers to jury service sent out to members ahead of that discussion

Public Comment

- No members of the public present today

General Discussion of Task Force Members

- Dooley noted that there has been some research regarding the effectiveness of text message reminders in reducing failure to appear for defendants. He asked if there has been evidence that text message reminders have helped with increasing response rates to jury service?
 - Harvis responded that, preliminarily, it appears there is an increased response rate to jury service since using text message reminders
- Williams asked whether anyone, for civil cases, has looked into paying juries the minimum wage for the hours they worked and splitting the cost between both the plaintiff and defendant
 - Chair McCullough replied that some jurisdictions across the country have looked at increasing compensation (generally to \$50/day), but that she had not heard of the idea of splitting the cost between plaintiffs and defendants
 - Chair McCullough noted the task force could ask the National Center for State Courts what all the different payment models are
 - It would be helpful to have a task force meeting solely focusing on juror compensation and hearing what payment methods other jurisdictions have tried
- Tolbert noted the idea of paying jurors based on their tax bracket
 - Tolbert will look into that and send the research to Chair McCullough
 - Harvis recommended looking into the San Francisco area's jury pilot program where they looked into increasing juror compensation to \$100, they also used a bracketing system

Next Meeting

- Date: April 7, 2026
- Time: 11:30 a.m. – 1:00 p.m.
- Via: Webex Webinar