

Ratified - Meeting Minutes (voted on at the 6/8/26 meeting)
Task Force on Removing Barriers to Jury Service

Date: May 1, 2026

Time: 3:00-4:30pm

Location: Virtual via WebEx Webinar

Members in Attendance: Derek Sangston, Chair Kimberly McCullough, Honorable Tucker Rossetto, Representative Kim Wallan, Tim Dooley, Honorable Matthew Shirtcliff, Senator James Manning, Jr., Representative Tom Andersen, Honorable Chanpone Sinlapasai, Royce Williams, Kia Tolbert

Members Not in Attendance: Senator Kim Thatcher, Bryan Brock, Nansi López, Keren Farkas

Quorum: Yes (7)

Ratify Meeting Minutes

- Two voting members joined late, so voting was moved to later when a quorum was present

Data about Circuit Courts

- Molly Harvis, Statewide Jury Coordinator for the Oregon Judicial Department (OJD) completed her presentation on data in circuit courts from the previous meeting
 - OJD paid roughly \$1.8 million to 105,548 jurors in 2025 (mostly per diem, followed by mileage reimbursement, followed by public transport reimbursement)
 - Waived juror funds go to the Juror Access and Experience Improvement Fund and must be used for improvement of access to jury service or improvement of the juror experience
 - Approximately \$580,000 was waived in 2025
 - Reviewed a map showing the average number of days jurors served in 2025 by county and a chart showing the average juror pay in each county
 - Compared the minimum wage earned in non-urban, standard, and Portland metro counties to how much jurors are paid
 - If jurors only receive per diem, only 7.7-8.9% of their daily pay is covered, which is a significant hardship for many
 - The Oregon transportation reimbursement rate is \$0.20/mile compared to the federal \$0.725/mile
 - In previous legislative sessions, there have been bills requesting parity with the federal rate, but they have not passed
 - Reviewed a map of the average age of jurors across Oregon counties

- The average age is 47.05 years, with the high in Gilliam County at 56.09 and the low in Marion County at 45.75
 - There could be skewing based on factors such as a county having a university, a larger military presence, an aging community, etc.
- OJD currently collects information on postal code and juror age to know who meets the 70 years of age or older statutory excusal and who is under 18 years of age and therefore cannot serve
 - OJD does not collect any other juror demographic data
 - The Oregon Supreme Court Council on Inclusion & Fairness (OSCCIF) Jury Subcommittee created a report requesting a rule be made to collect juror demographic data
 - The report is being reviewed by the Chief Justice
 - There is also a survey drafted that would collect some of this data, it's just waiting on approval
 - For any follow-up questions or data requests, please reach out to Kimberly McCullough
- Representative Andersen asked if, when looking at the average wages for jurors, that took into account people who don't receive wages to begin with? (e.g., stay-at-home parent)
 - Harvis replied that OJD collects information on those who are required to say they can't receive the per diem in order to receive their wages, no other wage information is collected
- Judge Sinlapasai asked, in regard to the data for each county, does the number of people who have served in juries count service to the point where they've actually come in and gone through voir dire, or does it include anyone who checks in and are dismissed and/or people discharged because trial isn't moving forward?
 - Harvis replied that OJD tracks the total number of those summoned and the reasons they can't serve, information about people who were confirmed as eligible, information on who has been scheduled to report for at least one day of service, empanelment data (i.e., they got sent to a courtroom for voir dire) showing the days of attendance and end dates of service
 - Collecting information on why someone wasn't selected began this year (e.g., juror, alternate juror, peremptory challenge defense, peremptory challenge plaintiff, etc.)

- Dooley asked if OJD has looked at why some county's deferral and non-response rates are higher than average?
 - Harvis replied that she has been using Oregon by the numbers and Oregon census data to try to compare those rates against the demographic data that is not currently collected
 - There's no statewide report by county, but Harvis has given courts local information to look at county-specific reasons (e.g., seasonal deferral, larger aging population, long term of service length, etc.)
- Judge Sinlapasai asked if OJD collects data on Batson challenges made in each county?
 - Harvis replied OJD collects information on when a Batson challenge occurs and we have the results and the case filing information for those, but not data beyond that
 - Two years ago, some research was done in response to a legislative question, but nothing beyond that
 - Chair McCullough suggested digging more into the data we have available
 - Harvis will look into what would be needed to do more analysis on this (e.g., case analysis, pulling aggregate data, etc.)
 - Representative Wallan noted there was a bill not too long ago that reminded her of the Batson challenge issue and noted she'd be interested in that data
- Chair McCullough recently spoke with NCSC about Batson challenges and peremptory challenges and how those could be racially motivated
 - Some states have eliminated peremptory challenges out of concern it has the potential to skew the composition of the jury
 - If our goal is to have representative juries and removing barriers to jury service, then taking someone off a jury without explanation may be an issue to consider and discuss more
 - Judge Sinlapasai noted that if the task force forms a subcommittee on Batson challenges, she would like to be on it
 - As it applies to Oregon, she also asked for data on Batson challenges in both criminal and civil cases in relation to recent federal cases

Jury Service in Local Courts

- Judge Tucker Rossetto, Beaverton Municipal Court, gave a presentation on jury service in local courts

- Local courts are understood to be city municipal courts and county justice courts that fall outside the state-funded court system (i.e., the Oregon Judicial Department)
 - Local courts are usually smaller and have more limited jurisdiction
 - All circuit courts are courts of record, but only 10 of 144 local courts are
 - Reviewed what a court must do to be a court of record and how the status affects appeals
- There are 118 municipal courts in Oregon, some operate full-time (e.g., 7:30am-4:30pm Monday through Friday) and others are part-time (e.g., meet once every two months)
- Discussed how municipal court judges are appointed and the requirements for becoming one
- Municipal courts have concurrent jurisdiction with their circuit court and their county's justice court, if they have one, over all violations and misdemeanors (unless drug-related), but not felony matters
 - This includes those created by state statute and city code/ordinance
 - Felonies and drug-related misdemeanors go to circuit court
 - Only 20-25 municipal courts in Oregon exercise criminal jurisdiction, so only those of the total of 118 could have jury trials
- Justice courts are courts held by a justice of the peace within the justice of the peace district for which the justice of the peace may be chosen
 - There are 26 justice courts in Oregon
 - There may be more than one justice court per county, and it's possible to have an intergovernmental agreement between cities and counties so a justice court may also be a municipal court
 - Justice courts do not have jurisdiction over felonies or drug-related misdemeanors
 - Only six justice courts in Oregon exercise criminal jurisdiction and only five of those hold jury trials
 - Reviewed criteria for becoming a justice of the peace
- Compared Beaverton Municipal courts case filings in 2024 and 2025 to those of the Washington County Circuit Court
 - The circuit court had almost six times as many judges and held more jury trials (3 vs. 208 in 2024; 5 vs. 219 in 2025)
 - Reviewed the cases in each court by case type (felony, misdemeanor, violation)

- Compared how jury trials operate in local courts versus circuit courts and the differences in the jury summons processes
 - Jury summons processes vary between local courts, whereas the circuit court system is more uniform
 - In Beaverton, typically 1-5 jurors are excused pretrial and another 1-5 do not appear
 - Most common excusal requests include physical/mental health, cost or lack of childcare, care for other dependents, cost of missing work, lack or cost of transportation, and prescheduled travel or appointment
 - Small jurisdictions sometimes run into the issue of jurors knowing the parties, judge, etc.
- Juror compensation requirements differ between state and local courts
 - Circuit courts must pay \$10 per day for the first two days then \$25 each day after and \$0.20/mile for mileage compensation
 - Local courts must pay \$10 per day and provide \$0.08/mile for mileage compensation
- Representative Andersen noted that most people likely don't know the difference between circuit and local courts and asked if the no-show rate is higher in local courts than circuit courts?
 - Judge Rossetto replied that, while there may be centralized data collection on that for circuit courts, local courts would have to look court-by-court for those numbers
 - Justice of the Peace Machel Briggs-Mayfield noted that she sent out 500 summons for the year back in November and 140 haven't replied
 - Representative Andersen noted that we can't know why if they didn't fill out the form
 - Justice of the Peace Briggs-Mayfield speculated it may be that people do not want to do jury service and ignore the summons

Circuit Courts During COVID

- Tolbert asked at the January 22 meeting how COVID affected jury service
- The meeting materials included Presiding Judge Orders (PJOs) and Chief Justice Orders (CJOs) from during COVID, descriptions of changes to courts to account for social distancing, and links to materials OJD created to help circuit courts analyze the resources needed for jury selection, a sample presentation courts could use to orient their remote jurors, and an American Board of Trial Advocates article
- Practices varied throughout the state

- Some courts rented larger spaces such as fairgrounds and some remodeled for social distancing
- Some courts had remote trials
 - Two trials in Multnomah County Circuit Court were done fully remotely
 - Tolbert asked if those were civil or criminal cases
 - Chair McCullough responded they were both civil
 - Most courts have gone back to in-person proceedings
 - Tolbert asked about the statistics for trials conducted during COVID
 - Were they unorthodox? Did they have different findings than if they had been in person?
 - Tolbert asked if we should consider virtual jury selection for civil versus criminal cases?
 - Chair McCullough speculated that, in the criminal context, people would likely prefer to be in person
 - Tolbert asked if the sentiment around remote juries is the same at local and circuit courts? Would municipal court attorneys doing criminal cases have the same concerns about remote juries?
 - Judge Sinlapasai noted she tried to do trials and voir dire remotely during COVID, but it posed unique challenges with jury selection
 - You don't have the same level of attention and focus from potential jurors as you do in person, for both civil and criminal cases
 - Harvis also heard that managing people's attention was a challenge in addition to inconsistent cell access and access to Wi-fi at home
 - This made hybrid remote/in-person juries even harder
- Please send additional follow-up questions to Chair McCullough

Returned to Ratifying Minutes

- Chair McCullough asked everyone to raise a hand if they had any concerns or changes with the draft of the April 7 meeting minutes
 - No hands were raised
- Chair McCullough asked for a motion to ratify the April 7 minutes
 - Judge Rossetto moved to ratify, and Tolbert seconded the motion
 - Chair McCullough asked if there were any objections
 - There were none, so Chair McCullough noted the minutes were considered ratified

Where We Are Going from Here

- We can do a high-level overview of the different barriers and then start focusing on each one and potential policy solutions
 - Next meeting will focus on juror compensation, then we can move on to public education since both of those are called out in SB 1175
 - Chair McCullough asked if there was anything the group wanted to discuss before those or if there were other barriers to explore after
 - Dooley noted starting with compensation sounded good and asked to add elder care and childcare to the list of barriers
 - Tolbert agreed starting with compensation is good and also wanted to focus on the audience and Batson challenges
- Lyons will send out a National Center for State Courts (NCSC) report on juror compensation in the United States and HB 4844 (Illinois legislation relating to juror compensation) next week as part of the materials for the June 8 meeting so there is time to review beforehand

Next Meeting

- Date: June 8, 2026
- Time: 11:30 a.m.-1:00 p.m.
- Via: Webex Webinar