

SB 1175 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/24, 4/2

WHAT THE MEASURE DOES:

The measure establishes a 15-member Task Force on Removing Barriers to Jury Service staffed by the Oregon Judicial Department and directs the task force to examine topics and make recommendations related to jury participation and compensation and to submit a report to the Chief Justice, Governor, and interim judiciary committees by December 15, 2026. Takes effect on the 91st following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Both the Oregon and United State Constitutions guarantee the right to a jury trial. Under the Oregon Constitution, the legislature provides for jury selection and qualifications. Or. Const. art. 6 sec. 5. Unless otherwise provided by their employment, jurors in Oregon are paid \$10 per day for the first two days of service and \$25 per day thereafter. Jurors also receive \$0.20 per mile from their residence to the courthouse. A juror may waive their compensation, which then goes instead to the Oregon Judicial Department's "Juror Access and Experience Improvement" account. Once selected, jurors may serve anywhere from one day to multiple months, depending on service type and trial length.

There is no requirement in Oregon that an employer provide compensation for the time that a person misses work to serve on a jury. However, ORS 10.090 prohibits employers from discharging, intimidating, or coercing an employee because of their service as a juror, and employers cannot require an employee to use leave time to serve as a juror. Employers must "allow the employee to take leave without pay for time spent" responding to a juror summons. Other models for jury compensation vary. Federal jurors are paid \$50 per day of service, for example, and in New York, employers with more than 10 employees are required to pay an employee \$40 per day or the employee's wage, whichever is lower, for the first three days of service, with the state making up the difference and providing compensation after three days.

One of the Key Performance Measures for the Oregon Judicial Department is "Effective Use of Jurors," defined in the [2024 Judicial Department Annual Performance Progress Report](#) as "the percentage of available jurors who are selected for jury duty who are qualified and available to serve (juror yield)." The national average juror yield is approximately 53 percent, meaning the average court in the United States summons double the number of people needed to serve. Since 2020, Oregon's juror yield has fluctuated between 40.5 percent (2021) and 48.2 percent (2022), above the National Center for State Courts goal of 40 percent but well below the national average target.