

Chapter 2.20
MUNICIPAL COURT

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2.20.010 Right of trial by jury. Any person accused of any offense defined and made punishable as a misdemeanor as defined by ORS 161.545 shall have the right of trial by jury in the municipal court. The jury shall consist of six persons, select as provided in this chapter. (Ord. 597 §1(part), 1993; Ord. 226 §1, 1960)

2.20.020 Jury list. Immediately upon the effective date of the ordinance codified in this section and on the first Monday in December of each year, commencing in the year 1976, a jury list shall be made from the persons in the city competent under the laws of the state to serve as jurors in a circuit court, who shall serve as jurors in the municipal court until a new list is selected. The jury list shall be made and selected by lot in the same manner in which juries are selected for the circuit court, and such list shall contain the names of sixty of such qualified persons. (Ord. 368 §1, 1976; Ord. 226 §2, 1960)

2.20.030 Making of jury list delayed--First Monday of following month. If for any reason the making of a jury list is omitted and neglected on the first Monday of any December, it may be done on the first Monday of any month following, to serve until the close of the year, and until another list is made. (Ord. 226 §3, 1960)

2.20.040 Municipal judge--Authority to make jury list. The municipal judge is authorized to select and make the jury list. If the municipal judge so desires, he may call to his aid two freeholders of the city, qualified to serve as jurors therein, and such freeholders together with the judge, may make such list. (Ord. 226 §4, 1960)

2.20.050 Discarding of names from jury list. In preparing the jury list, names drawn of persons known or believed to be disqualified as jurors, or who are exempt from jury duty under the provisions of the laws of the state, or who are believed to be unavailable, shall be discarded. (Ord. 226 §5, 1960)

2.20.060 Contents of jury list--Certification by judge. The jury list shall contain the first and surname, the place of residence, and occupation of each person named therein and shall be certified by the municipal judge at the time the list is prepared. (Ord. 226 §6, 1960)

2.20.070 Jury box. The municipal judge or, under his direction, his clerk, shall keep a secured jury box. After the jury list has been made, the municipal judge shall prepare and deposit in such box separate ballots or slips containing the name, place of residence, and occupation of each person on the jury list. (Ord. 226 §7, 1960)

2.20.080 Selection of jury. A. When a jury is demanded in the municipal court, the jury shall be drawn and selected from the jury list.

B. When a jury is selected, the municipal judge or, under his direction, his clerk shall draw from the jury box twelve ballots, or any greater number if necessary, until the names of twelve persons who are deemed able to attend at the time and place required are obtained. (Ord. 597 §1(part), 1993; Ord. 226 §§8, 9, 1960)

2.20.090 Jurors unable to attend trial. When it appears to the municipal judge that the person whose name is drawn is dead or resides out of the city, the ballot shall be destroyed. If it appears to the municipal judge, or he has good reason to believe that a person whose name is drawn is temporarily absent from the city, or is ill, or is so engaged as to be unable to attend at the time of the trial without great inconvenience, the ballot shall be laid aside, the name not placed on the jury list for the trial for which the jury is being selected, but such ballot shall be returned to the jury box after the drawing is completed. (Ord. 226 §10, 1960)

2.20.100 Striking of names from jury list. When the drawing is completed, from the twelve names drawn, the defendant and the city will select the jury by each striking from the list three names, alternately, commencing with the defendant. The six names remaining shall be summoned as jurors in the case. In case either party does not exercise all his peremptory challenges, the jury may be summoned from among the names remaining. When six names are drawn from the jury box as alternates, each party shall strike one of such names. No peremptory challenges shall be allowed other than in this section provided. No alternate juror shall be summoned to serve at the trial of the action except when six principals are not available. (Ord. 226 §11, 1960)

2.20.110 Unanimous verdict required. Six of the six jurors summoned to try any case must concur to render a verdict. (Ord. 226 §13, 1960)

2.20.120 Juror's compensation. Jurors are entitled to \$10 per day for the first two days of service and \$25 for the third and subsequent days, unless otherwise provided by the terms of an employment agreement. Under Oregon law, a juror must waive the juror fee if the juror's employer pays the juror a wage or salary for the days the juror is required to attend the municipal court during the jury service term. Jurors may voluntarily waive juror fees; please contact the jury coordinator for more information on fee waiver (Ord. 902, 2022)

2.20.130 Disregarding of jury summons--Penalty. When a jury is drawn, summons therefor shall be issued by the municipal judge. Any person notified to appear as a juror and disregarding such notice may be adjudged in contempt to court by the municipal judge and be fined a sum not exceeding five hundred dollars. (Ord. 597 §1(part), 1993; Ord. 226 §16, 1960)