

## **Oregon State Bar comments on SB 931**

Senate Judiciary Committee – March 29, 2017

Senator Prozanski, and members of the Committee,

During the 2013 session, the House Bill 798 was introduced to address concerns about the court's ability, in a criminal case, to seat alternate jurors to replace a juror who dies or who becomes unable to continue after jury deliberations have begun. That bill was not moved, and instead the Senate Judiciary Committee asked the Oregon State Bar to convene a workgroup of stakeholders to consider how to address the concerns raised by the proponents of the bill.

The SB 798 Task Force met throughout the spring of 2014 and produced a report dated June 27, 2014 that included their recommendation about modifications that ought to be made to HB 798 prior to reintroduction.

The Oregon State Bar continues to support addressing this important issue, but recommends that SB 931 be modified to incorporate the suggestions made by the HB 798 Task Force – in particular that the use of alternate jurors be permitted only with the consent of the parties.

As always, the Bar is happy to assist the committee with this issue in any way we are able and look forward to working on this issue.

Respectfully submitted on behalf of the Oregon State Bar.