

Jury selection process: *With the addition of a district court in the county, chances will increase that voters will have to serve*

The following is the first of a two-part series on the jury system in Morrow County. This article deals with the selection process for the justice and circuit courts. Next week, News Editor Steve Powell tells of his personal experience on a jury recently and gives examples of some different jury processes that other states and Oregon counties are using in an effort to save the county money and save time for the jurors.

By Steven A. Powell

JOB OPPORTUNITY: Make \$10 a day and eight cents a mile to and from work.

Probably not too many people would answer an ad like that. But many people do to serve in that low-paying job when they are called to jury duty by a court summons.

While most other prices and wages have skyrocketed in recent years, the pay for a juror has remained the same.

People in Morrow County have a better chance of serving on a jury than in other counties because of the small population. When the district court begins to come to Heppner July 1, the chances will be even greater.

Currently, jury lists for the two justice courts and the circuit court for Morrow County are drawn every year. This year, there are 3,482

registered voters in the county to choose from.

At the first of the year, 6th District Court Justice Charlotte Gray draws 200 names from the voter registration lists. Legislation states that at least 50 names must be drawn for the yearly list. Gray said if only 50 names were selected, persons may not be picked that many times but when they are picked, they would have to sit on more trials.

Gray puts the 200 names on cards and she is the only person involved in this portion of the jury selection process.

Since the 6th District Court serves only south Morrow County, she can only choose names from the seven precincts in that end of the county and cannot choose from the north end. She selects the justice jurors from the precinct lists from Hardman, Lone, Lexington and the three precincts in Heppner.

"There are not that many to pick from," she said.

Gray said she divides these seven precincts into the 200 needed to come out with an average for each precinct. She said Hardman usually has fewer jurors because it is smaller than the other precincts.

Once a person is on the justice court jury list, he is on it for the entire year. A person cannot be on the same jury list two years in a row but can hypothetically be on a different jury court list every year.

Many people complain that it seems as if they have to serve year after year and it is possible. A person can serve on a circuit court trial jury or grand jury one year and then be on a justice court jury list the next year and then back on the circuit court or on a district court the following year. But a person cannot, by law, serve on the same court on succeeding years.

The Legislature has established a law stating that a person can be put back on the same court jury list after being off it for only one year. Approximately two weeks before a trial, Gray selects 18 names at random from the list of 200 on her yearly list that was made from the voter registration records at the county clerk's office. Both attorneys observe the selection and drawing of the 18 names. Gray said she draws everyone's name once and then for the rest of the trials in the year, draws the names randomly.

"In a county this small, chances are good that you will end up on a jury list," Gray said. Of the 18 persons selected, three names are taken off by the district attorney and three more by the defense attorney. The twelve that are left are summoned to court by the county sheriff's office department to appear for jury duty. Up to three of the persons summoned can be excused by

the justice for sickness or other reasons.

Nine are left to appear the day of the trial. The two attorneys question the jurors individually and three are excused leaving the best six impartial jurors available.

"A person has no choice not

to come (if summoned to jury duty and not excused)," Gray said. "It would be contempt of court. I have never had that happen."

A juror can be fined up to \$100 a day and cited for the criminal charge of contempt of court if he does not appear

when summoned.

Many angry citizens try to get out of jury duty but the justice decides if the reason is valid only if it involves "undue hardship or inconvenience," according to statute. The 1979 Legislature repealed ORS 10, 040 that exempted physicians, dentists, teachers and other professionals from being called to jury duty. But there is no automatic excuse anymore. It is up to the justice.

"It depends how badly I need a juror what reasons I accept," Gray said. "Sometimes I will let a sole businessman or a farmer during harvest not serve but that is not always an excuse. I need six jurors on trial day and if I have to, I send the sheriff downtown to pick up people off the street to serve on the jury."

"Now there are going to be three courts (when a district court sits in Morrow County) so chances are good people will serve," she continued. "Nobody is exempt, not anymore."

In her budget request, Gray estimates the number of trials she will have the next year. Currently, she averages 2½ a month.

"Everytime there is a jury trial, it costs the taxpayers at least \$100," she said.

A juror must be at least 18-years-old and up to 70 or older depending on the attorneys and the judge involved. Statutes specify the payment of \$10 a day for jurors and \$5 daily for witnesses. All receive eight cents a mile round trip.

County Clerk Barbara Bloodworth selects the juries for the circuit court and she said she will use the same process when selecting the district court juries when it comes to Heppner.

Each year, the county clerk, with the sheriff observing, selects 400 names from the list of all the registered voters in the county. From that list, the clerk selects 40 to serve for a three-month period. If a grand jury is needed, the same list is used. Once a persons serves for the three months, they are finished for the rest of the year.

All 40 persons are summoned by the sheriff for every trial. The 40 persons go to the courtroom and have their names drawn randomly by the county clerk. The prospective jurors are then questioned by the attorneys.

Jurors are then excused for various reasons of previous knowledge, bias, etc. When 12 jurors are agreed on by both attorneys, the other 40 called are excused. All jurors are paid even if they are not selected.

"The circuit court judge is the only one who can excuse (prospective jurors)," Bloodworth said. "People call me or the sheriff but we can't do anything."



Chances are good that most voters in Morrow County will be sitting in one of these chairs in the jury box at the courthouse in Heppner—especially with the addition of the district court.

Natural-gas pipeline to cross Morrow County

The projected natural-gas pipeline linking Prudhoe Bay, Alaska, with California will cross central Oregon—including 35 miles in Morrow County. It has received an initial grant of approval from the U.S. government, according to a report to the Heppner Gazette-Times. Construction in this area is foreseen in two or three years at the earliest.

A recently issued permit from the Bureau of Land Management covers 160 miles of the "western leg" from the Idaho-British Columbia border to Stanfield, in Umatilla County.

The permit was to the Pacific Gas Transmission Co. (PGT) which operates the existing 36-inch diameter pipeline that carries Alberta natural gas to California markets.

Allen G. Hooker, public affairs director for PGT in San Francisco, said the Alaska line is to follow the route of the Alaska Highway southward through Canada, then branch into western and eastern legs to enter the United States.

The western leg would follow PGT's present pipeline corridor in Idaho, Washington and Oregon.

Hooker explained that a number of regulatory issues still must be decided in the United States and Canada before actual construction of the first-phase western leg facilities can begin. However, if resolved promptly, portions of the new facilities could be in service by mid-1981.

The new facilities will be installed in four general locations between the Canada-U.S. border and Stanfield, and will be used along with the connecting systems of Northwest Pipeline Corp. and El Paso Natural Gas Company to provide a new source of Canadian natural gas to the more than 3.6 million natural gas customers served by Southern California Gas Co. in southern California.

The overall project is known as the Alaska Natural Gas Transportation System. Its general contractor is the Northwest Pipeline Co. of Salt Lake City. A consortium of American companies would be responsible for the pipeline in Alaska, and of Canadian

companies for sections to be built in the Yukon Territory, British Columbia and Alberta. The western leg will be undertaken by PGT, a subsidiary of the Pacific Gas and Electric Co., which distributes

parallel "looping" of the existing PGT and PG&E systems which have transported Canadian natural gas to the San Francisco area since 1961. The two companies will construct the remaining



both electricity and natural gas in California.

The Alaska natural-gas pipeline's start has been stalled for several months not only over regulatory matters but financing, with hoped-for participation by the federal and Alaska state governments.

The western leg will be a

western leg facilities later for deliveries of Alaskan North Slope gas to California and other western markets.

Hooker said "later" could mean as early as 1982 or 1983. When the work gets under way in Morrow County, construction crews would pass through

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WATER USERS OF THE CITY OF HEPPNER

Your meters have been read this month after using minimums through the winter. All gallonage used over the minimum will be reflected on your March bill. Therefore, please expect an increase on your next statement.

City of Heppner Water Department
Publish March 27 and April 3, 1980.

EASTER Food Specials

Prices Effective April 3-4-5

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Sausage
1.09 lb. Roll

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1.39 56 oz.

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3 lbs. for **99¢**

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79¢ 8 oz.

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Nalley's Banquet Dills
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Western Family Mandarin Oranges
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S & W Pitted Ripe Olives
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Kraft Miniature Marshmallows
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