

Oregon State Bar Judicial Voters Guide 2018

1) Full name:

Jay A. McAlpin

2) Web site (if applicable):

Not applicable

3) List college and law school attended, including dates of attendance, degrees.

Willamette University College of Law, 2000-2003, J.D.

The George Washington University, 1995-1999, B.A.

4) List employment since graduation from law school, including years employed, your position and the nature of the practice or activity.

Judicial Clerk for The Honorable Maurice Merten, Lane County Circuit Court, 2003-2004, Assisted trial court judge with legal research. Supervised all aspects of court operations.

Deputy District Attorney, Lane County District Attorney's Office, 2004-2009, Trial attorney responsible for investigating, charging, and prosecuting violations of state law. Assignments included Domestic Violence and Vehicular Homicide teams. Served three years as the District Attorney's representative on Lane County's Drug Court Advisory Board and one year as the District Attorney's representative on the Eugene Downtown Safety Planning Group.

Trial Attorney-Zipse, Elkins & Mitchell, Branch Legal Office Farmers Insurance, 2009-2012, Trial Attorney defending individuals in litigation, including; dispositive motions, depositions, arbitrations, mediations and jury trials.

Circuit Court Judge, Lane County Circuit Court, 2012-Present, Trial Court Judge presently assigned to the Juvenile Division, previous assignments have included District Court, Criminal Team and Civil Team.

5) List state and federal bars, courts and administrative bodies to which you are presently admitted and the date of admission. If desired, list previous admissions.

Oregon State Bar, 2003.

6) If desired, list publications and/or articles you have authored.

McAlpin, Jay, *Vouching*, Judge's Corner, OSB Litigation Section, July 2014

McAlpin, Jay, *I'd Like You to Meet . . . the Jury*, Trial Lawyer, Winter 2016

7) List community, teaching (Continuing Legal Education or otherwise) or civic activities.

Guest Lecturer, University of Oregon School of Law-Trial Practice, *Direct and Cross Examination of Experts*, 2011-Present

Presenter, 25th Annual Litigation Institute & Retreat, Oregon State Bar Litigation Section, *Jury Deselection-How Bad is Bad Enough? When to Strike a Juror for Cause and How to Do It*, March 2018

Presenter, Family Law Annual Conference, Oregon State Bar Family Law Section, *Working with Domestic Violence Issues and Clients*, October 2013.

8) Prior to your becoming a judge, what was the general character of your legal practice? Where appropriate indicate any legal areas in which you concentrated.

Prior to becoming a judge I was a trial attorney. I spent five years as a prosecutor in the Lane County District Attorney's Office. During my time in the DA's office I was in court nearly every day. I left the DA's office and spent two and a half years as a civil trial attorney. I appeared in almost all of western Oregon's counties and tried civil cases to juries in Multnomah, Lincoln, Linn, Lane and Jackson counties.

9) List your judicial experience, including as a pro tem, and/or service on an administrative tribunal, or justice, municipal, tax, circuit, or appellate court.

Circuit Court Judge for nearly six years.

10) Describe the general character of your judicial work over the past five years. Indicate the nature of the cases over which you preside, any specialty courts or court programs, and any legal areas in which you concentrate.

I have done a bit of everything at the Circuit Court, including the Criminal and Civil Teams and both juvenile delinquency and dependency assignments.

11) Describe any judicial experience in appellate courts not included above.

Not applicable

12) Describe any experience serving as an arbitrator or mediator.

Not applicable

13) List any bar association memberships. Where appropriate, list officer positions, committee assignments or other notable work.

Lane County Bar Association

Oregon State Bar

14) Describe any bar association or judicial department committees, task forces, or special projects in which you have been involved.

Board of Directors, Lane County Bar Association

Chief Justice's Court Reorganization and Efficiency Workgroup

15) Have you ever been convicted of or pleaded guilty to a violation of any federal, state, county or municipal law, regulation or ordinance? If so, please give details. Do not include parking offenses or traffic violations for which a fine of less than \$500 was imposed.

No

16) Have you ever been the subject of a formal disciplinary proceeding as an attorney or judge? If so, please give the particulars and the result. *Include formal proceedings only.*

No

17) What attracted you to a judicial career?

I was attracted to a judicial career by the ability to continue to spend time in the courtroom but as a neutral party and not as an advocate.

18) Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

Being a judge is a job that requires a specific set of skills and a specific temperament. Judges need to have a broad knowledge of the law in general combined with the capacity to delve deeply into specific legal areas when the case requires it. A judge must be able to think quickly but not act prematurely. And have the temperament to keep cool when emotions are getting hot and to diffuse volatile situations. Finally, a judge must have an unwavering commitment to being respectfully neutral with everyone.

19) Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

I presided over a jury trial where the defendant was (1) not represented by an attorney, (2) incarcerated in Eastern Oregon and (3) not eligible to be transported to court because the case was civil and not criminal. Traditionally, the defendant would have either not been able to appear at all or participate by telephone. I was able to arrange for the defendant to appear and participate in the trial by simultaneous video transmission. He gave his opening statement, closing argument and questioned witnesses from hundreds of miles away. It was very exciting to use technology to expand who had access to our courts.

20) Briefly describe an issue, related to Oregon's justice system, that is of particular interest or concern to you, or that you have interest in working toward improving.

I am most proud of the work I have been involved with to use technology to broaden access to the courts. I think innovative uses of technology like simultaneous video transmission, e-filing, online court management systems are exciting tools to expand court access. I think insuring that those systems remain agents of excess rather than exclusion

are some of the most important work the courts will be doing in the next decade.

21) Briefly describe a legal figure (personal, fictional or historical), whom you admire and why.

I've always been a fan of Abraham Lincoln. When I was practicing civil law, I did a lot of traveling to various counties representing people who didn't know much about the legal system. I enjoyed reading about Lincoln's time as a lawyer riding the legal circuit in Illinois and how those lessons informed decisions he made as President.