

Oregon State Bar Judicial Voters Guide 2024

1) Full name:

Rebecca Duncan

2) Campaign web site (if applicable):

JusticeRebeccaDuncan.com

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

University of Michigan Law School; Ann Arbor, MI; 8/93 – 5/96; Juris Doctor

University of Wisconsin; Madison, WI; 1/92 – 8/93; Bachelor of Arts in political science, with honors

Reed College; Portland, OR; 8/89 – 12/91

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

Oregon Supreme Court; Salem, OR; 7/17 - Present; Justice

Oregon Court of Appeals; Salem, OR; 1/10 – 7/17; Judge

Office of Public Defense Services, Appellate Division; Salem, OR; 3/00 – 1/10; Deputy Defender and Assistant Chief Defender; Represented clients in appeals before the Oregon Court of Appeals and Oregon Supreme Court

Metropolitan Public Defender; Portland, OR; 10/96-3/00 Attorney; 5/95 – 8/95 Research Intern; Conducted legal research and writing; Represented clients in trial level misdemeanor, felony, and civil commitment cases

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; admitted 9/96

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

“Jurisdiction and Venue” in the Oregon State Bar’s Criminal Law (2005)

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

I am a member of the Oregon State Bar's Commission on Professionalism, and I have served on the Executive Committees of the Bar's Constitutional Law Section and Criminal Law Section. I am also a past board member of the Salem chapter of Oregon Women Lawyers.

I serve on the Oregon Law Commission, a legislatively created, nonpartisan commission charged with improving state laws. I have also served on the Advisory Committee of the Juvenile Court Improvement Project.

I mentor law students through the Oregon Women Lawyers - Armonica Grant Program. I volunteer with the YMCA's Youth and Government Program, as well as with Backpack Buddies, a hunger relief program for elementary students.

I frequently lecture at continuing legal education conferences on topics including appellate, constitutional, criminal, and family law.

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 the Assistant Chief Defender of the Office of Public Defense Services – Appellate Division in Salem, Oregon. I represented clients in appeals before the Oregon Court of Appeals and the Oregon Supreme Court. My legal work involved researching and analyzing legal issues, writing motions, briefs, and petitions, and presenting oral arguments. I managed a high-volume case load that regularly presented complex issues of appellate and criminal law, including novel issues of statutory and constitutional interpretation.

In addition to representing clients, I worked with the Chief Defender to manage the Appellate Division, a 40-employee law office. I assisted in all aspects of management, including the hiring, training, and supervising of attorneys and staff. I served as a liaison between the Appellate Division and the Attorney General's Office and the Court of Appeals; we worked together to improve the appellate process for criminal, juvenile, and parole cases. I also represented the Appellate Division before the legislature and on legislative work groups. I have drafted and testified in support of legislation that has been enacted to improve the appellate process.

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.

I have served on the Oregon Supreme Court since 2017. Prior to that, I was a judge on the Oregon Court of Appeals. I joined that court in 2010 and, in 2014, I became the presiding judge of one of the court's three-judge panels.

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.

On the Supreme Court, my work involves reviewing the motions and briefs that are filed in the court, hearing oral arguments, ruling on motions, and writing opinions. As a judge on a court of general jurisdiction, I handle cases in all areas of the law.

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

N/A

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

N/A

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

I am a member of the Oregon State Bar, and I currently serve on the Bar's Commission on Professionalism. Previously, I served on the Executive Committees of the Bar's Constitutional Law Section and Criminal Law Section, including as Chair of the Criminal Law Section. I also volunteered on the Bar's Modest Means Committee, which helped low-income persons find legal representation.

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

I have served on legislative workgroups to develop legislation relating to victims' rights and jury-trial rights.

I have been a member of the Advisory Committee of the Juvenile Court Improvement Project, and I served on the Oregon delegation for two of the Project's national conferences.

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 became a lawyer because I was interested in public service. I wanted to use any talents I had and any skills I developed to serve others, especially those with the greatest needs. I believe in the ideals of justice and equality, and I wanted to spend my career working in the legal system to advance those ideals. Those same interests and goals led me to become a judge. After I gained experience as a trial and appellate lawyer, I believed that I was prepared to serve the courts and the community as a judge. I am grateful I have had the opportunity to do so, and I am committed to doing my work in a manner that honors the trust that the voters have placed in me.

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.

Judges must be committed to the rule of law; they must act impartially, dispassionately, and with respect for all who come before them. They must be dedicated to ensuring the integrity of the legal system and our structure of government, with its separate branches and system of checks and balances. Judges have the responsibility to resolve the matters that come before them calmly, carefully, and clearly.

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.

What I am particularly proud of is not a single case, but of how the appellate courts on which I have served approach our work. We work together to assess and resolve the legal issues that come before us. We benefit from each other's different experiences and backgrounds. We debate and we collaborate, and our work is better because of that.

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 interested in working to ensure that persons who need assistance in navigating our court system have access to that assistance, which may take many forms -- from information provided by the courts themselves, to assistance from licensed paralegals under the Bar's new licensure program, to court-appointed counsel.

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

I admire Chief Judge Rick Haselton, who served on the Oregon Court of Appeals for more than 20 years, including as the Chief Judge of the court. He was dedicated to his work and his family. He gave greatly of his time to mentor and support others. He greeted each day with gratitude and

enthusiasm. He loved the law, being a judge, and serving the people of his beloved home state.

22) State any other information that you regard as pertinent to your candidacy.

N/A