



CIRCUIT COURT OF THE STATE OF OREGON
FOURTH JUDICIAL DISTRICT
MULTNOMAH COUNTY COURTHOUSE
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MAUREEN McKNIGHT
JUDGE

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TESTIMONY REGARDING SB 858—LAW LIBRARY FUNDS
Corrected Version

Before the Senate Judiciary Committee of the Oregon Legislature
March 19, 2019

Submitted by:
Maureen McKnight, Circuit Court Judge
Multnomah County

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

My name is Maureen McKnight and I am a Circuit Court Judge in Multnomah County. I have served in the Family Law Department there the last 17 years after practicing family law as an attorney for 22 years at Legal Aid. Both at Legal Aid and while on the bench, I have focused on the challenges self-represented litigants face both in the legal system. I was involved in the legislative workgroup that drafted the original courthouse facilitation authorization in 1997. I am currently a member of OJD's Statewide Family Law Committee but speak today only for myself and Judge Nan Waller, the former Presiding Judge of Multnomah County. Both of us appeared before this Committee last year on HB 4097, which also addressed law library funds.

We support SB 858 as introduced.

We oppose amendments from the Oregon Library Association (OLA) that would effectively repeal changes made last session in HB 4097 by restricting the ability of counties to decide the best local use of law library funds and would cap the amount of funds a county could choose to provide to court to provide law library and/or court facilitation services.

Last session, HB 4097 took a significant step on the road to access to justice by:

- Expanding the court's authority to provide courthouse facilitation (procedural assistance) to areas outside of family law and
- Allowing counties with more than 700,000 inhabitants (i.e., Multnomah County) to contract with the court to provide law library services that could include these now-broadened facilitation services

The Oregon State Bar, Multnomah County, and Legal Aid supported HB 4097 last year. With the support of Multnomah County, we entered into an IGA (intergovernmental agreement) after the session that provides a significant portion of the funds going to the court. We will use these to provide both facilitation services and basic legal research access for attorneys *and* self-represented litigants.

SB 858 as introduced would expand that option to all counties. We support that step because we think how those funds are expended to address legal resource needs in a particular county are decisions best made locally.

And we oppose OLA amendments that would restrict that local decision-making by imposing a cap on law library monies that could be contracted to the court. The choice between court services and law library services is a false dichotomy because some courts can and do, or can and will, provide basic research access as a component of these funds. That is Multnomah County Circuit Court's plan for our new courthouse and, as stated in the written testimony of the Jackson County Administrator, this step likely gains some efficiencies.

We urge you to move SB 858 as introduced to preserve maximum flexibility for local justice partners to determine the best use of these funds.

Thank you for considering my comments.

Respectfully submitted,

A handwritten signature in blue ink that reads "Maureen McKnight". The signature is fluid and cursive, with the first name being more prominent than the last.

MAUREEN McKNIGHT, Circuit Court Judge

cc: Members of the Senate Judiciary Committee
Nancy Cozine and Phil Lemman, State Court Administrator's Office
Addie Smith, Senate Judiciary Counsel