

OREGON TRIAL LAWYERS ASSOCIATION

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Testimony in Support of SB 5513 Arthur Towers, on behalf of Oregon Trial Lawyers Association April 4, 2019

Thank you for the opportunity to testify today. I'm here today to express our organization's strong support for the Oregon Judicial Department's budget priorities. In particular we support Policy Option Package 101, to improve staffing levels in the state court system.

We support POPs 101 and 103 because the court system is supposed to help people through what is often the worst experience of their lives. Cases that are drawn out years and years and that are postponed and rescheduled endlessly re-traumatize families who rely on the courts.

The members of the Oregon Trial Lawyers Association fight for justice for all Oregonians. We fight for workers who face on-the-job discrimination or retaliation for whistleblowing. We fight for defrauded consumers who work hard and play by the rules. We represent Oregonians who pay their insurance premiums month after month, year after year, yet cannot collect when they are injured or suffer property damage at the hands of another.

Our members hold the medical industry accountable when negligent acts and corner cutting result in injury or death. Only 1% of physicians cause 1/3 of all paid medical malpractice claims. Injured Oregonians rely on a functioning court system to get justice.

We also represent Oregonians traumatized by elder abuse, sexual abuse, or child abuse.

All the people we represent share a common challenge: Justice delayed is justice denied. An underfunded court system slows down the process. If it takes years for an abuse victim's case to wind its way through the legal system, it becomes very difficult to get the closure and healing process underway.

Consumers who desperately need compensation for their loss can be starved out if the wheels of justice turn slowly. Delays lead consumers to take pennies on the dollar for righteous claims. Deep pocketed fraudsters rely on delays to protect themselves from accountability.

We have clients injured in car crashes who fight with insurance companies to get documented medical bills paid. While the case is delayed, their medical provider sends them to collections, ruining their credit rating and adding pressure to cave in for a smaller settlement than they are rightfully due.

Oregon courthouses are the place that the Davids whom we represent can be on a relatively equal footing with the Goliaths who have harmed them. At a time of intense competition for government resources and in a climate of deregulation and limited government, it is more important than ever to make sure that we keep a high-functioning, adequately funded judiciary.

Further, the clearance rates on cases involving juvenile dependency and permanency, and termination of parental rights are tragic. The idea that 1 of 3 juvenile dependency and termination of parental rights cases cannot be resolved on time is tremendously discouraging. 1 of 6 juvenile permanency cases extends beyond 14 months. Our state's child welfare system needs significant improvement. This is one of the key steps in which we can help our state's most vulnerable children. POPs 101 and 103 would help immensely.

Policy Option 102 is also an important addition. The ability to attract and retain quality jurists from a wide variety of legal fields is imperative for the success of our legal system.

We urge you to support SB 5513 and the policy option packages needed to maintain and improve the quality of justice Oregonians experience.