OJD PRESENTATION - AGENDA

April 1 – 4, 2019

Day 1	Overview of the Judicial Branch
Day 2	Oregon Tax and Circuit Court Programs
Day 3	Circuit Court Programs *continued* OJD Budget and Policy Option Packages
Day 4	Public Testimony

Chief Justice's Budget Priorities
2019-21 Biennium

- Better Service for Oregonians Who Need Help
  - Add court staff so we can meet our statutory and constitutional obligations
  - Ensure community can access courts all business hours every judicial day
  - Enter judgments and orders within 72 hours
  - Provide consistent access to problem-solving courts to improve outcomes
  - Resolve cases in a timely manner while adhering to principles of procedural justice
- Correct imbalance in judicial compensation
- Improve outcomes in juvenile dependency cases through targeted additions of new judges and support staff
- Support safe and secure courthouses
- Preserve critical technology infrastructure and services

Criminal

- Average 294,529 filings per year (2013-2018)
- Filings include
  - *Felony* – crimes which a person can be sentenced to prison
  - *Misdemeanor* – crimes which a person can be sentenced to jail
  - *Violations* – fines only, no jail; traffic offenses
- The criminal code and caselaw is constantly evolving, and is much more complex than ever before

Traditional methods of case management

- charging instrument
- arraignment
- pretrial release decision
- pretrial motions practice (stop/search)
- plea negotiations
- trial setting
- case resolution

Collaborative Efforts to Improve Outcomes

- Justice Reinvestment Initiative (JRI)
- Mental Health Issues
  - Behavioral Health JRI
  - Aid and Assist
- Local PSCC (Public Safety Coordinating Council)
- Public Safety Task Force
- Community Corrections
- Pretrial Justice Reform
- Grand Jury Recordation
- Criminal Justice Advisory Committees

Problem-Solving Courts

Specialized court dockets that seek to address the underlying issues that contribute to criminality by providing a combination of treatment, services, and supervision.

Specialty Courts
(also known as Treatment Courts)

A subset of Problem-Solving Courts that were developed based on the National Association of Drug Court Professional's (NADCP) 10 Key Components and are subject to the Oregon Specialty Court Standards adopted by the Chief Justice. These courts target specific populations, provide court-directed supervision, and require treatment and/or counseling services.

A public health approach using a specialized model in which the judiciary, prosecution, defense bar, probation, law enforcement, mental health, social service, and treatment communities work together to help addicted offenders into long-term recovery.

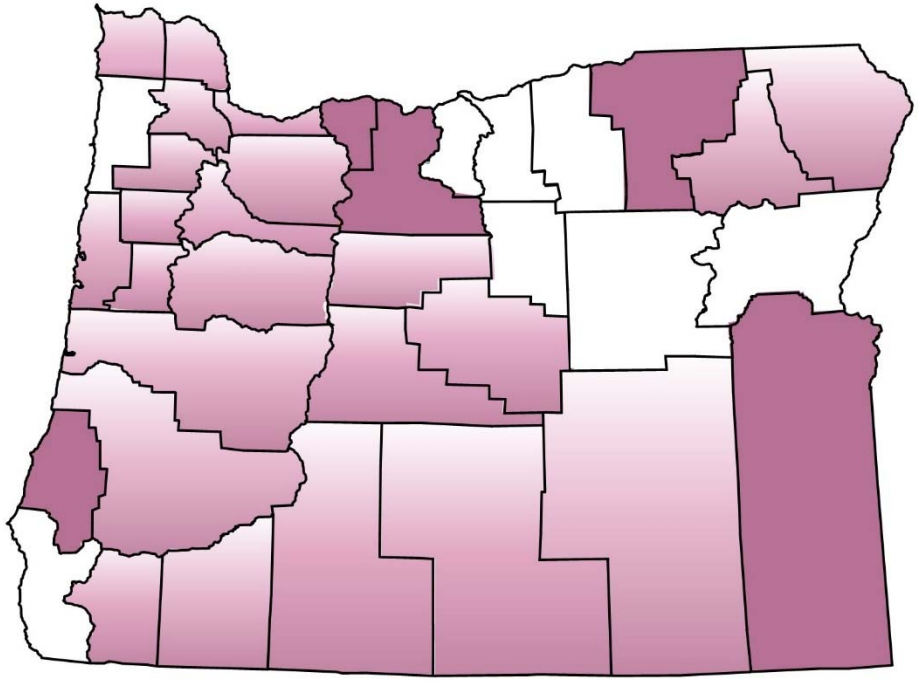
Oregon Problem-Solving Courts

81 Problem-Solving Courts in Oregon

- **23** counties receive CJC specialty court grant funds
- **5** counties receive no CJC specialty court grant funds
- **8** have no Problem-Solving Courts

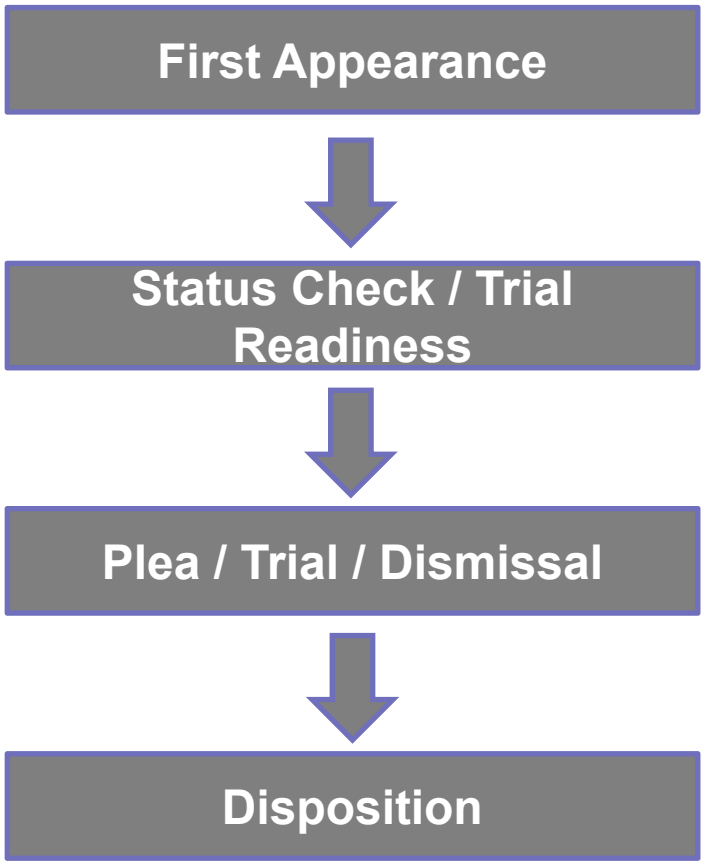
Types

- ✓ Adult Drug
- ✓ Domestic Violence
- ✓ DUII
- ✓ Family Drug
- ✓ Juvenile Drug
- ✓ Mental Health
- ✓ Veterans
- ✓ Community Court
- ✓ Hybrid (combination)

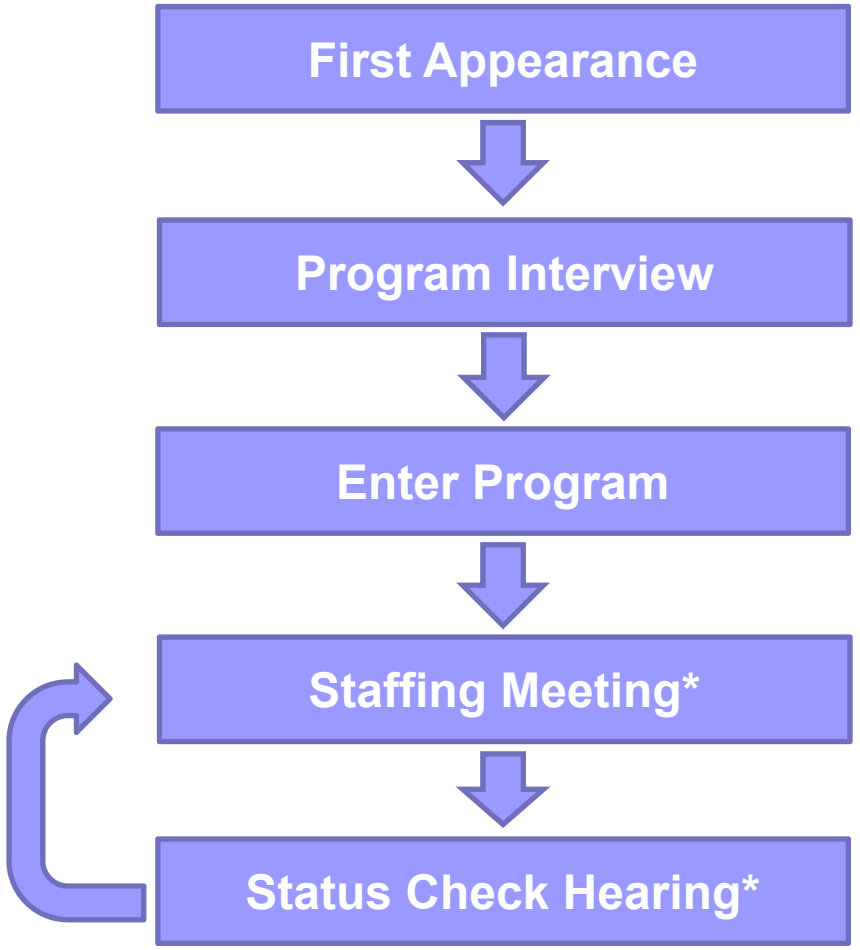


Traditional Court vs. Problem-Solving Court

Typical Court Process



Problem-Solving Court Process



*** Process repeats until participant graduates or is terminated from the program**

Dynamics of a Problem-Solving Court Team

Problem-solving courts involve close collaboration between the judge and a team.

The judge leads the court, providing encouragement and holding the participant accountable.

A team generally consists of:

Judge
Court Coordinator
District Attorney
Defense Attorney
Probation Officer
Law Enforcement Officer
Treatment Provider

Benefits of Problem-Solving Courts

- Reduces recidivism
- Positive change for individuals from the inside out
- Relies on sanctions and incentives applied to the right behaviors and delivered at the right times
- Embodies a common sense of “all hands to the wheel” on society’s most difficult and topical crises
- Collaboration to achieve the best and most durable community safety outcomes
- Maintains evidence-based practices

Klamath County Circuit Court

Funding is Critical

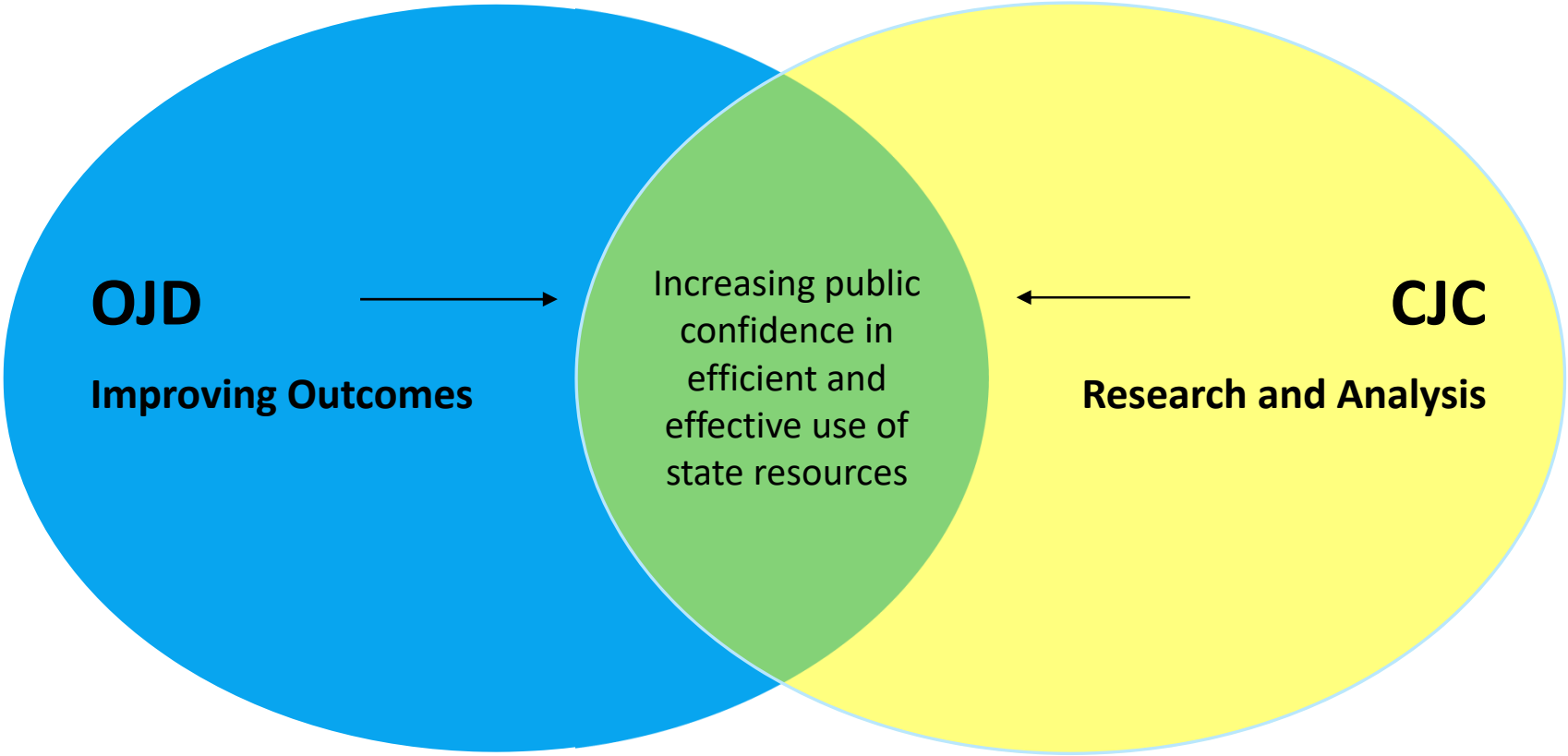
Procedural Justice – allowing victims, defendants, and family members to be heard – is essential to ensuring confidence in the justice system and in our government

- Courts must meet statutory and constitutional mandates; almost 40% of court docket time is dedicated to misdemeanor and felony cases
- Judgments must be entered and shared with parties and appropriate justice partners
  - Aid and Assist orders
  - Release orders
  - Warrants and warrant recalls
  - Driver's license suspension (related to conduct, not non-payment of fines and fees)
- Problem-Solving courts take more time, but reduce rates of recidivism, thereby reducing harm in our communities

OJD Technology

Specialty Court Case Management System (SCMS)

Partnership with the Criminal Justice Commission (CJC) and OJD



SCMS and Increasing Court Efficiency

- Improve communication between team members
- More time for coordinator to focus on participants
- Statewide problem-solving court statistics
- Measure effectiveness and compliance with best practices
- Embedded support and resources in SCMS
- Provides an alert system so team members can quickly engage when a participant is in crisis
- Better statistics
- Improved outcomes

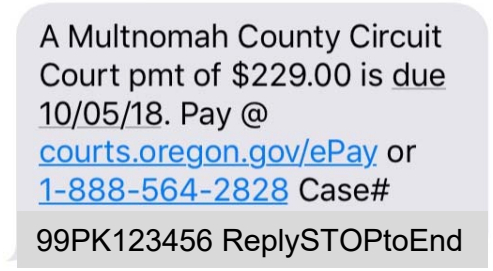
SCMS Go-Live Events

Go-Live Event	Go-Live Date	Circuit Court	No. of Specialty Courts
E1	10/24/18	Klamath	4
E2	11/19/18	Lane	4
E3	12/12/18	Douglas	2
E4	01/28/19	Marion Columbia	5 4
E5	03/18/19	Deschutes Crook / Jefferson Hood River / Wasco	2 3 3
E6	04/08/19	Multnomah Clatsop	4 3
E7	04/29/19	Coos Jackson Josephine Lake	1 3 2 1
E8	05/20/19	Lincoln Polk Yamhill Linn Benton	3 2 3 3 1
E9	06/03/19	Washington Clackamas	3 4
E10	06/24/19	Harney Malheur Union / Wallowa Umatilla / Morrow	1 3 3 1

Complete

Technology Innovations

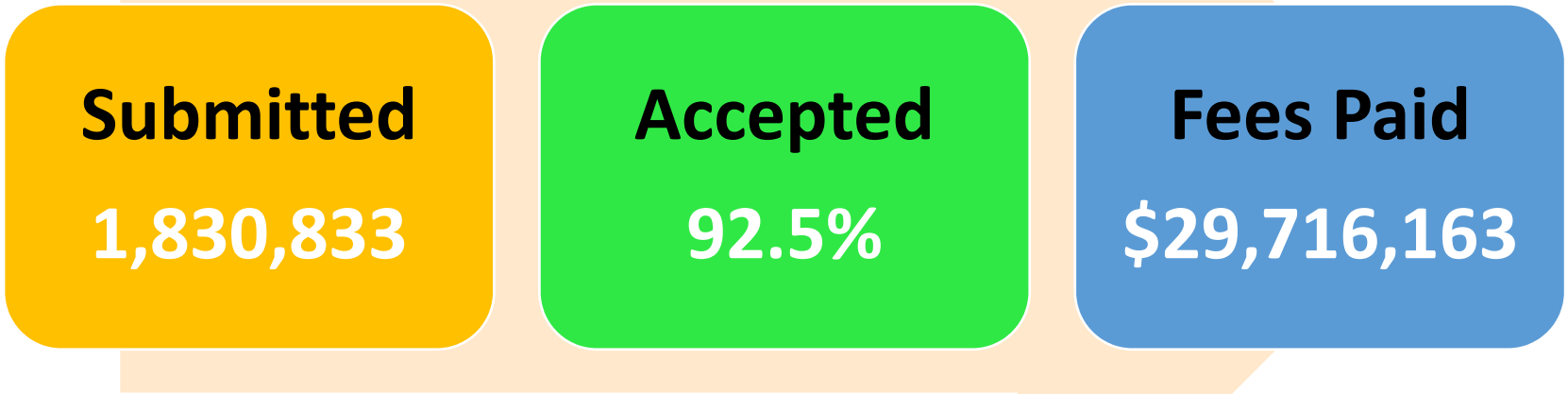
- **Recent Improvements**
  - Specialty Courts Case Management System (SCMS)
  - Text-to-Debt (payment plan reminders)
  - OJD Web Pages – mobile friendly redesign



- **Online Records and Calendar Search**
- **ePay – online payment options**
- **File and Serve – eFiling availability**
- **Guide and File – interactive forms**

eFiling By the Numbers – 2018

OJD File and Serve
Available 24/7



Case Types

- Civil
- Contempt of Court
- Criminal
- Family
- Probate/ Mental Health

Court Filing Fees

- 68% = Civil
- 16% = Probate/Mental Health
- 15% = Family
- 1% = Criminal
- <1% = Contempt of Court

Free Access to Case History Information

Welcome to the Oregon Judicial Department Online Records Search

The Oregon Judicial Department is pleased to provide free online access to limited case information in the circuit courts and Tax Court of this state. The displayed information is not the official ORS 7.020 register record, and, therefore, should not be relied upon as an official record of the court. Specifically, individuals should not use this system for background checks or other purposes that require more complete identity or case information. The full official register for non-confidential case types can be accessed at the courthouse public terminals or, for certain business entities, through a subscription to OJCIN Online.

Click here to view our user guide

Click here to access Frequently Asked Questions

Click here to access the Oregon eCourt Case Information (OECI) system

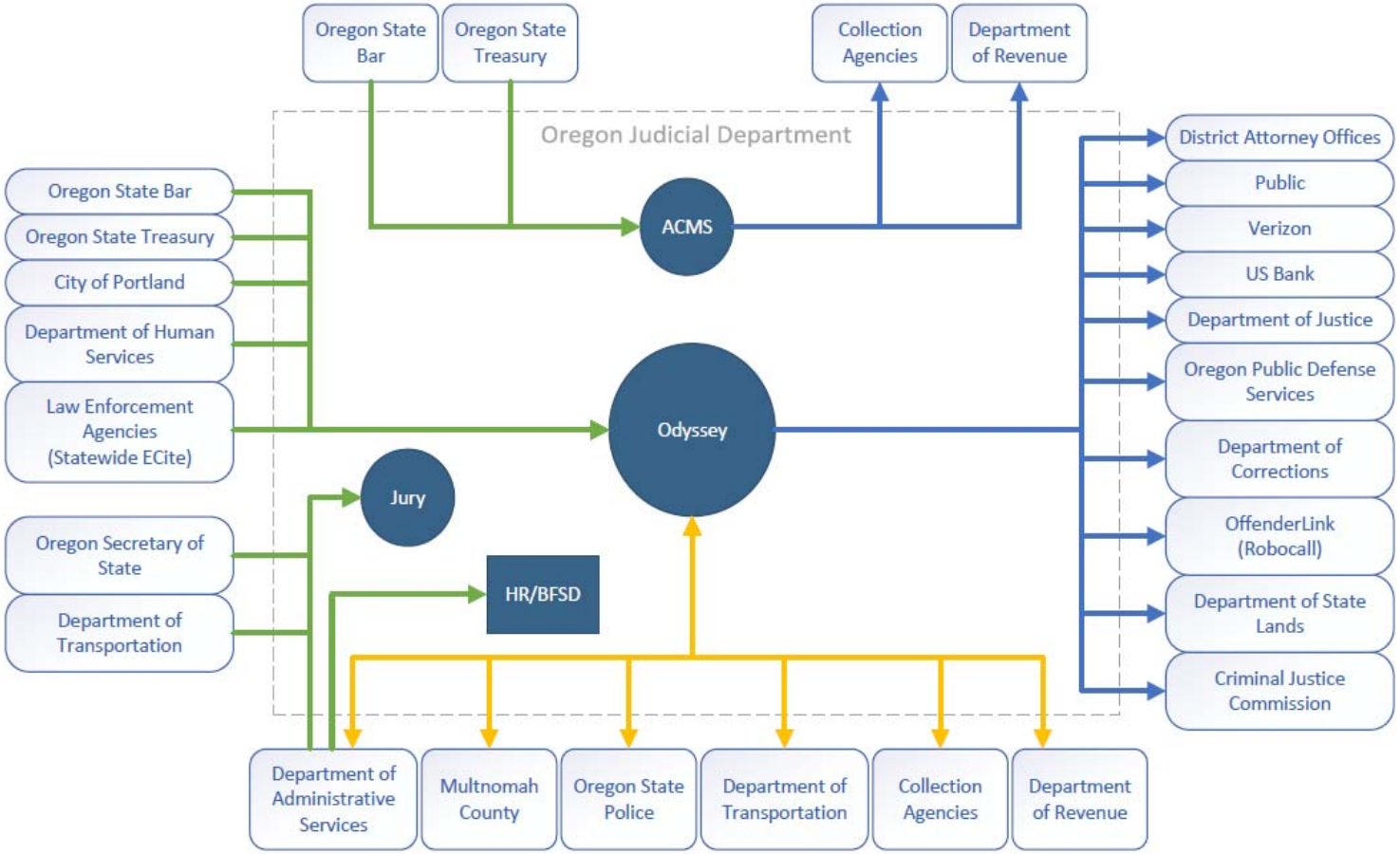
Courts may change their schedules at any time. Please check the calendar on the day of your scheduled event to confirm the information for your event.

Sign-in and/or registration is not required to perform a search on this site. To specify which court records you want to search, along with other options, click on the Advanced Search Options link in the Smart Search section below.

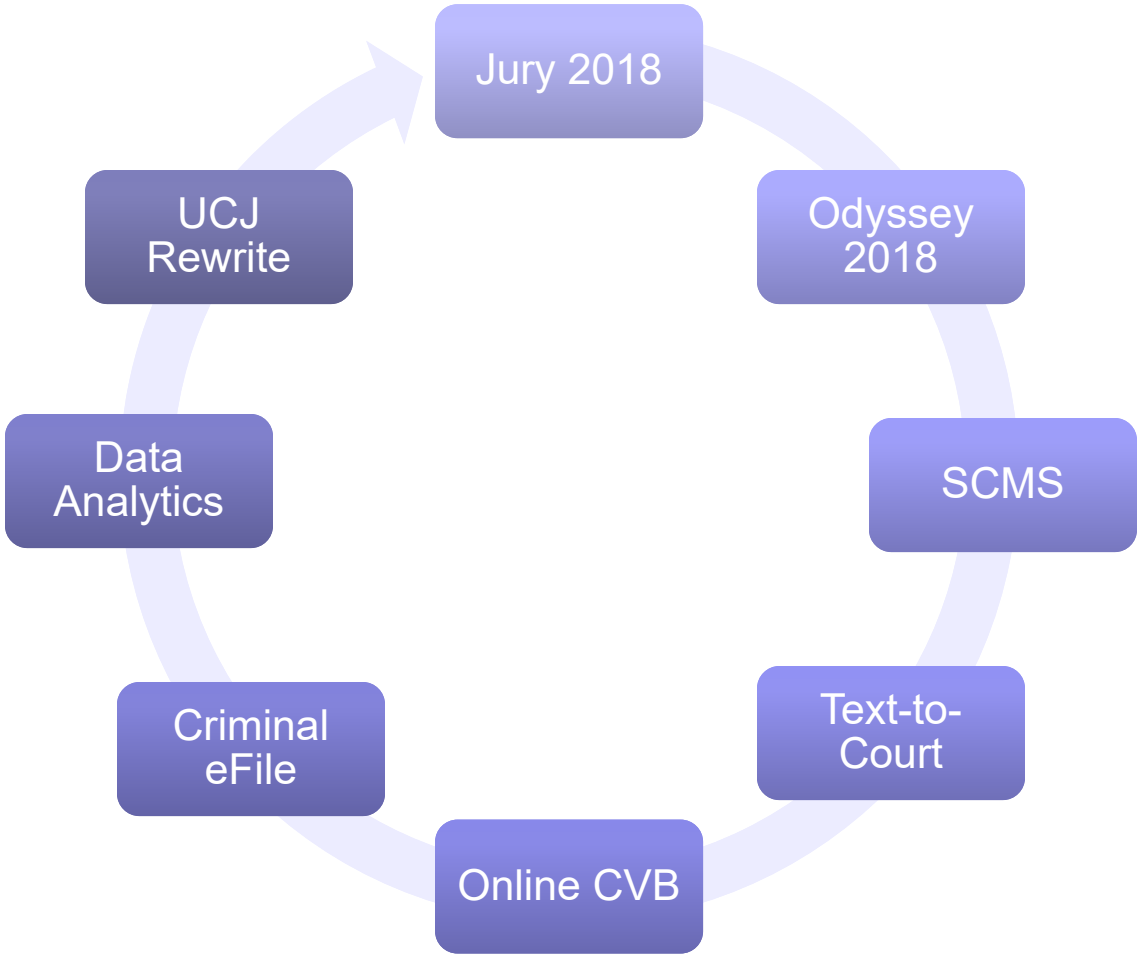
Smart Search

Search for court records.

Partner Integrations



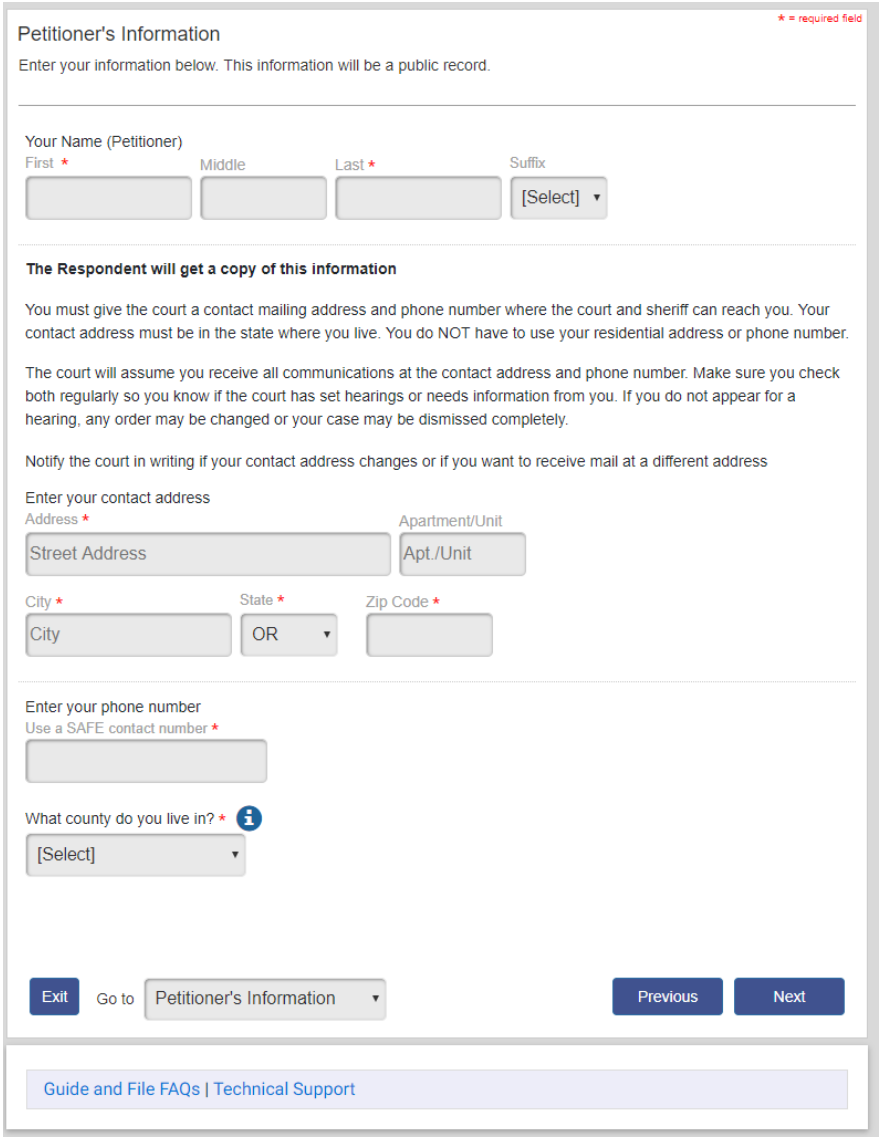
What Lies Ahead



OJD Guide and File

Online Self-Guided Interview Process

- Interactive forms
- Self-guided; easy to understand
- Generate completed court forms
- No fee to complete
- eFile or print and submit to the court



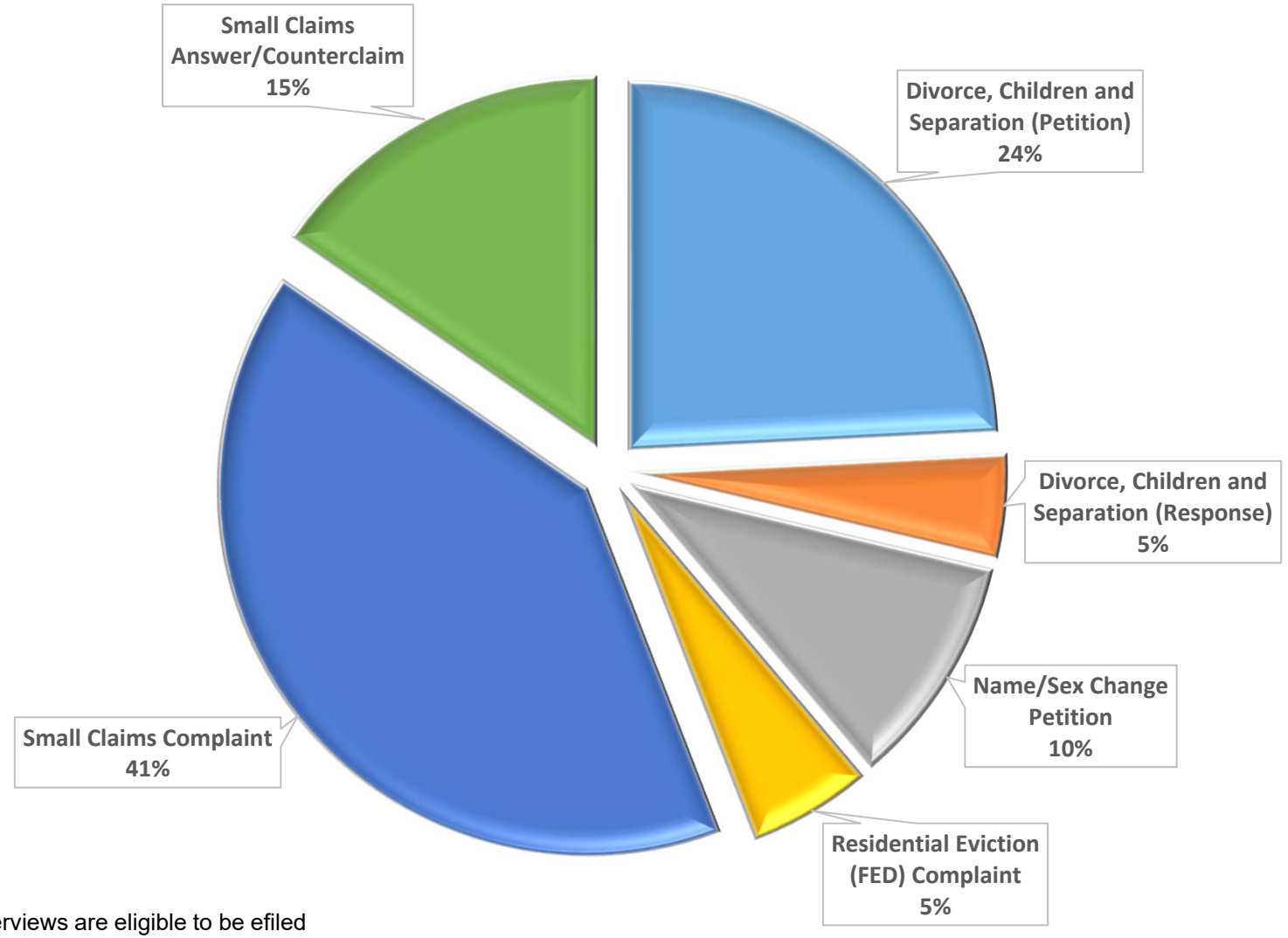
Guide and File – Interviews Completed

16,068 (2018)

FORMS	#COMPLETED
Divorce, Children and Separation (Petition)	3,861
Divorce, Children and Separation (Response)	621
FAPA (petition, renew, change, etc)	2,963
Name / Sex Change Petition	1,187
Parenting Plan (Main; Safety)	855
Payment Plan Application	46
Residential Eviction (FED) Complaint	925
Satisfaction of Money Award	219
Small Claims Complaint	3,902
Small Claims Answers / Counterclaim	1,489

Guide and File – Interviews eFiled

6,955 (2018)



NOTE: Not all interviews are eligible to be efiled

Guide and File – User Satisfaction Survey

Sept-Dec 2018

Was this interview helpful in completing your legal filing?	How easy was this interview to complete?	What is your total household income per year?	How long did it take you to complete your interview?	What is the highest level of school you finished?
90 %	**72 %**	**68 %**	**55 %**	**52 %**
Helpful to very helpful	***Easy to very easy***	***Below $75,000***	***Less than 15 minutes, no more than 30 minutes***	***No college degree***

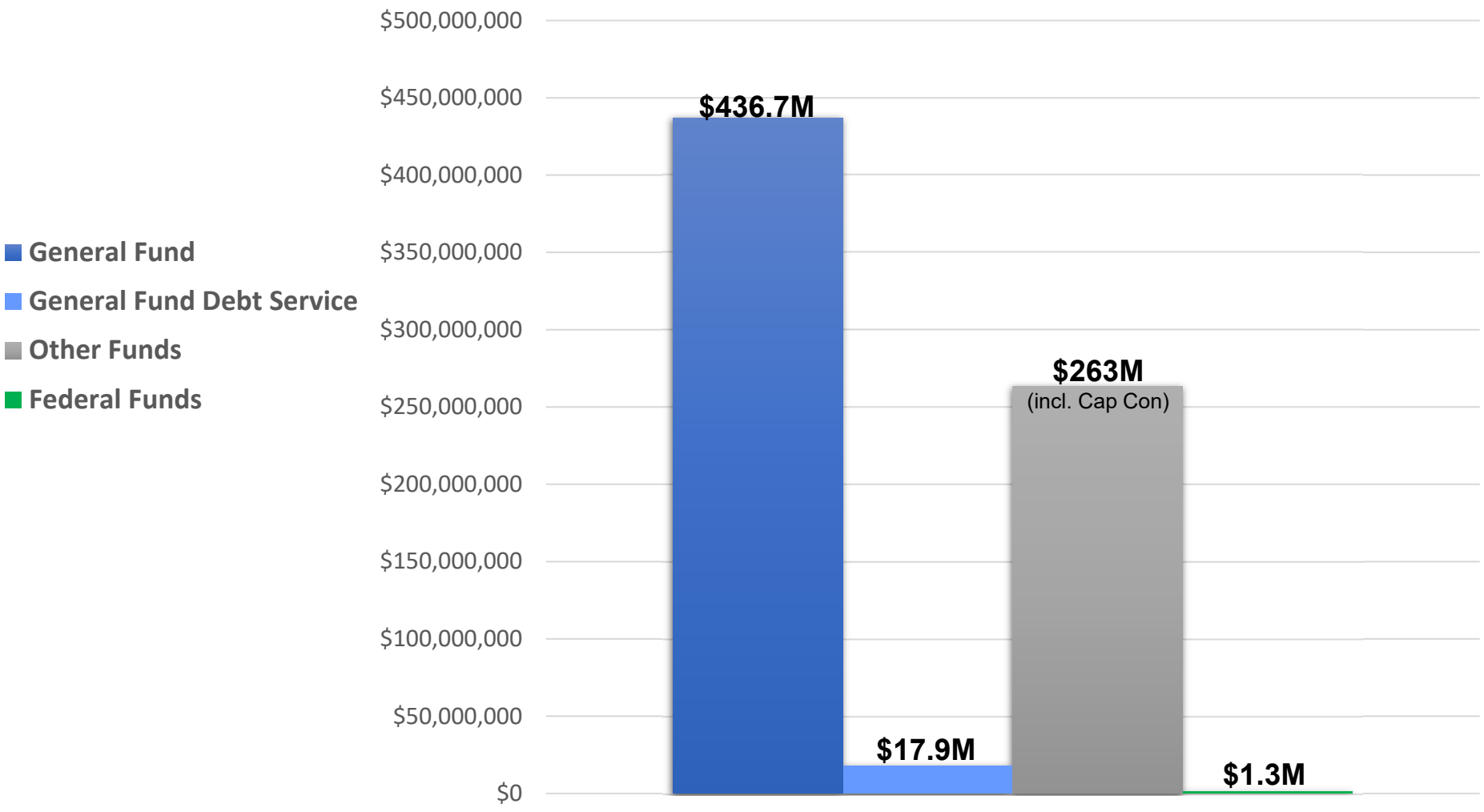
Results have met and in some areas exceeded OJD's expectations

Technology Improves Our Work

- Oregon eCourt
- Guide & File
- Data
- Continuous Quality Improvement

Budget Overview

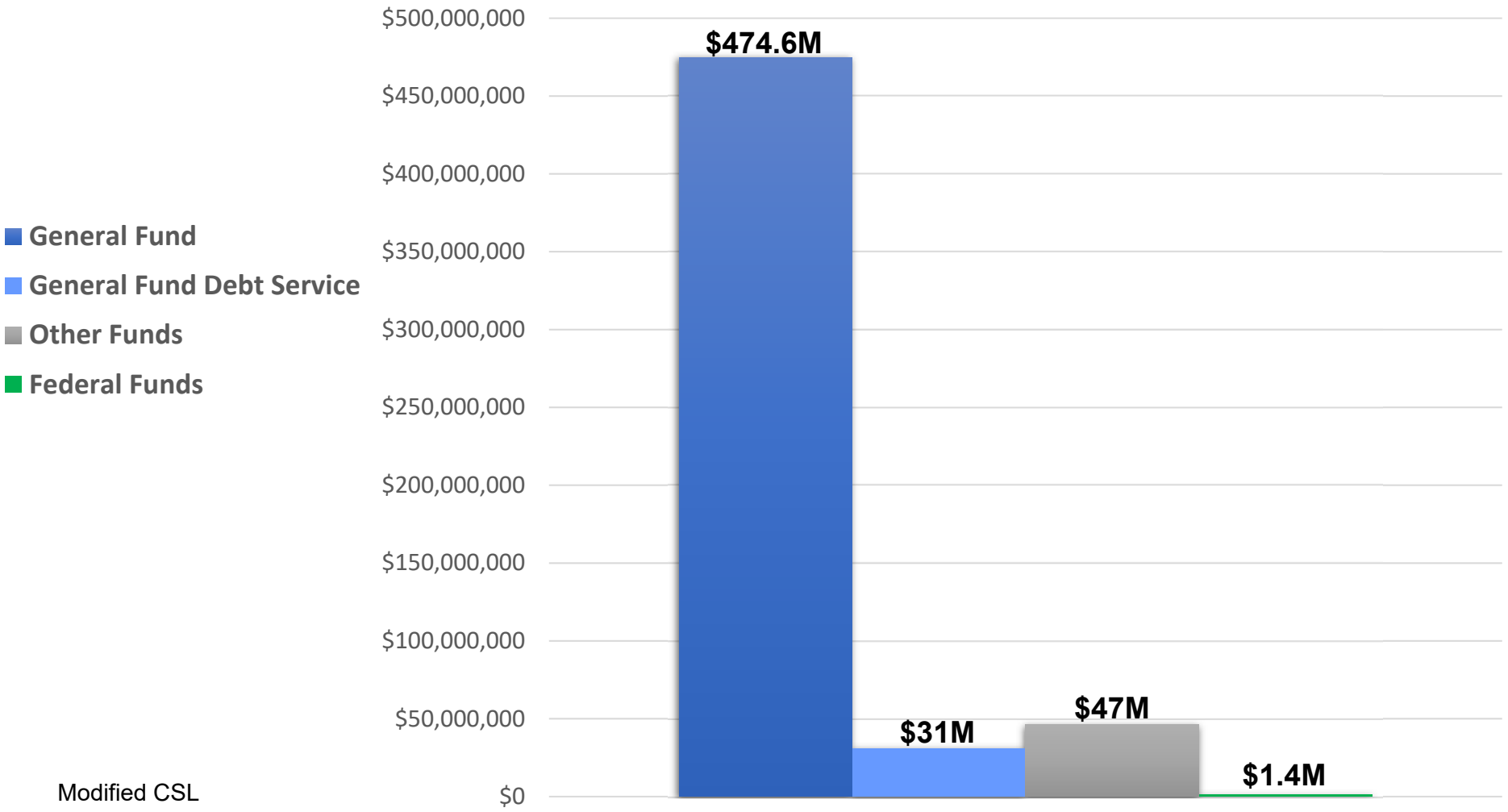
2017-19 LAB – $718.9M



2017-19 LAB – $263M (OF)

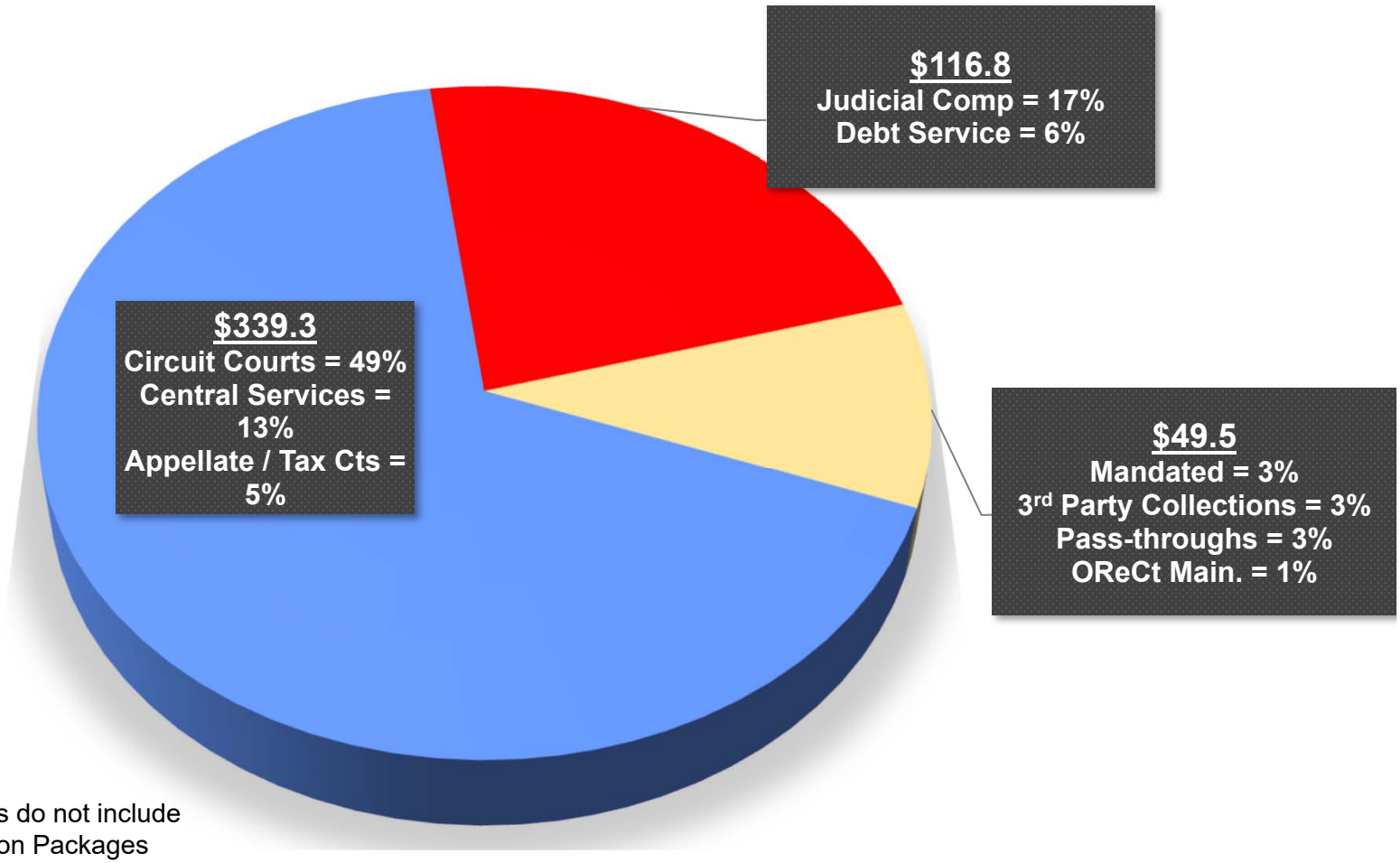
Oregon Courthouse Capital Construction & Improvement Fund $195.2 Million	• Bond Funds to County for up to 50% State Match • Deposited County Funds – once deposited are returned to county
Technology Fund $17.9 Million	• Pays part of cost of public access and assistance for OECI • Pays statewide eFiling costs • OECI maintenance
Capital Construction $14.9 Million	• Supreme Court Building Seismic and Renovation $6.0 Million • New Multnomah County Courthouse F&E $8.9 Million
Grants and Other Programs $14.3 Million	• Grants for Problem-Solving Courts and Special Programs • Application Contribution Program – Verification for Indigent Defense • Citizens Review Board – Oversight for Foster Care System
Legal Aid $11.9 Million	• $11.9 million from Filing Fees • To State Bar for noncriminal free legal help
Security and County Pass-throughs $6.4 Million	• Funds passed to counties to assist in providing security to courts • Marshal's Office – Emergency Response, Disaster Preparedness & Statewide Security
State of Oregon Law Library $2.4 Million	• Library Operations • Statewide Legal Periodical Access

2019-21 Current Service Level
$554M (All Funds)



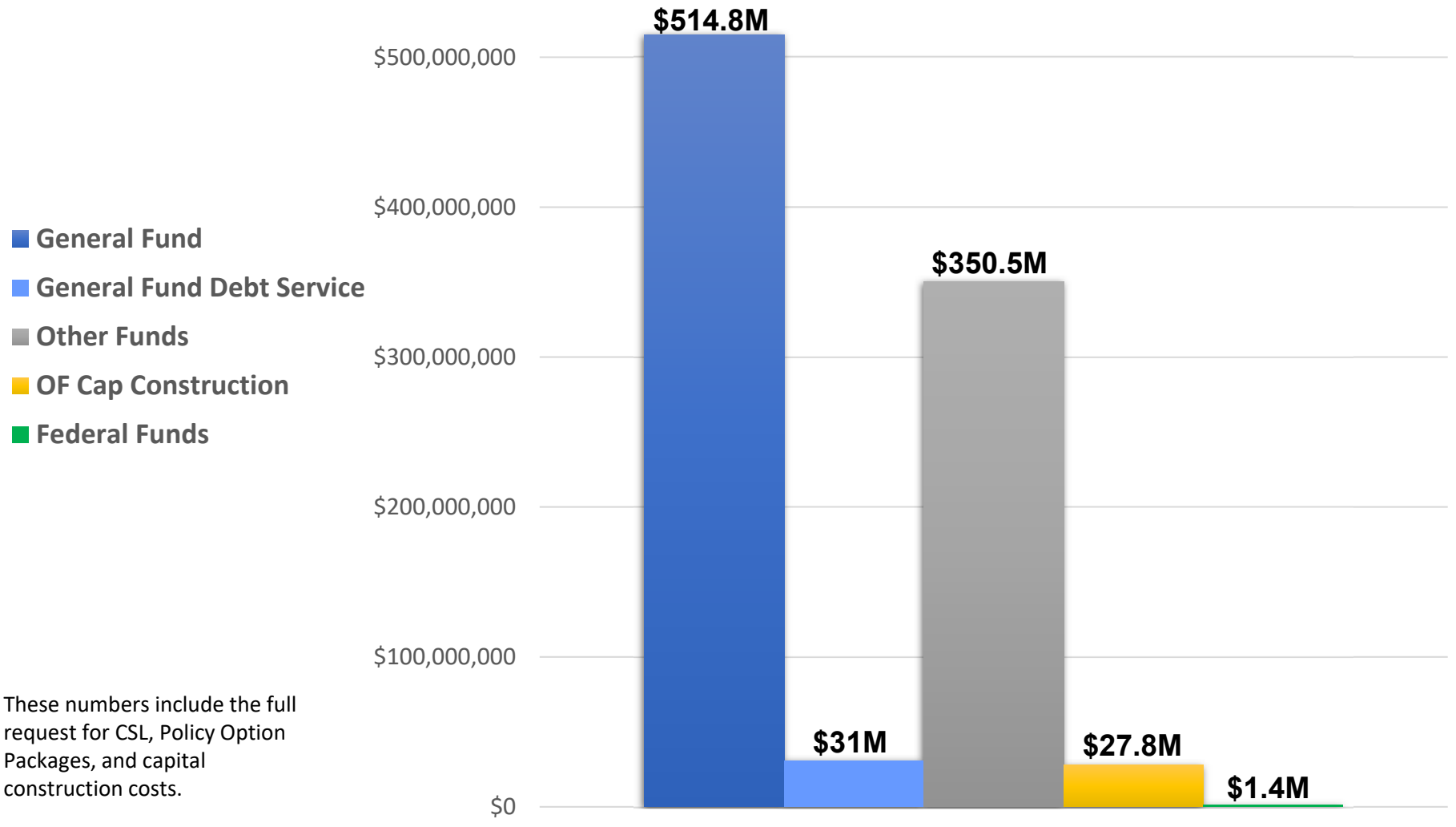
Modified CSL

2019-21 CSL General Fund Budget
$505.6M (GF)



These numbers do not include the Policy Option Packages and capital construction costs.

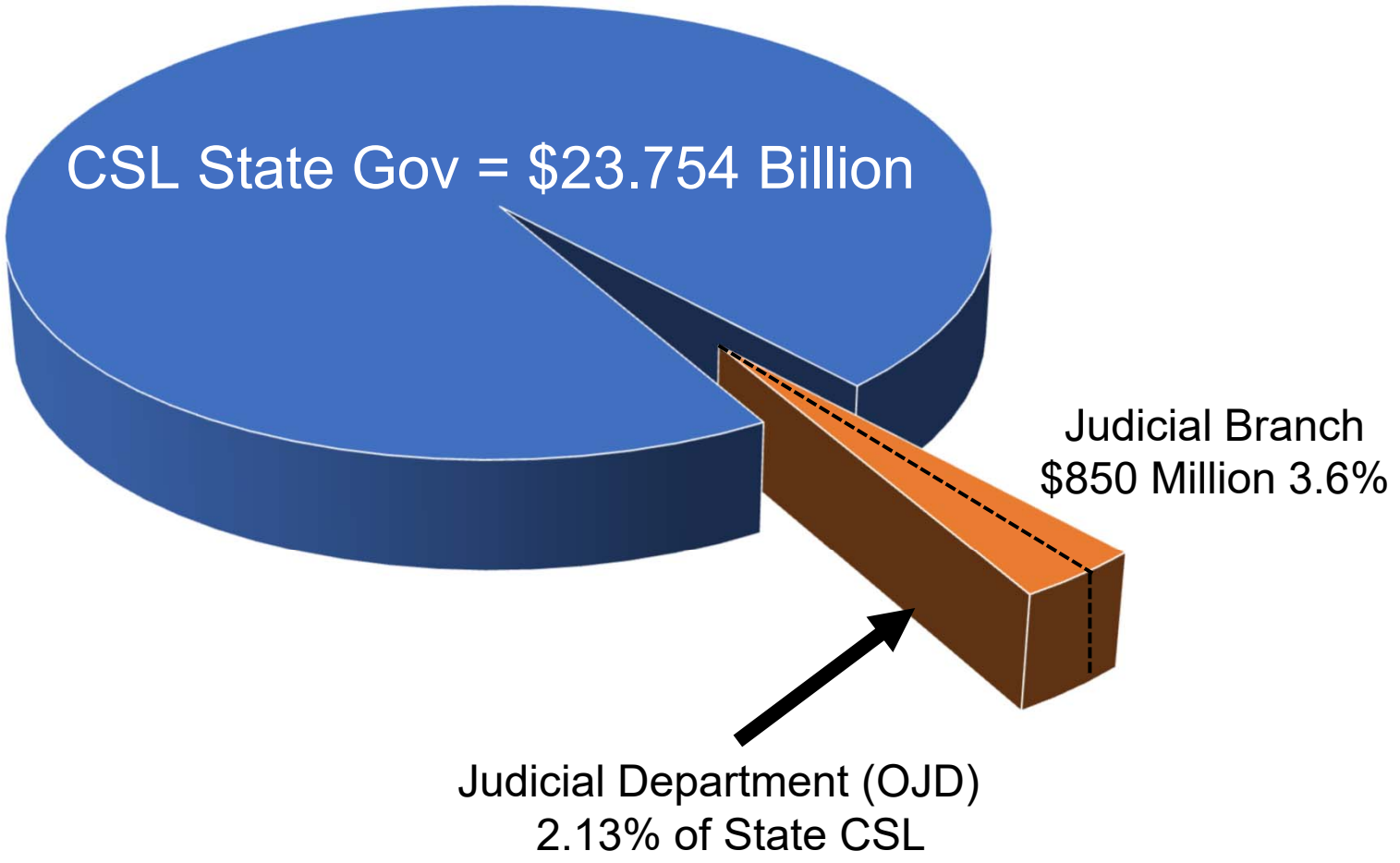
2019-21 Chief Justice Recommended Budget
$925.5M



These numbers include the full request for CSL, Policy Option Packages, and capital construction costs.

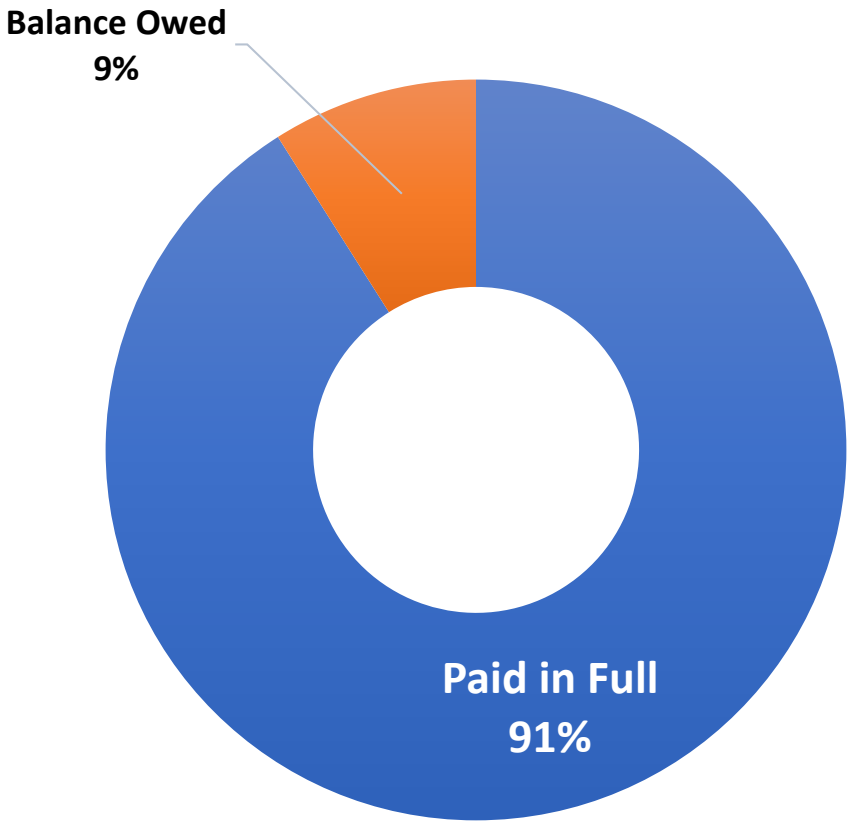
OJD and Judicial Branch GF

2019-21 Co-Chair Budget

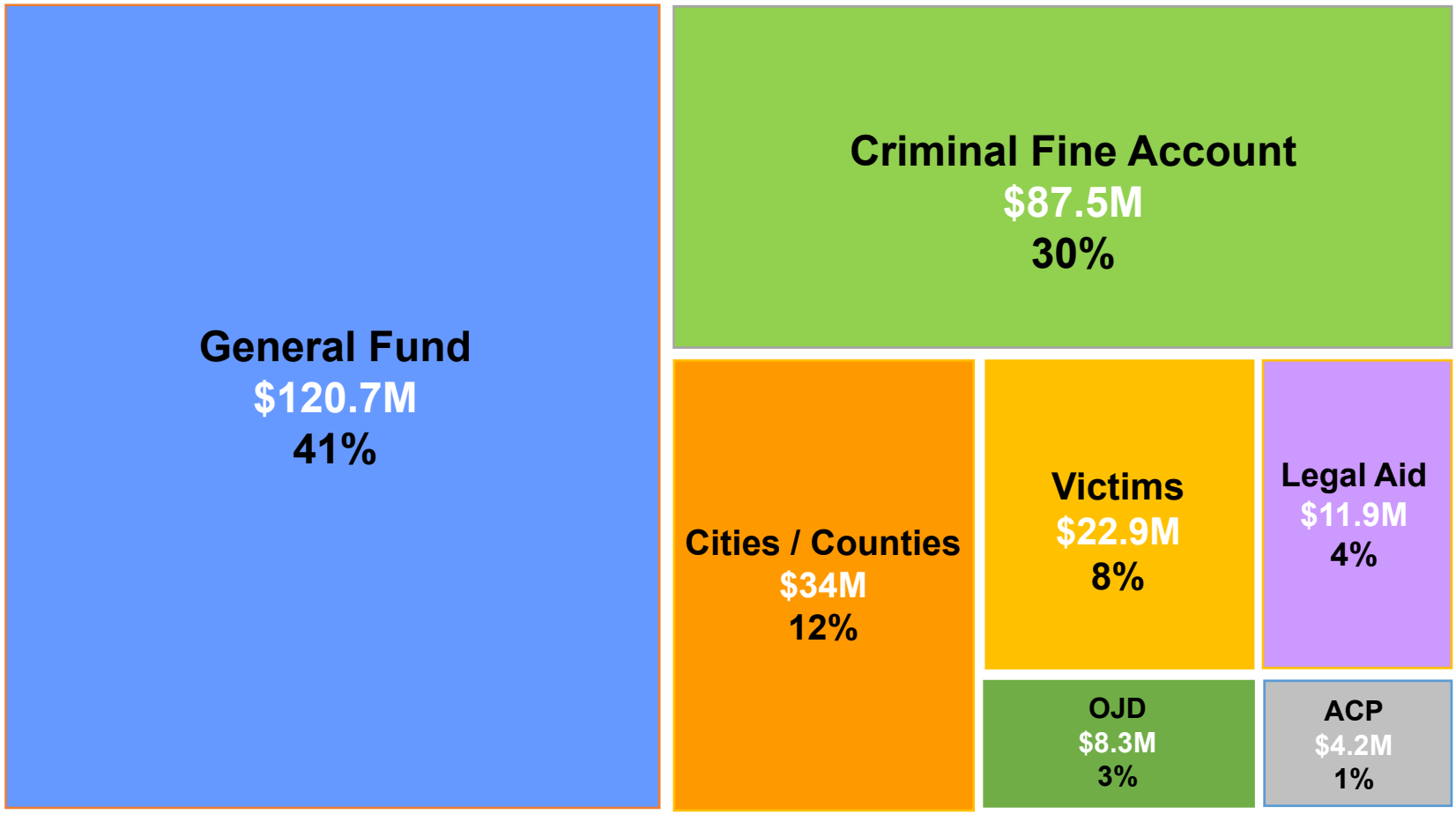


Revenue

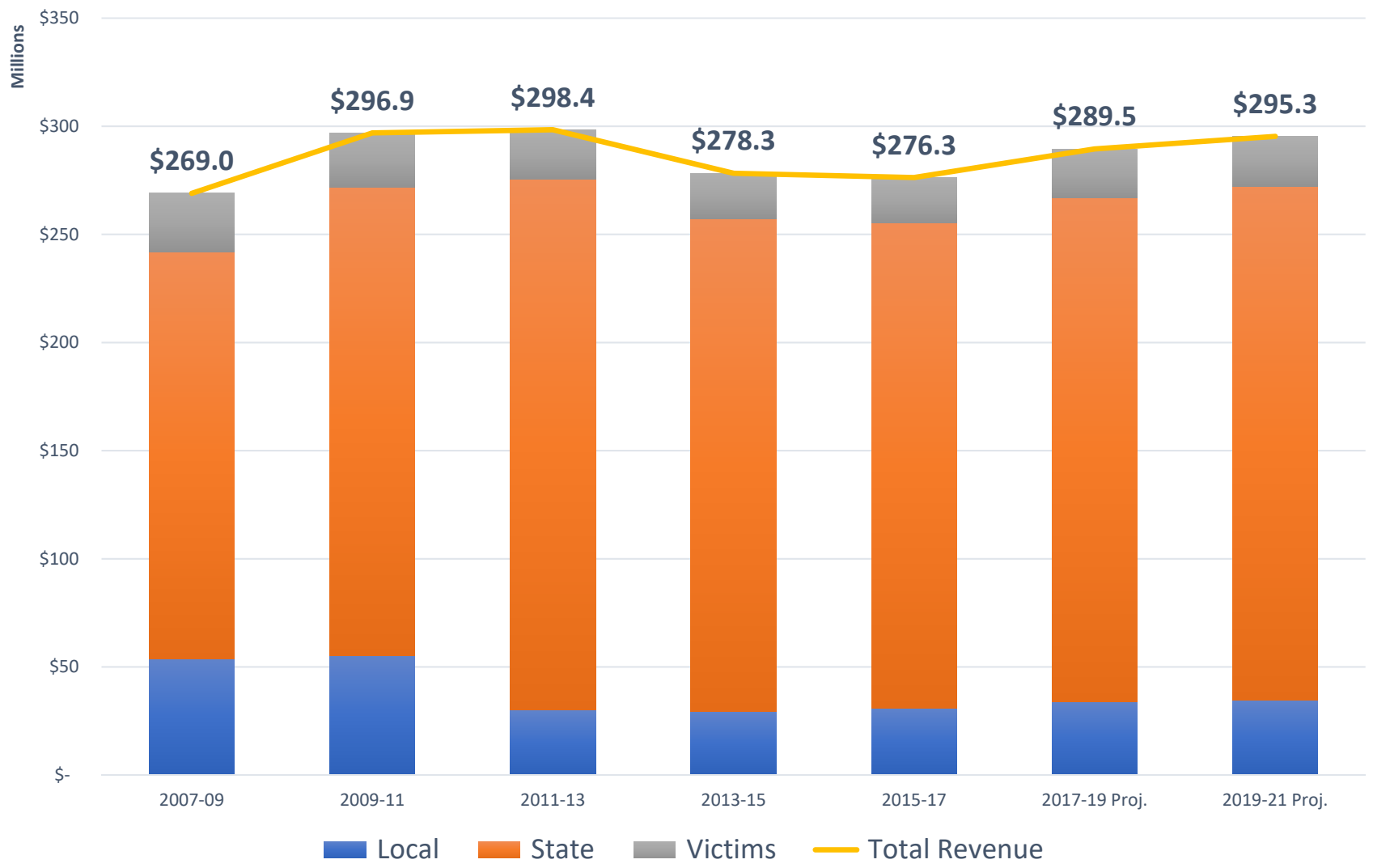
91% of Cases are Paid in Full



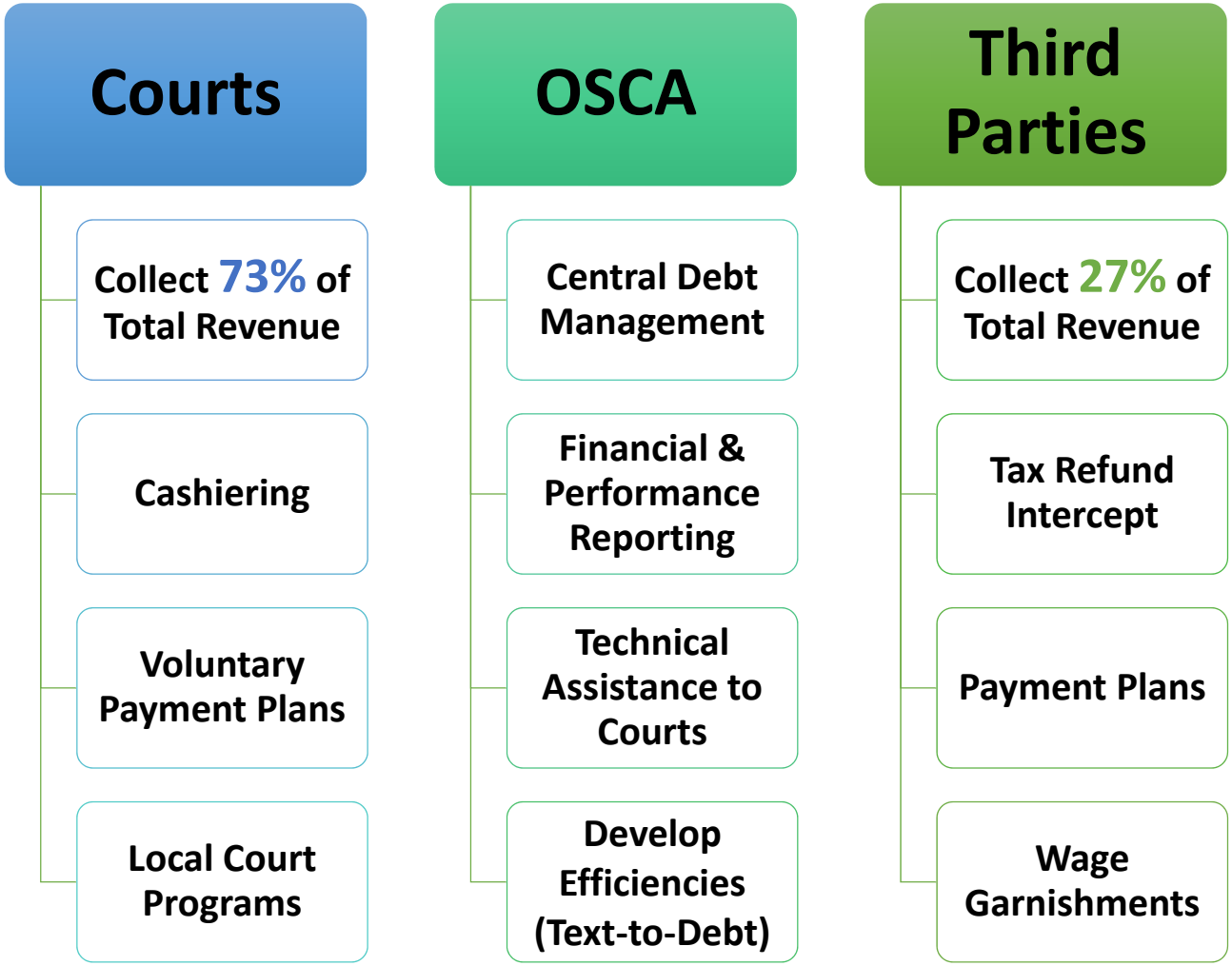
2017-19 Projected Collections & Distribution
$289.5M



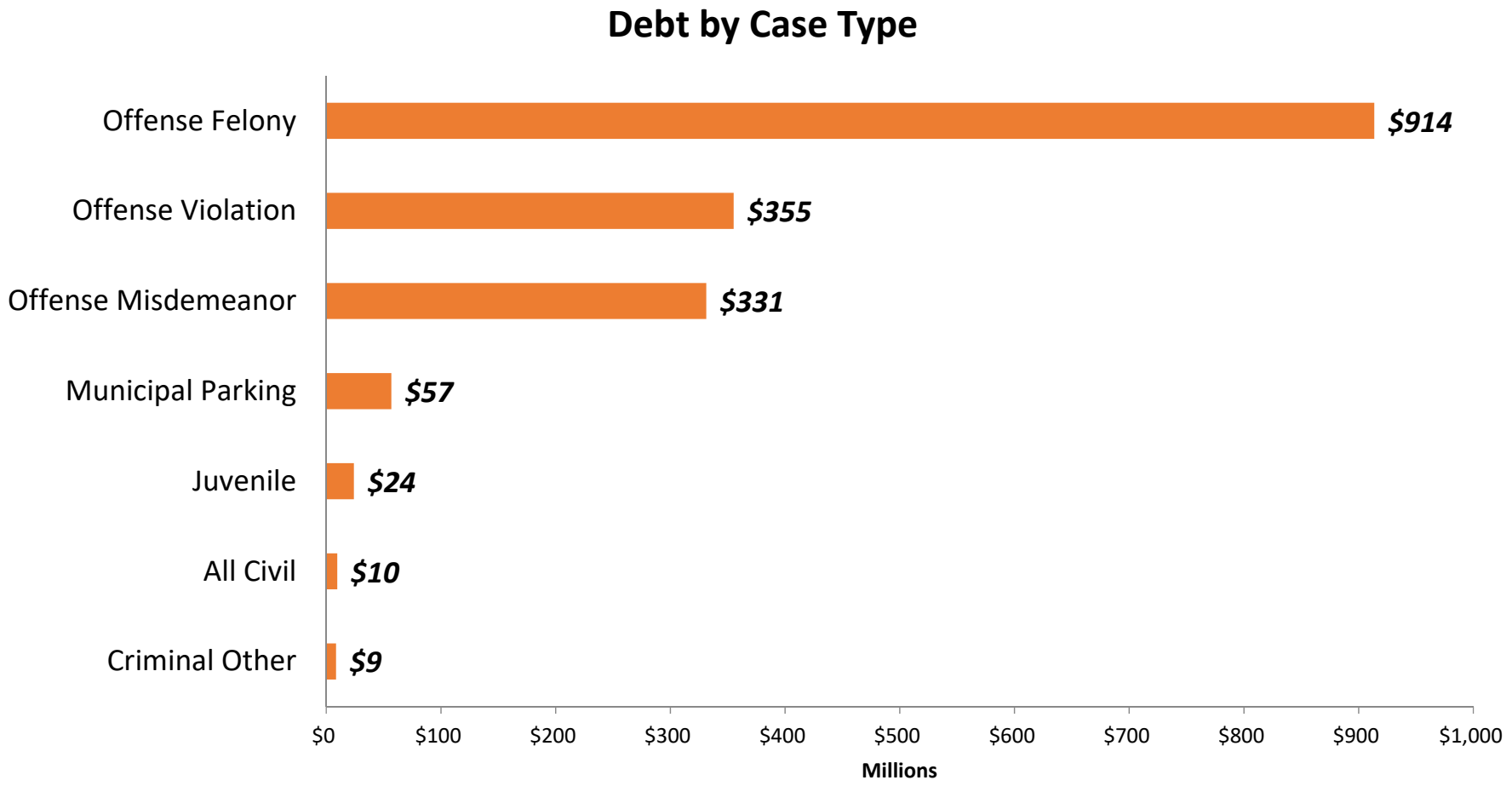
Court Collections and Distribution



Collection Systems



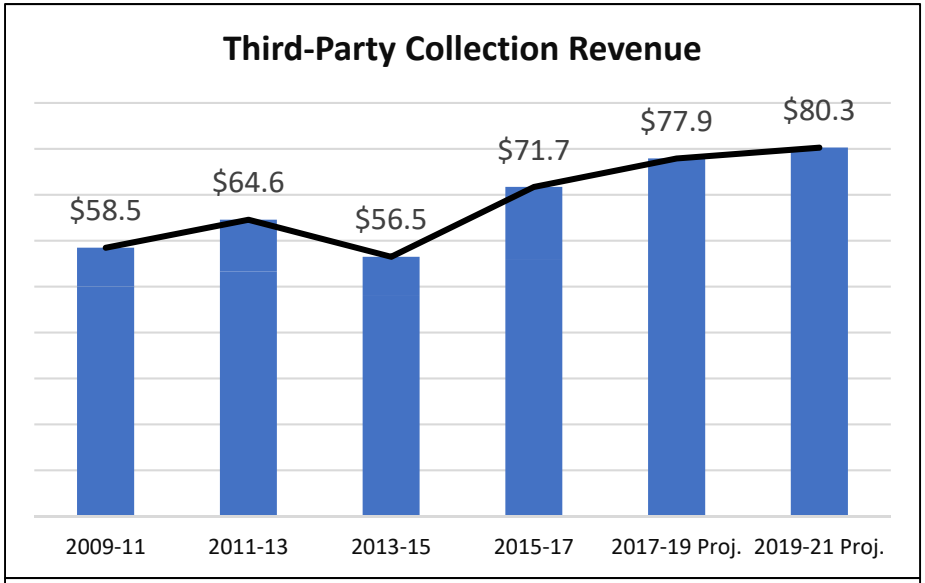
98% of Outstanding Debt Owed in Criminal Cases

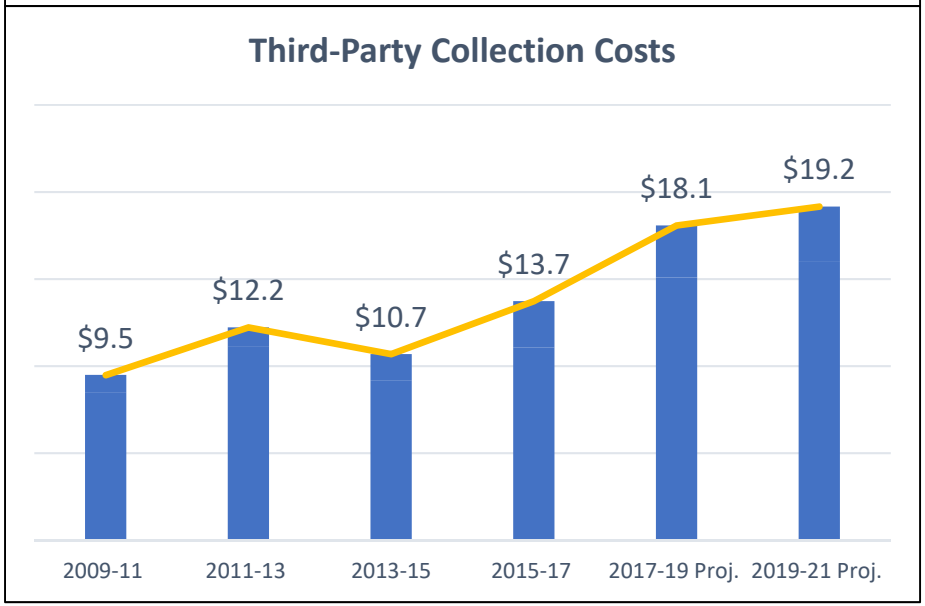


Third Party Collection Cost Drivers

Cost Drivers

- More cases referred to DOR / PCFs
- Improved collection performance = more OJD debt being collected by third parties
- Credit card costs
- DOR increased collection fee
- $4.31 collected for each $1 spent on collections





Budget Reduction Options

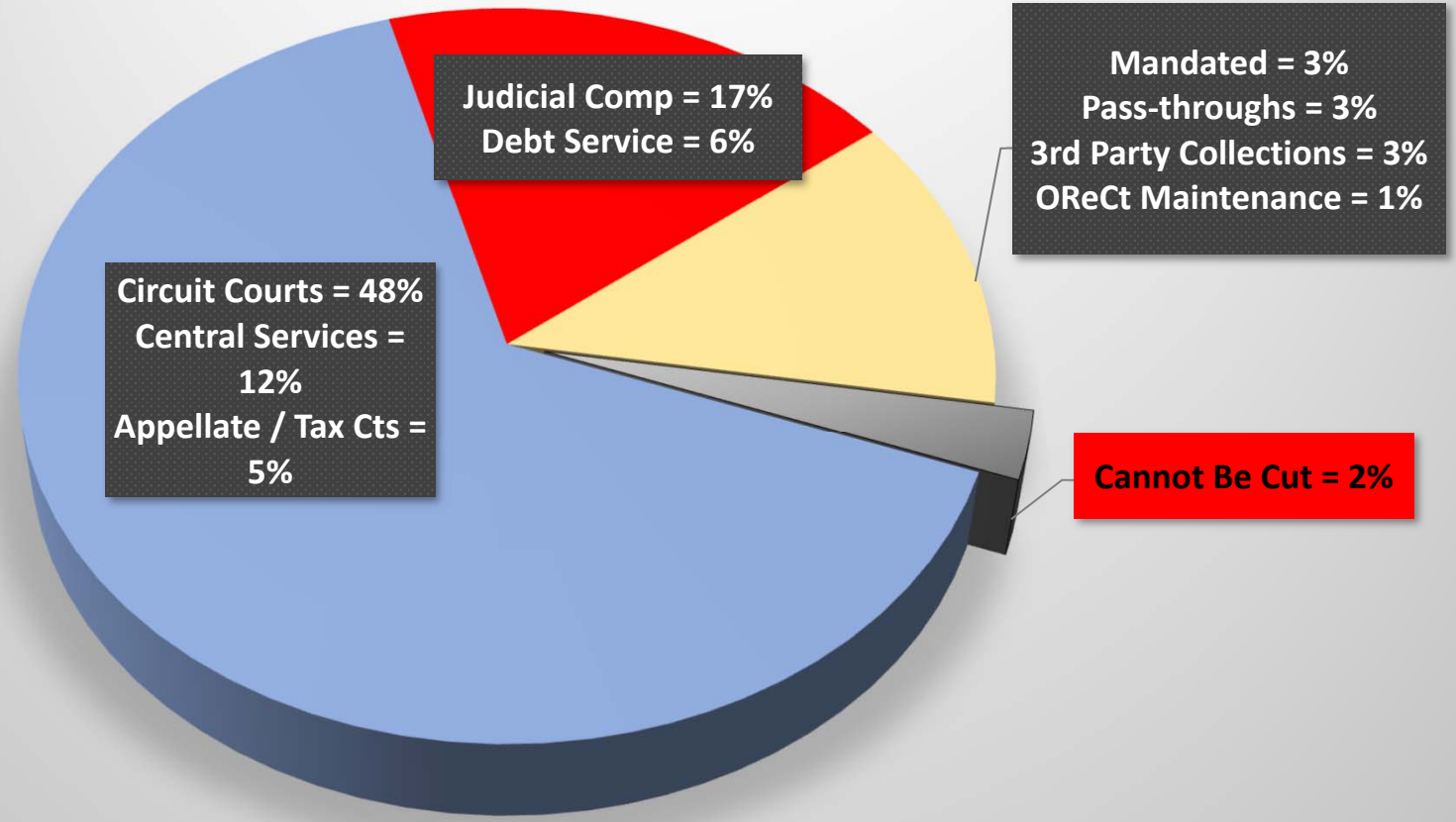
10% General Fund Reduction

- 2019-21 CSL for General Fund and General Fund Debt Service = $505.6 million
  - 10% reduction = $50.56 million
  - 5% reduction = $25.28 million

Reduction Impact

$505.6M GF

23% is Non-Reducible



Appropriations Subject to GF Reduction

- **Third-Party Debt Collections (-$2.0 million):**
  - Reduces payments to DOR for collection activities or eliminate use of private collection firms
  - Reduces state revenues
  - This item needs additional funds to meet current revenue projections

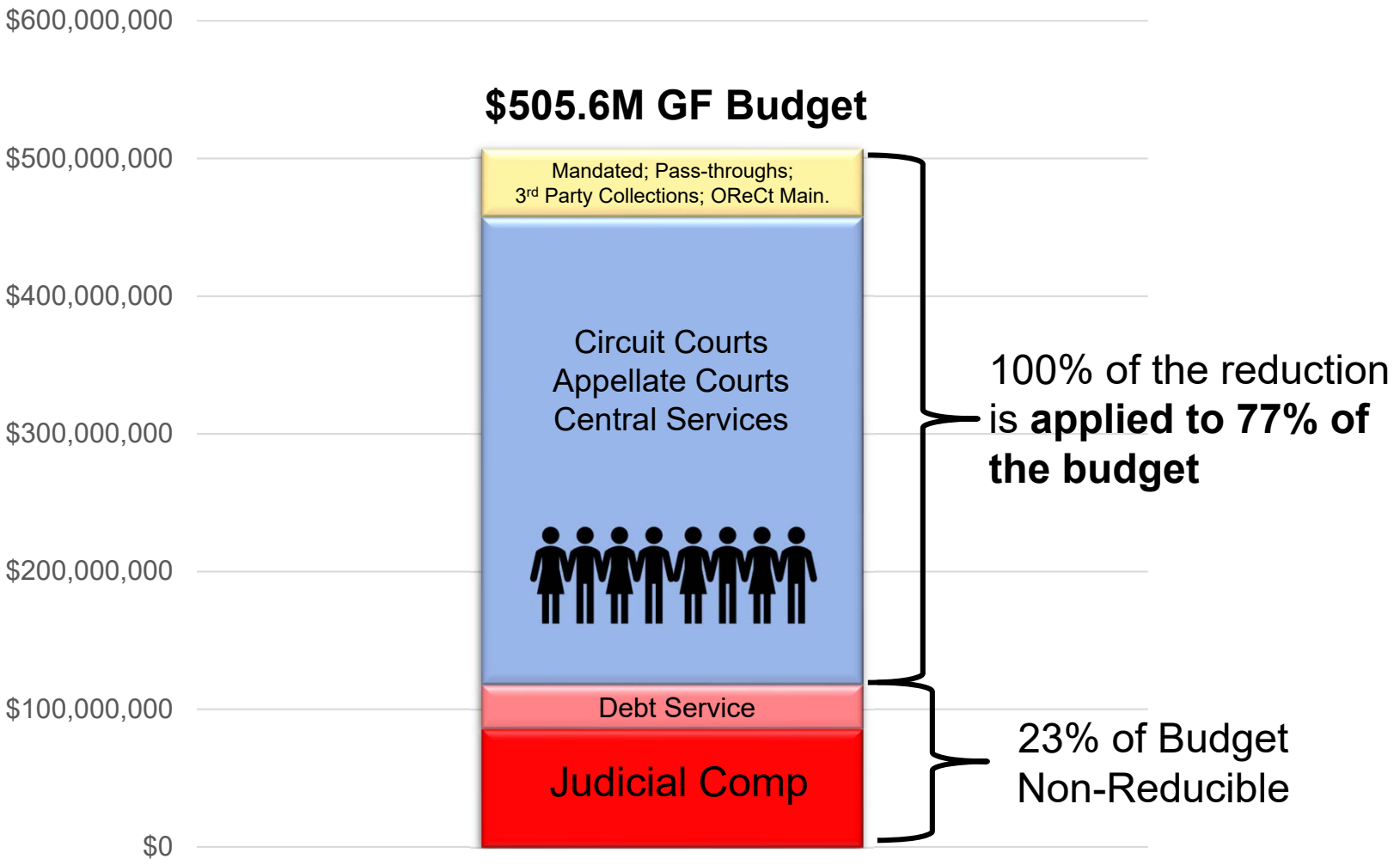
- **External Pass-throughs (-$2.0 million):**
  - Reduces payments to counties for Mediation / Conciliation Services and Law Libraries
  - Reduces payments to Oregon Law Commission and Council on Court Procedures

- **Mandated Payments (-$2.2 million):**
  - Reduces payments for jury services and court interpreter services

- **Appellate eCourt Maintenance (-$0.31 million):**
  - Reduces funding for contractual maintenance payments

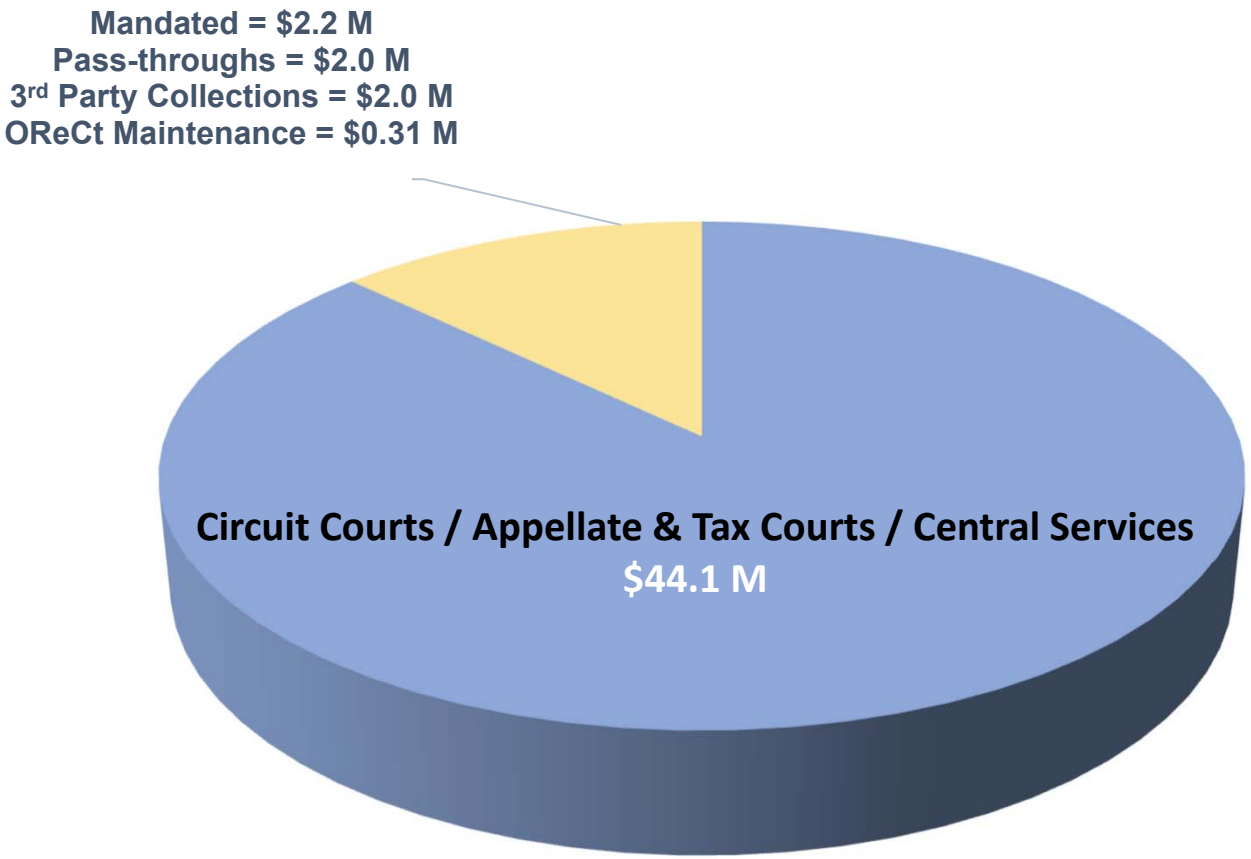
Non-Reducible Budget Items = Larger Cuts Elsewhere

10% = 13%



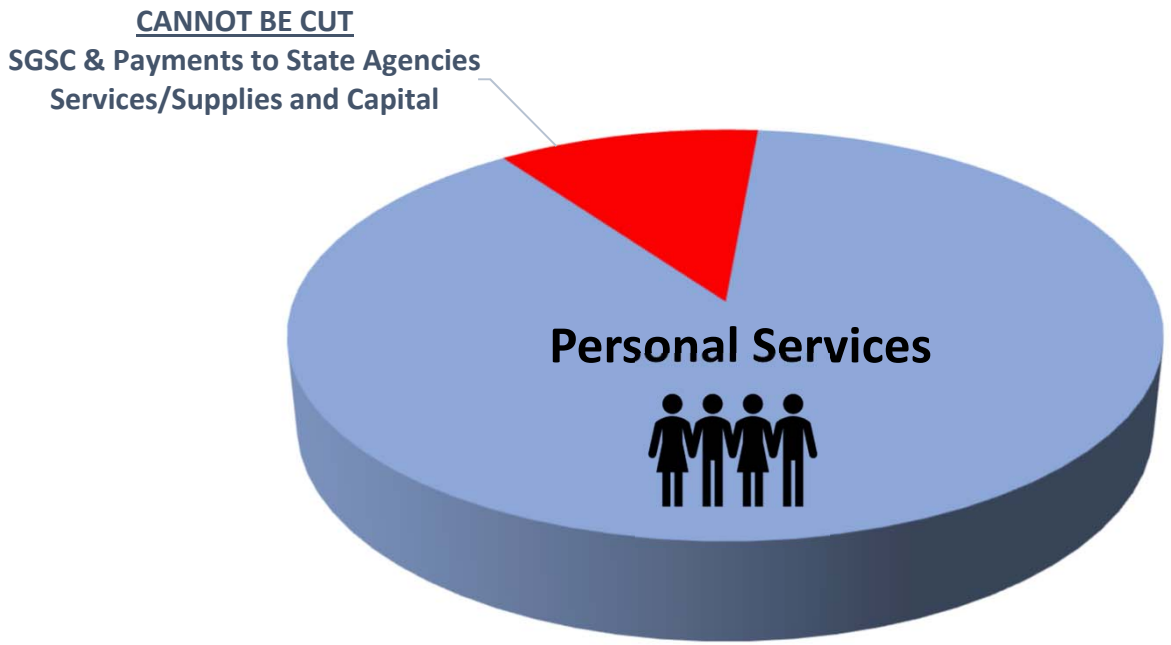
Share of Budget Reductions

$50.6 M Reduction



Circuit Courts / Appellate & Tax Courts / Central Services

$44.1 M Reduction



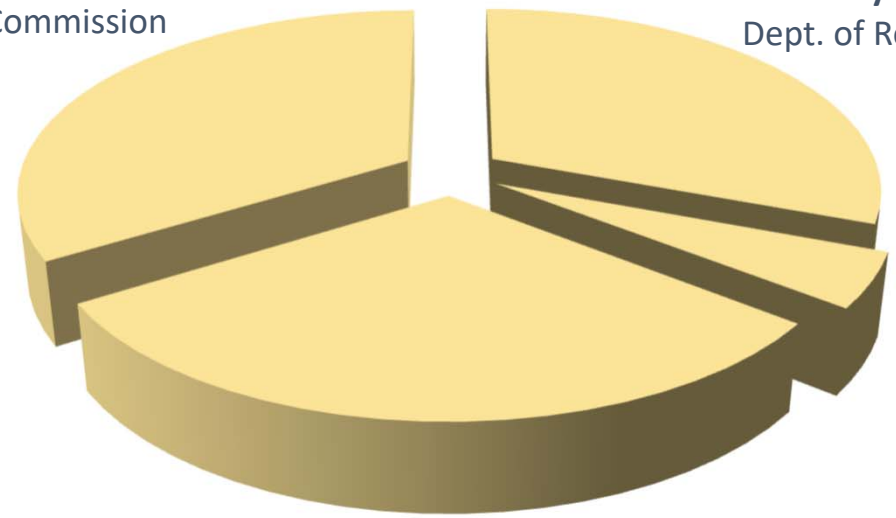
Reductions in court staff and support means

- Reduced “open” hours at courthouses
- Less public access and assistance
- Impacts to entry and data processing
- Less policy, data, and business support to courts
- Closing courtrooms
- Slower case processing

Mandated / Pass-throughs / 3rd Party Collections / OReCt Maintenance

$6.5 M Reduction

Pass-throughs $2.0M
County Conciliation; Mediation; Law Libraries; Council on Court Procedures; Law Commission



3rd Party Collections $2.0M
Dept. of Revenue 70% of cost

OReCt Maintenance $0.31M
Replacement; Warranties

Mandated Payments $2.2M
Interpreters; Jury Costs

2017-19 CSL Reductions

- $21.6 million reduction in GF from CSL – 6.5% reduction
  - OJD made cuts to meet the reduction:
    - Unable to fill 80 unfunded, legislatively approved positions
    - Delay hiring by requiring four-month wait
    - Restricted training
    - Discontinue equipment lifecycle replacement; only replace upon failure
  - Ultimately the cuts were too deep for OJD to absorb, and the Legislature added funding in 2018 that mitigated employee layoffs (still 80 positions down)

2017-19 Reductions Impact

- Reduced staffing has impaired OJD's abilities to serve Oregonians
  - Time to disposition getting worse
  - Pending caseloads growing
  - Less available help for self-represented litigants

- Reduced operating hours and services in most locations
  - Most courthouses cannot operate full service hours
  - Longer counter and phone wait time for service
  - Courtroom closures have increased

Policy Option Packages

Policy Option Packages

CRITICAL PRIORITIES

103 – Statewide Service Restoration for Circuit Courts
102 – Judicial Compensation
101 – New Judgeships and Support Staff

104 – General Fund Support for OECI Maintenance
107 – Support Effective Court Programs – Technology Services

111 – Oregon Courthouse Capital Construction and Improvement Fund
112 – Supreme Court Building Preservation and Seismic Retrofit
110 – Local Courts Facilities Infrastructure and Safety

OTHER PRIORITIES

105 – Support Effective Court Programs – Pro Se
106 – Support Effective Court Programs – Statewide Services
108 – County Mediation and Conciliation Funding
109 – Treatment / Specialty Courts Grant Funding
113 – Application Contribution Program Support

POP 103 – Statewide Service Restoration for Circuit Courts

Provides positions to ensure critical court services – counters open, phones answered, timely case processing in all circuit courts.

- $9.7M GF
- 69.92 FTE

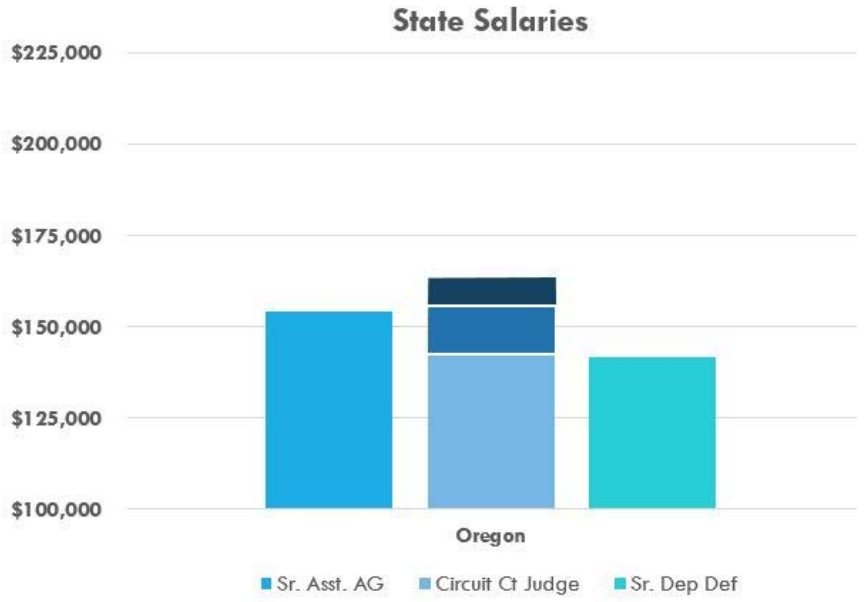
QUICK FACTS

- 12.5% less staff in OJD since 2007-09
- Only 1 circuit court provides all public services 8:00am to 5:00pm
- Over 750,000 cases filed every year in Oregon's state courts
- 34,685 requests for language interpreters in 2018
- More than 43,000 domestic relations cases filed every year
- Thousands of self-represented litigants attempt to navigate complex court cases with little or no help

POP 102 – Judicial Compensation

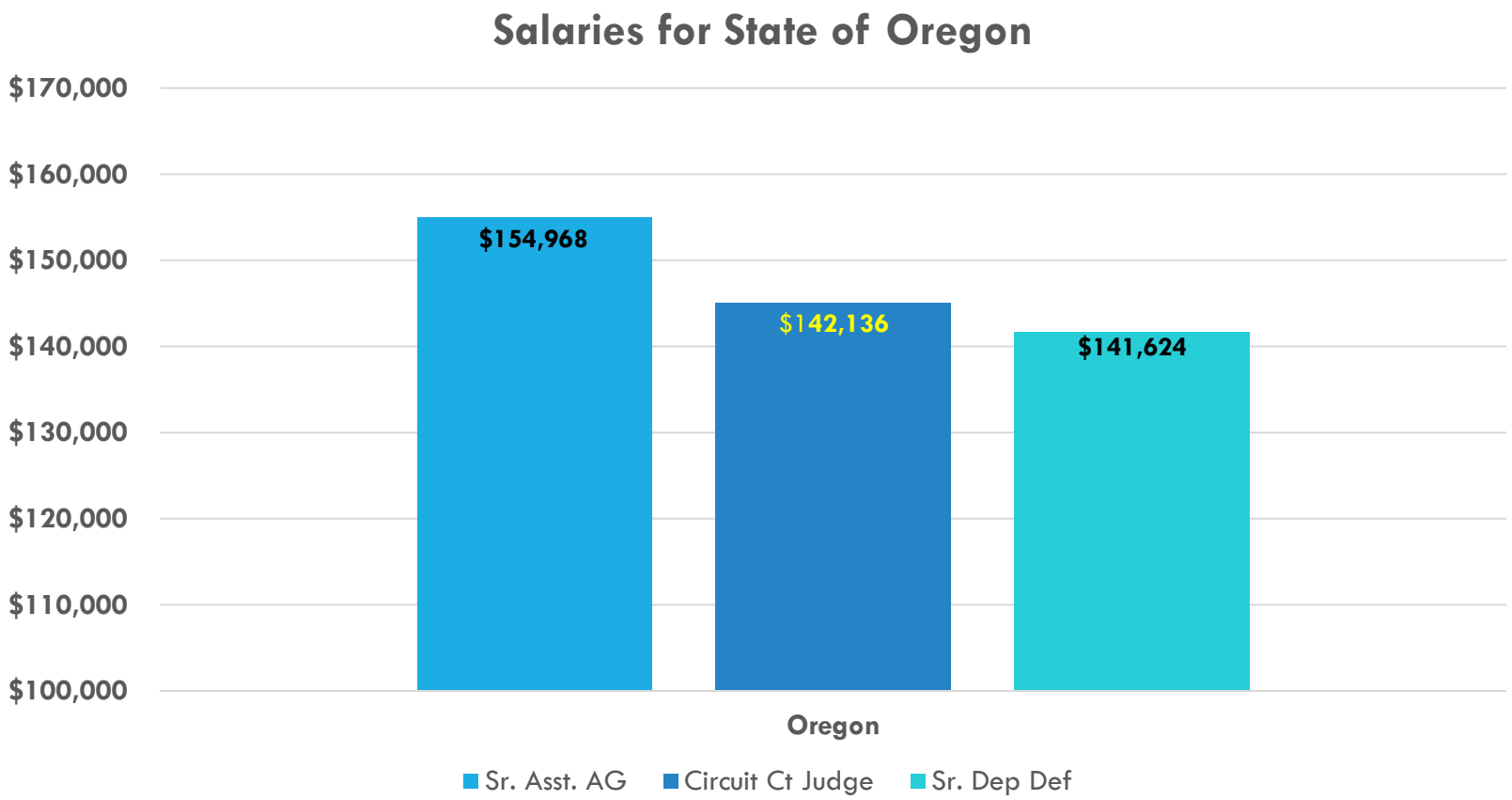
Increases judicial compensation to start at 75% of a US District Court judge salary, with adjustments for appellate judges and presiding appellate judge positions

- $7.5M GF
- Oregon judges currently make less than the publicly paid lawyers who appear before them
- Judicial recruitment and retention is becoming an increasing challenge

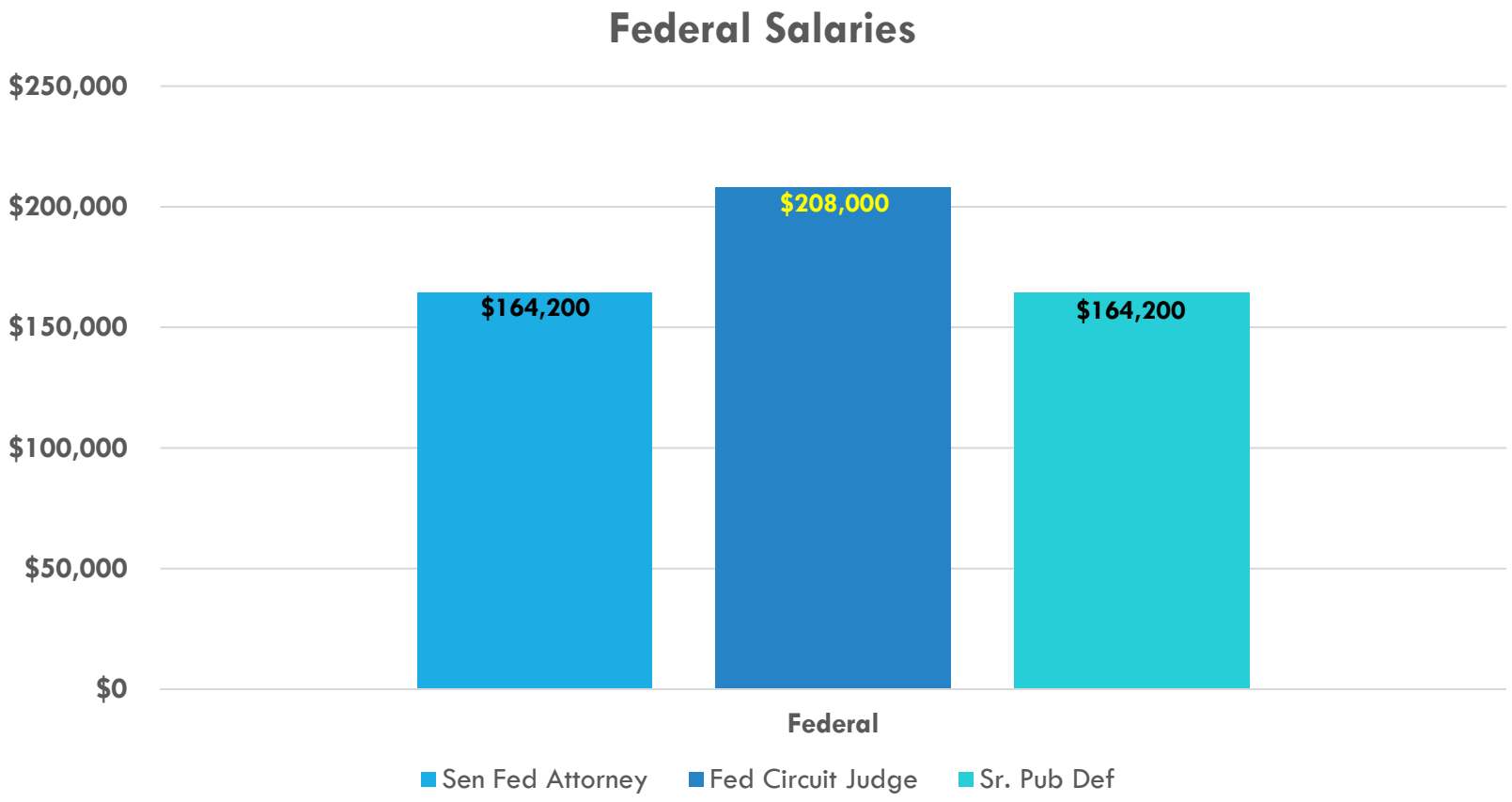


*** The Governor's Recommended Budget (GRB)** fully funds CSL and bonds for court projects, and proposes a $10 million E-Board allocation for judicial compensation and family treatment courts.

JUDICIAL COMP – OREGON



JUDICIAL COMP – STRUCTURAL INTEGRITY



Judicial Compensation

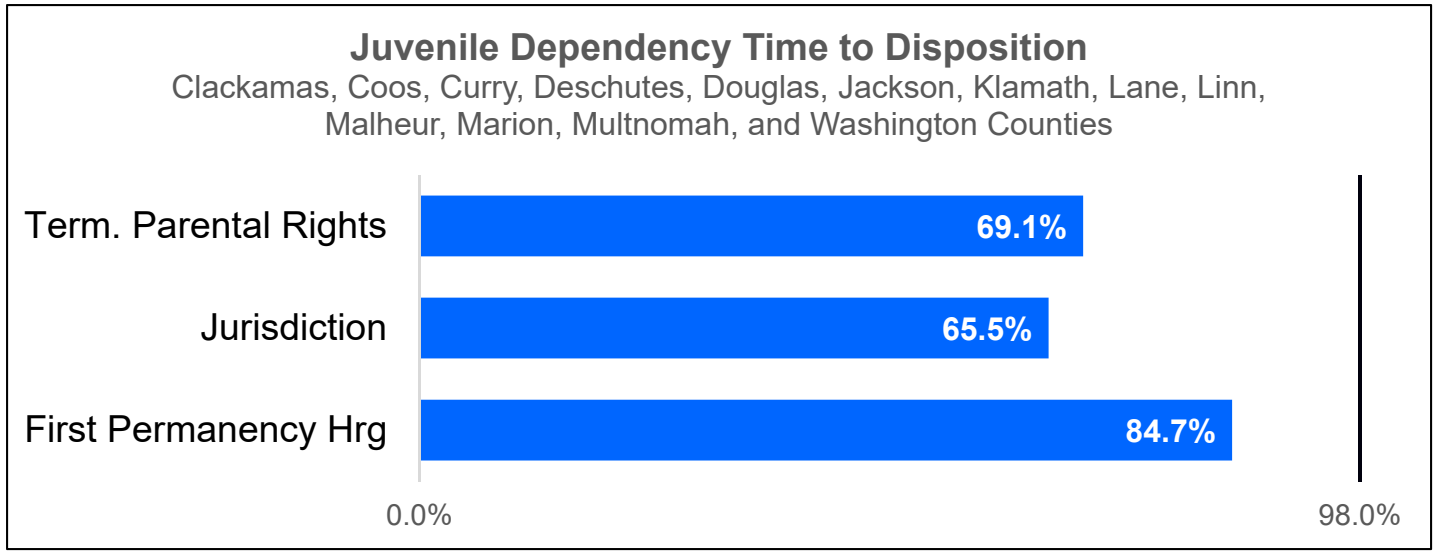
CIRCUIT COURT JUDICIAL SALARIES
(January 6, 2019 – NCSC Report)

Cost-Adjusted Nat'l Ranking	State	Amount
28	California	$207,424
21	Hawaii	$205,080
25	Alaska	$189,720
26	Washington	$172,571
17	Colorado	$168,202
9	Utah	$166,300
22	Nevada – Median Western States	$160,000
29	Wyoming	$150,000
36	Arizona	$149,383
48	Oregon	$142,136
30	Idaho	$135,400
42	Montana	$132,558
49	New Mexico	$126,187

POP 101 – New Judgeships and Support Staff

Provides funding for 14 new judgeships, with support staff, in Multnomah (2), Lane (2), Linn, Washington, Marion, Deschutes, Douglas, Clackamas, Klamath, Malheur, Coos/Curry, and Jackson Counties

- $4.5M GF
- 19.46 FTE



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POP 104 and 107 – Support Effective Court Programs

104
Tech Fund for systems maintenance

Increases funding to support public access and statewide support for court electronic applications, systems, and services

- $3.3M GF

107
Maintain technology for court operations

Provides needed statewide computer hardware replacements and technology personnel in Multnomah County

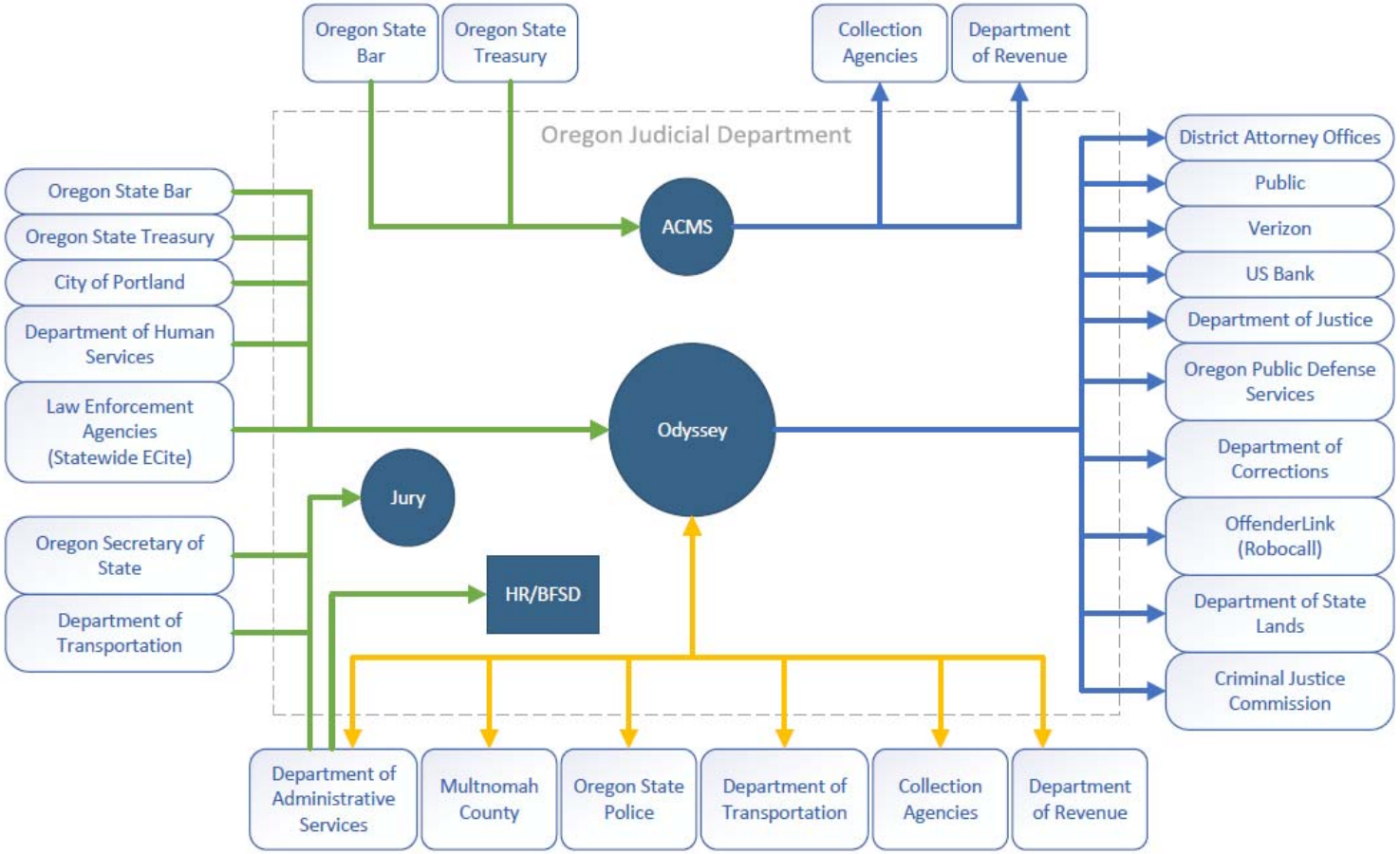
- $5.4M GF
- 2.76 FTE

Maintain and Support Technology

www.courts.oregon.gov

- **Oregon eCourt**
  - Guide and File – interactive forms
  - Text-to-Debt (payment plan reminders)
  - Online Records and Calendar Search
  - ePay – online payment options
  - File and Serve – eFiling availability

Partner Integrations

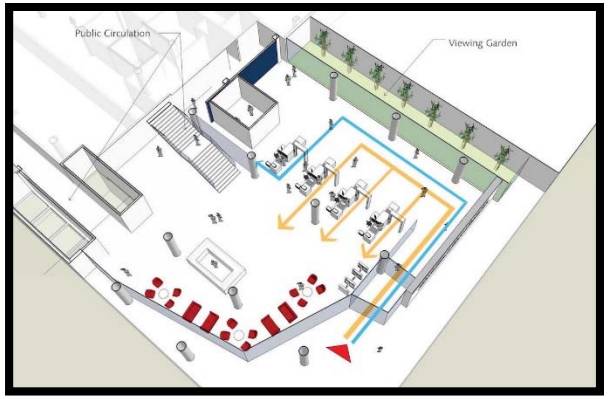


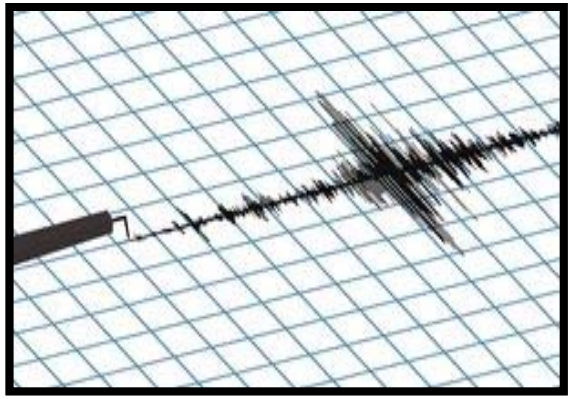
POPs – Safe and Secure Court Facilities

- Continues support for courthouse replacements in Multnomah, Lane, and Clackamas counties; provides matching funds for planning and construction in Benton and Linn counties

- Continues support for capital construction and bonding authority to perform replacement, renovations, and seismic upgrades to the Supreme Court Building

- Increases pass-through funding to ensure minimal court security in courthouses; providing funds from the Criminal Fine Account for capital construction and capital improvement projects in county courthouses





POP 111– Safe and Secure Court Facilities

*Continues support for courthouse replacement in **Multnomah** county*

- $0.8M GF
- $8.5M OF

Progress on Multnomah County Circuit Court Courthouse – Dec. 2018

- Last request to finish the Multnomah Courthouse
  - $8.5 million as the second half of the bond funding for necessary furniture, fixtures, and equipment
  - $750,000 GF for moving expenses
- 17 story, 460,000 square feet, to be completed late spring 2020
- Office of Public Defense Services (OPDS) is co-located state agency

POP 111– Safe and Secure Court Facilities

*Continues support for courthouse replacements in **Lane** and **Clackamas** counties*

- $119.1M OF

- Lane County – $87.6 million
  - OPDS is co-located state agency
  - Completion mid to late 2023
  - Already received $6.4 million of $94 million total request

- Clackamas County – $31.5 million
  - OPDS and DHS are co-located state agencies
  - Completion late 2023 to early 2024
  - Already received $1.2 million of $95.7 million total request
  - Will request $63 million in 2021-23

POP 111– Safe and Secure Court Facilities

*Provides matching funds for planning and construction in **Benton** and **Linn** counties*

- $17.9M OF

- Benton County – $2.0 million
  - To begin planning with additional information and requests in 2021-23

- Linn County – $15.9 million
  - Single request that will fund planning and complete construction

POP 112 – Supreme Court Building Seismic / Modernization

Continues support for capital construction and bonding authority to perform replacement, renovations, and seismic upgrades to the Supreme Court Building

- $3.8M GF
- $28.2M OF

NOTE: Most recent estimates call for $1.5 million less in General Fund (was $5.3M), but will require an additional 2021-23 request of approximately $9 million in bond funding

POP 110 – Court Security Funding, Courthouse Improvements

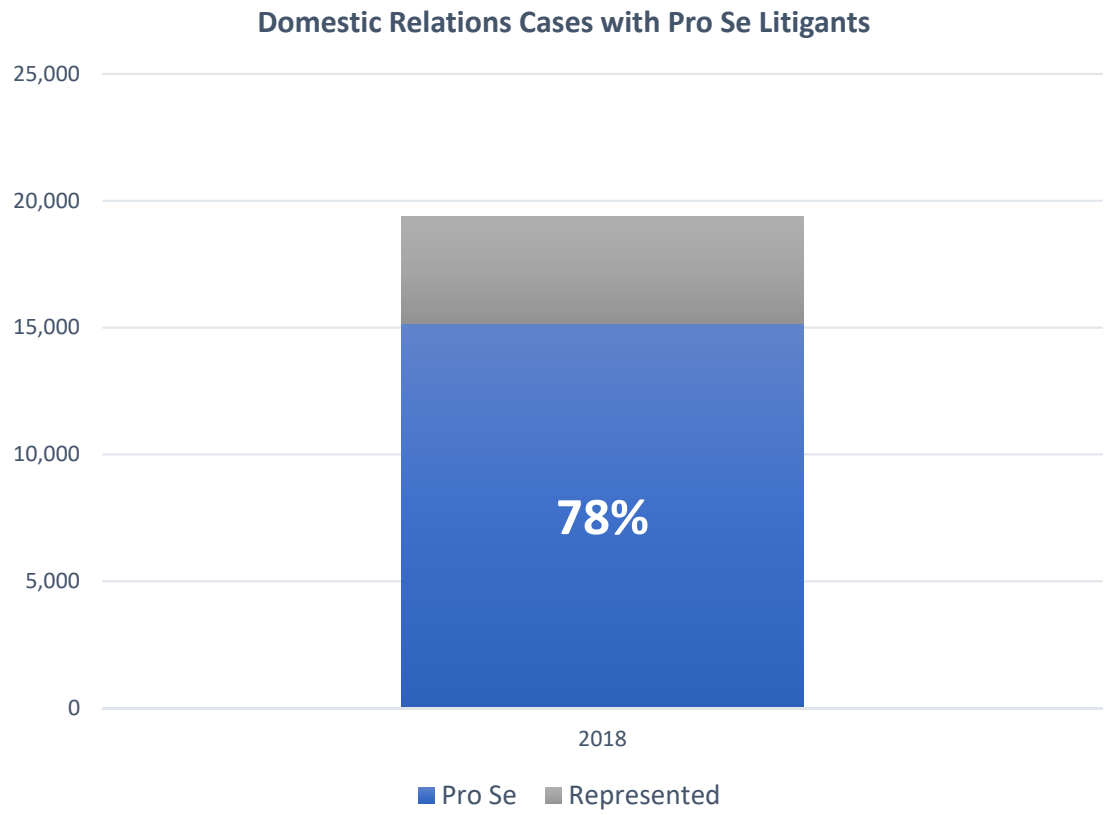
Increases pass-through funding by $1.5M to court Security accounts to ensure minimal court security in courthouses; provides $3.6M in funding from the Criminal Fine Account for capital construction and capital improvement projects in county courthouses

- $5.1M OF

POP 105 – Support Effective Court Programs – Pro Se

Circuit court resources (Baker, Columbia, Lane counties) to assist self-represented litigants

- $0.3M GF
- 2.3 FTE

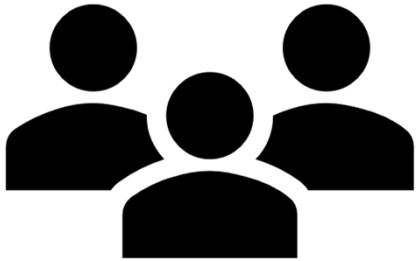


POP 106 – Support Effective Court Programs Statewide Services

Provides funding for statewide positions in the Office of the State Court Administrator (OSCA) for positions in Human Resources, Legal Counsel, and Data Management

Necessary to ensure adequate staffing and training, and to appropriately manage contracts, data requests, data integrations, and data analysis.

- $0.6M GF
- 2.76 FTE



POP 108 – County Mediation and Conciliation Funding

Increases pass-through funding for county mediation and conciliation services and program coordination

- $1.6M GF

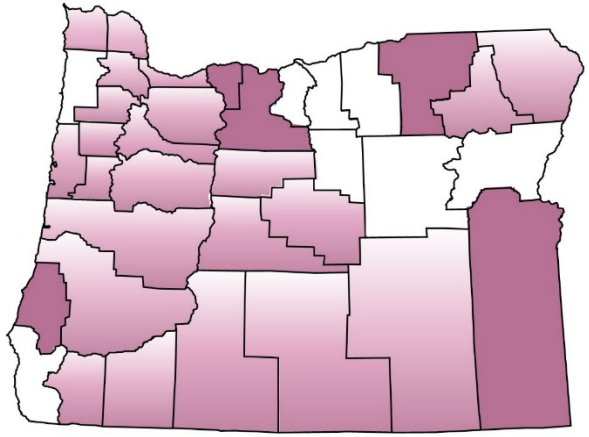
ORS 36.100 …when two or more persons cannot settle a dispute…it is preferable…to resolve…with the assistance of a trusted and competent third party mediator…rather than…remaining unresolved or resulting in litigation.

POP 109 – Treatment / Specialty Courts Grant Funding

Renews position authority and expenditure limitation for grants that either extend into the 2019-21 biennium or are expected to renew

- $4.6M OF

- **23** counties receive CJC specialty court grant funds
- **5** counties receive no CJC specialty court grant funds
- **8** have no Problem-Solving Courts

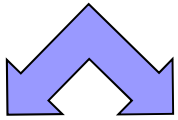


POP 113 – Application Contribution Program Support

Provides limitation and position authority to continue this program and these existing positions as we improve collection efforts

- $0.7M OF
- 4.0 FTE

The Application Contribution Program, also known as the Verification Program, is the Oregon Judicial Department (OJD) program responsible for carrying out the provisions of these statutes:



ORS 151.485 a person is financially eligible for appointed counsel at state expense if they are "…financially unable to retain adequate counsel without substantial hardship…"

ORS 151.487 "The court shall enter a limited judgment requiring that the person pay…the amount that it finds the person is able to pay without creating substantial hardship…"

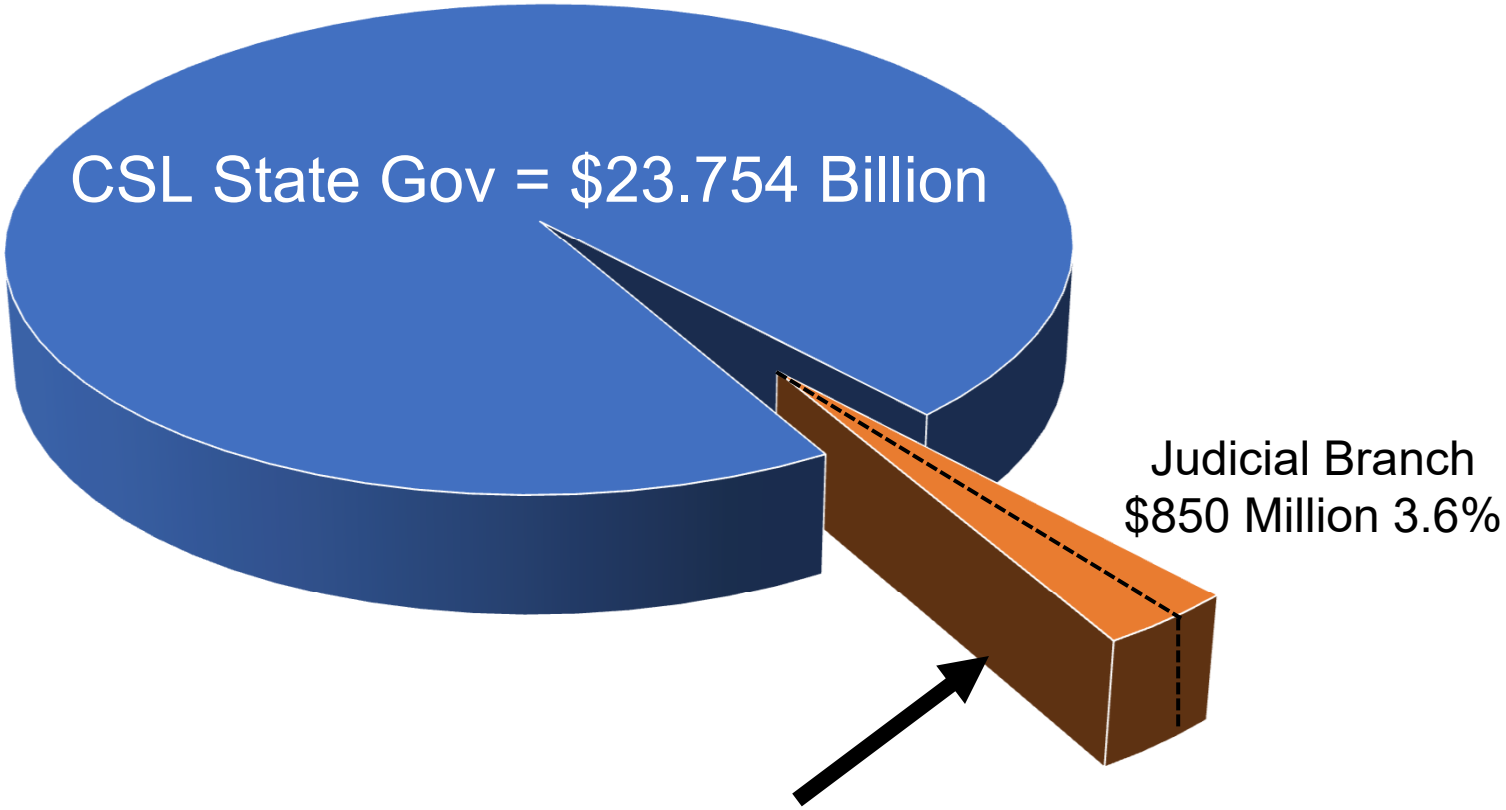
OJD Legislative Bills

- **HB 2238:** Corrects imbalance in judicial compensation
- **HB 2239:** Adds judges to improve dependency outcomes
- **HB 2240:** Provides specific authority for centralized violations bureau
- **HB 2241:** Allows Chief Justice to impose fees to public entities for electronic access

- **SB 186:** Changes statutory consumer price index for Tort Claims Act
- **SB 187:** Modifies judicial marshal retirement benefits

OJD and Judicial Branch GF

2019-21 Co-Chair Budget



Chief Justice's Budget Priorities
2019-21 Biennium

- Better Service for Oregonians Who Need Help
  - Add court staff so we can meet our statutory and constitutional obligations
- Correct imbalance in judicial compensation
- Improve outcomes in juvenile dependency cases through targeted additions of new judges and support staff
- Support safe and secure courthouses
- Preserve critical technology infrastructure & services

OJD PRESENTATION - AGENDA

April 1 – 4, 2019

Day 1	Overview of the Judicial Branch
Day 2	Oregon Tax and Circuit Court Programs
Day 3	OJD Budget and Policy Option Packages
Day 4	Public Testimony