

# OREGON JUDICIAL DEPARTMENT

## *DELIVERING JUSTICE, SERVING COMMUNITIES*

MARTHA WALTERS, CHIEF JUSTICE OF THE OREGON SUPREME COURT  
PATRICIA MCGUIRE, JUDGE, MULTNOMAH COUNTY CIRCUIT COURT  
NANCY COZINE, STATE COURT ADMINISTRATOR

PRESENTED TO THE SENATE COMMITTEE ON JUDICIARY  
JANUARY 21, 2021



# THE ROLE OF THE COURTS IN OUR DEMOCRACY

- Access to Justice
- Public Trust and Confidence
- *A Place to Be Heard, Resolve Disputes, and Solve Conflicts*



# COURTS IMPACT PEOPLE IN ALL ASPECTS OF THEIR LIVES

## Courts are at the crossroads wherever people have disputes

- Workplaces, Businesses
- Debtor/Creditor and Small Claims
- Treatment Courts
- Mental Health
- Family Law
- Child Welfare
- Protective Orders
- Criminal Justice
- Housing
- Public Benefits
- Tax Disputes
- Election and Ballot Measure Disputes
- Juvenile Dependency and Delinquency
- Claims of Wrongful Injury
- Objections to Government Action



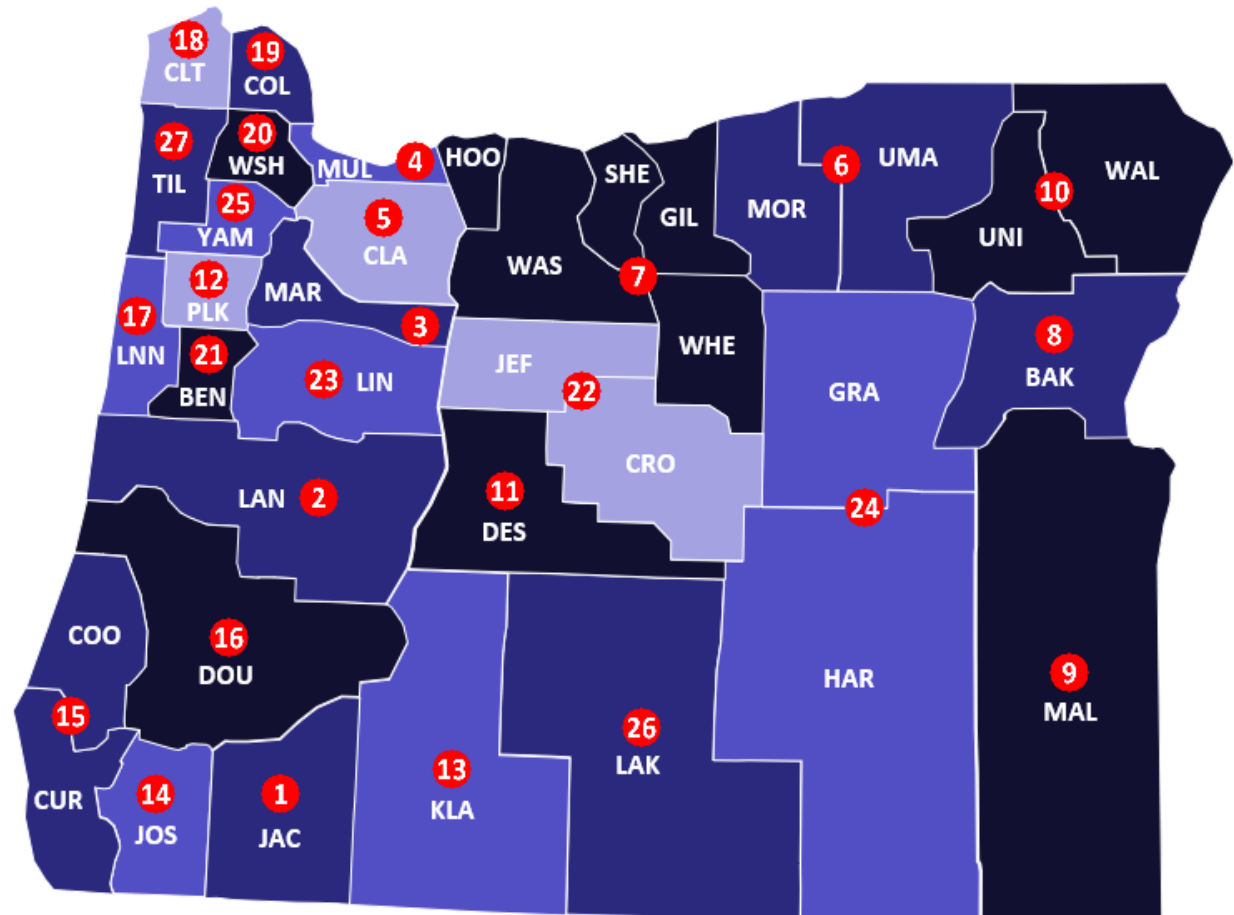
Treatment Court Graduates



Serving Families in Crisis

# OREGON COURTS - A UNIFIED COURT SYSTEM

- **Oregon Supreme Court**
- **Court of Appeals**
- **Tax Court**
- **27 Judicial Districts**
  - Circuit Courts in every county
  - 198 Judges
  - 1,620 Staff
  - Serving 4.22 million Oregonians
- **Office of the State Court Administrator**



# SHARED RESPONSIBILITIES: COURTS AND COUNTIES

- **Counties provide** courthouses and security for circuit courts.
- **OJD provides** staffing, judges, technology, central personnel, and tools needed to provide justice services.

ORS 1.001; ORS 1.185





# PROTECTING STAFF AND LITIGANTS

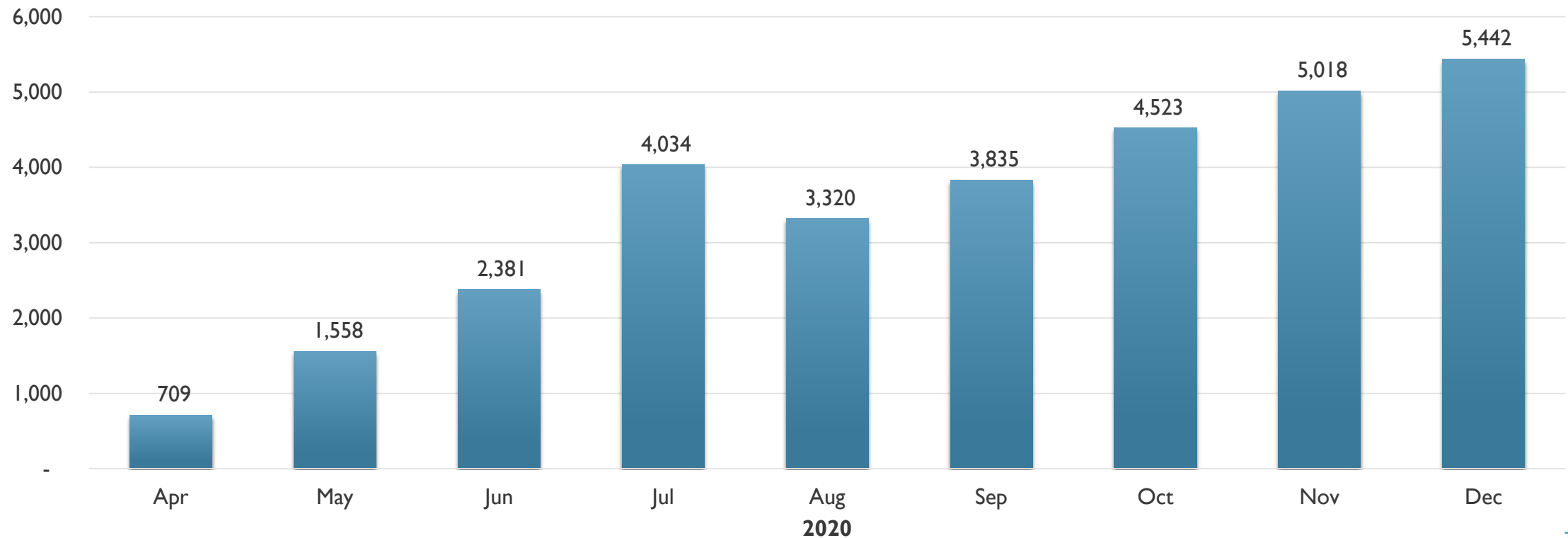
- Chief Justice Orders issued to keep people safe by restricting the numbers of individuals in courts and enacting measures to further public health. (<https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>)
- Pivot to remote services with rapid expansion of Webex and other tools
- Implemented emergency authority during pandemic granted by HB 4212-A (First Special Session, 2020) through Chief Justice Order and Presiding Judge Orders



*“We the people of the State of Oregon to the end that Justice be established, order maintained, and liberty perpetuated, do ordain this Constitution.”*  
Preamble to the Oregon Constitution

# PIVOT TO REMOTE SERVICES TO REDUCE SPREAD AND PROTECT COMMUNITIES

## Webex Hearings Held by Circuit Courts



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OREGON JUDICIAL BRANCH  
STRATEGIC CAMPAIGN 2020-2021

# THE FOUR COMMITMENTS

- **Improve services and outcomes for people who are underserved, vulnerable, or marginalized;**
- **Improve access to justice;**
- **Enhance the public's trust and confidence in Oregon's state government;**
- **Create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity**

[https://www.courts.oregon.gov/about/Documents/2020-21-Strategic-Campaign\\_WebCopy.pdf](https://www.courts.oregon.gov/about/Documents/2020-21-Strategic-Campaign_WebCopy.pdf)





# SERVING FAMILIES & VICTIMS

PATRICIA MCGUIRE, MULTNOMAH COUNTY CIRCUIT COURT JUDGE



# CHALLENGES IN FAMILY LAW CASES

*HOW DO COURTS PROVIDE SAFE, EFFECTIVE, AND FAIR JUSTICE SERVICES DURING THE PANDEMIC?*

- Family law includes child custody modification, parenting time orders, dissolution (divorce), and other matters impacting couples and those with children.
- Economic and social stressors are now at an all-time high.

# ENSURING EQUITY AND FAIRNESS IN FAMILY LAW CASES - PROCEDURAL JUSTICE

People require the court's attention more than ever.

- Self-represented litigants increases complexity and time
  - In 2020, 86.3% of Multnomah Domestic Relations cases had at least one self-represented party at time of judgment (85.7% statewide)
- Technology challenges
- Time, explanation and attention – ensuring understanding is paramount
- Interpreter process takes longer in a remote setting
- Impact of stress on families: many cases will not settle
- Consistency, the need for patience and resilience
- Reducing barriers



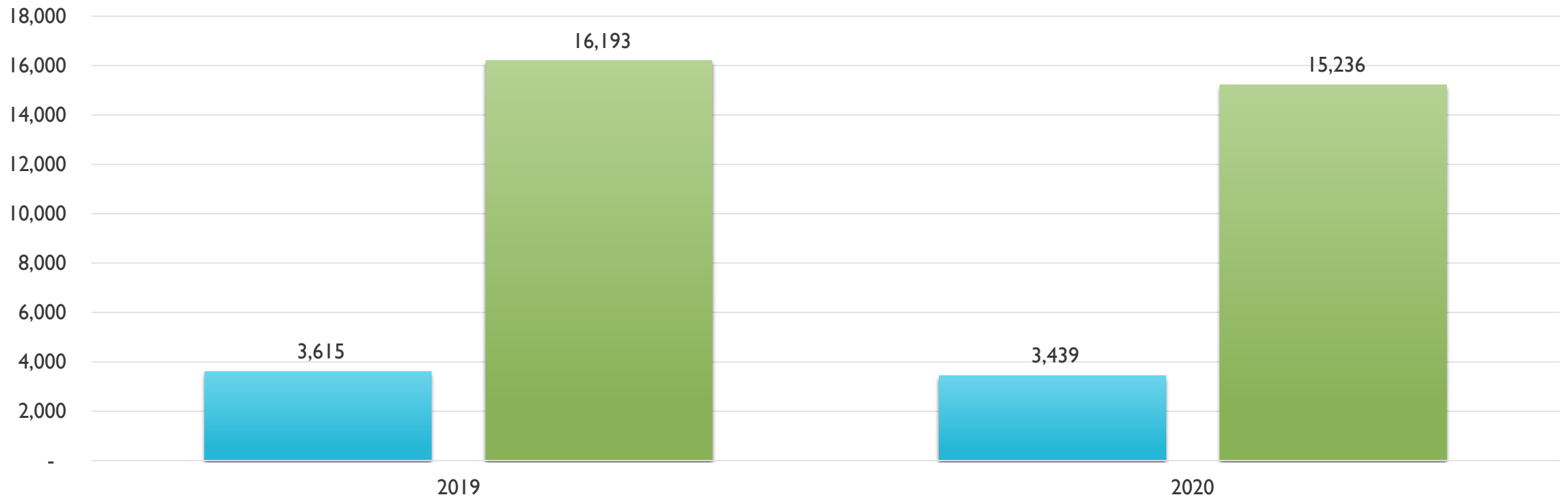
## THE LIVES OF THOSE IMPACTED

- Kendra
- Susan

# PROTECTIVE ORDERS

## Protective Orders Filed

■ Multnomah ■ Statewide

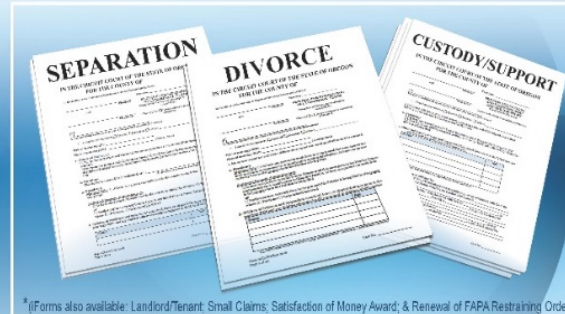


# REMOTE FILING FOR PROTECTIVE ORDERS

- During the pandemic, OJD launched a remote filing service by creating “Quick Review Queue”
- We are working with justice partners to ensure effective operation of this service

## Don't Have a Lawyer? **Self-Represented?**

### Interactive **FAMILY LAW** **FORMS ONLINE** for:\*



\* (Forms also available: Landlord/Tenant; Small Claims; Satisfaction of Money Award; & Renewal of FAPA Restraining Order)

### **Oregon Judicial Department** **iForms** make completing court forms simple:

1. Type in answers to online “interview” questions
2. iForms produces your completed form
3. eFile the form using iForms or print & submit to the court by mail or in person



[www.courts.oregon.gov/iForms](http://www.courts.oregon.gov/iForms)

## OJD Guide & File

### What You'll Need

1. All related information: names, addresses, correspondence & documents (pdf format)
  2. A credit card if you are going to eFile an iForm that requires a fee
  3. The ability to download and save your copy of the iForm
  4. Access to a printer if you need to file at the courthouse
  5. Watch the “How To” video. Help information is provided throughout the interview process
- Then click “Start Your Legal Process” to select a form and begin the interview!

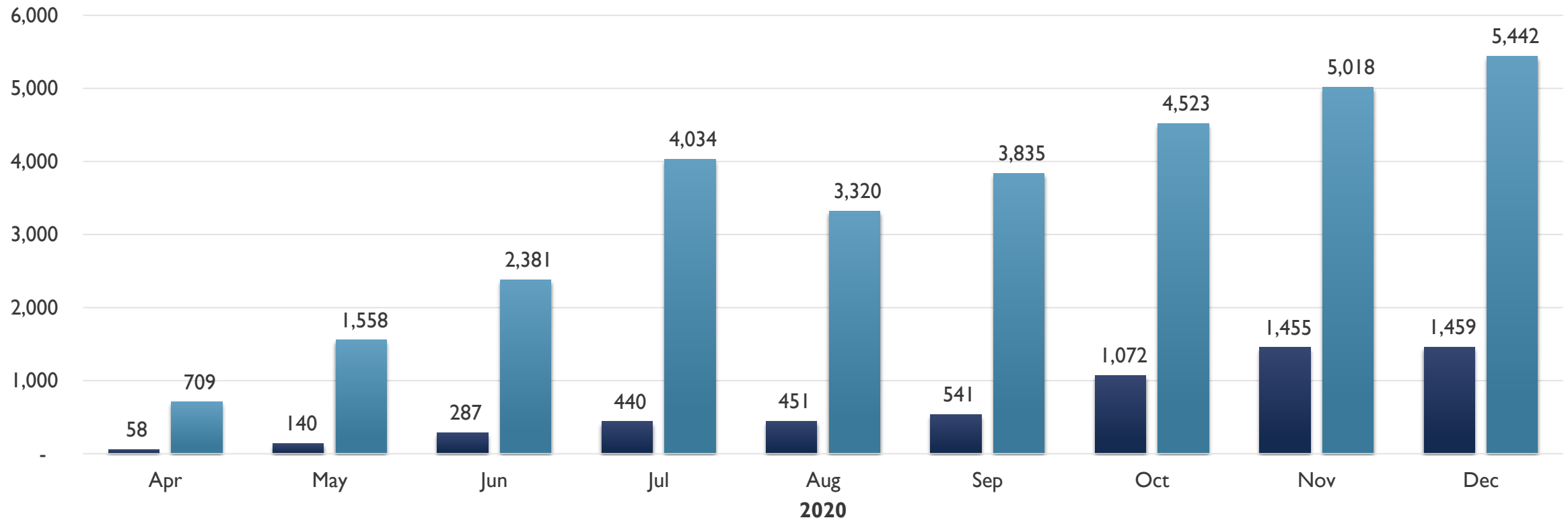
[Start Your Legal Process](#)



# REMOTE PROCEEDINGS IN MULTNOMAH COUNTY AND STATEWIDE

## Webex Hearings Held in Circuit Courts

■ Multnomah ■ Statewide





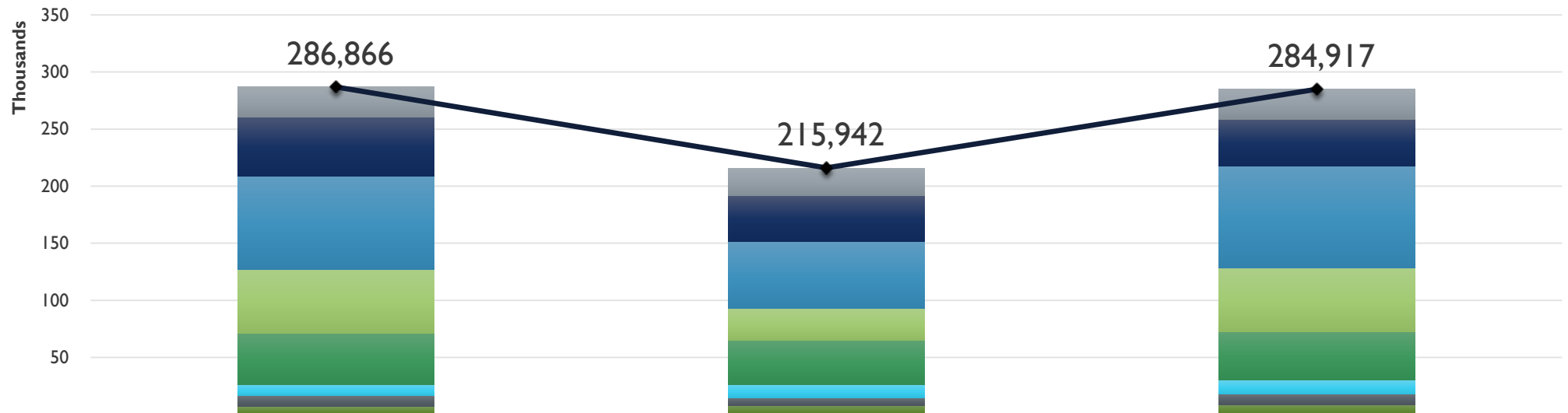


# LOOKING AHEAD

NANCY COZINE, STATE COURT ADMINISTRATOR

# CASE FILINGS EXPECTED TO 'BOUNCE BACK' POST-COVID

Circuit Court Case Filings (excludes Violations)



	2019	2020	2021 Projected
Felony	26,598	24,220	26,587
Misdemeanor	51,536	40,077	41,018
Civil	81,768	58,695	88,754
Small Claims	56,091	27,942	56,100
Domestic Relations	44,414	38,822	42,420
Probate	9,926	11,228	11,933
Juvenile	9,449	7,087	9,449
Civil Commitment	7,084	7,871	8,657
<b>Total</b>	<b>286,866</b>	<b>215,942</b>	<b>284,917</b>

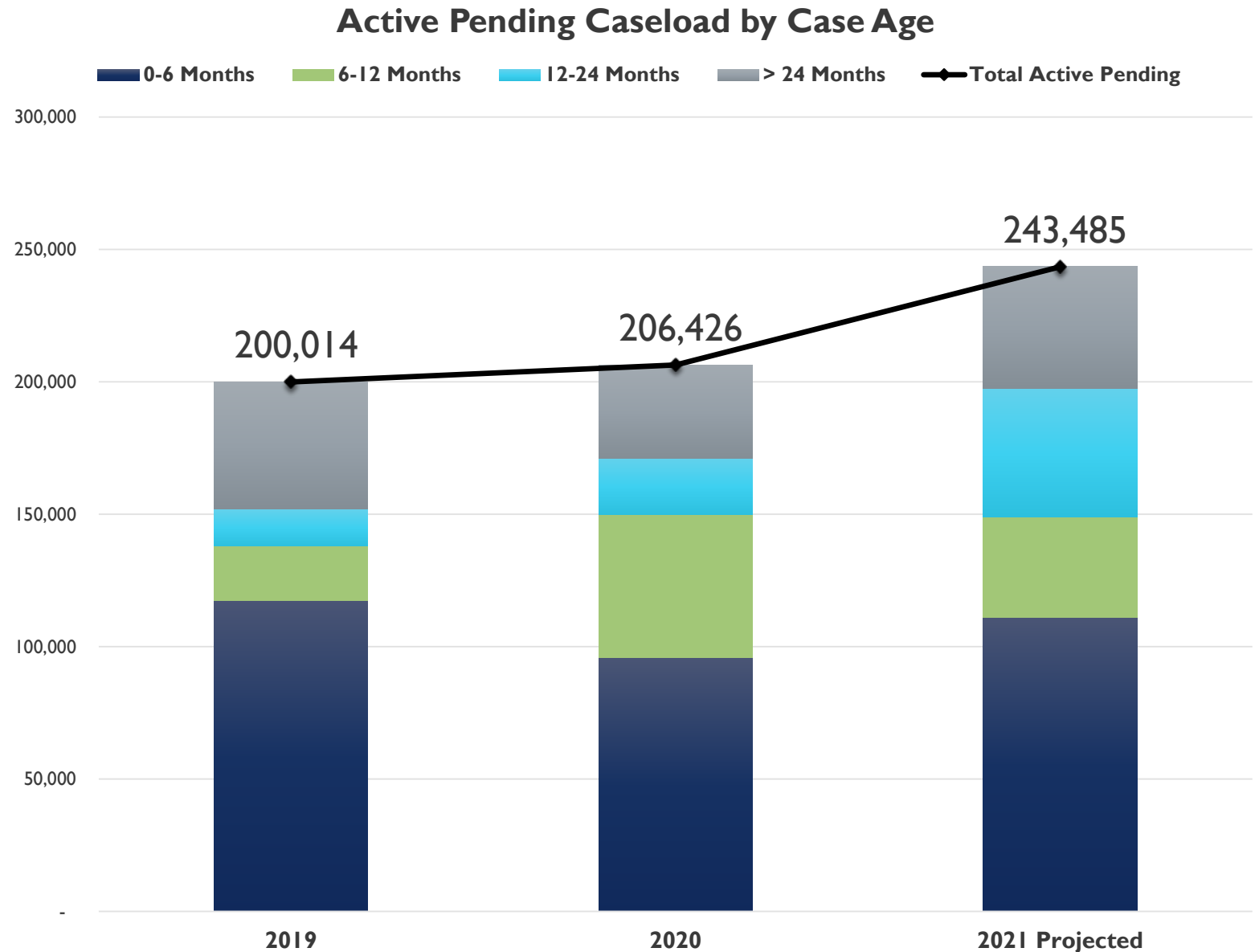
## LOOKING AHEAD – 2021 PROJECTED CASELOADS

### 2020

- Filings decreased by 37%
- Pending caseload increased by 3%
- Pending cases taking longer to resolve and case age increases

### 2021

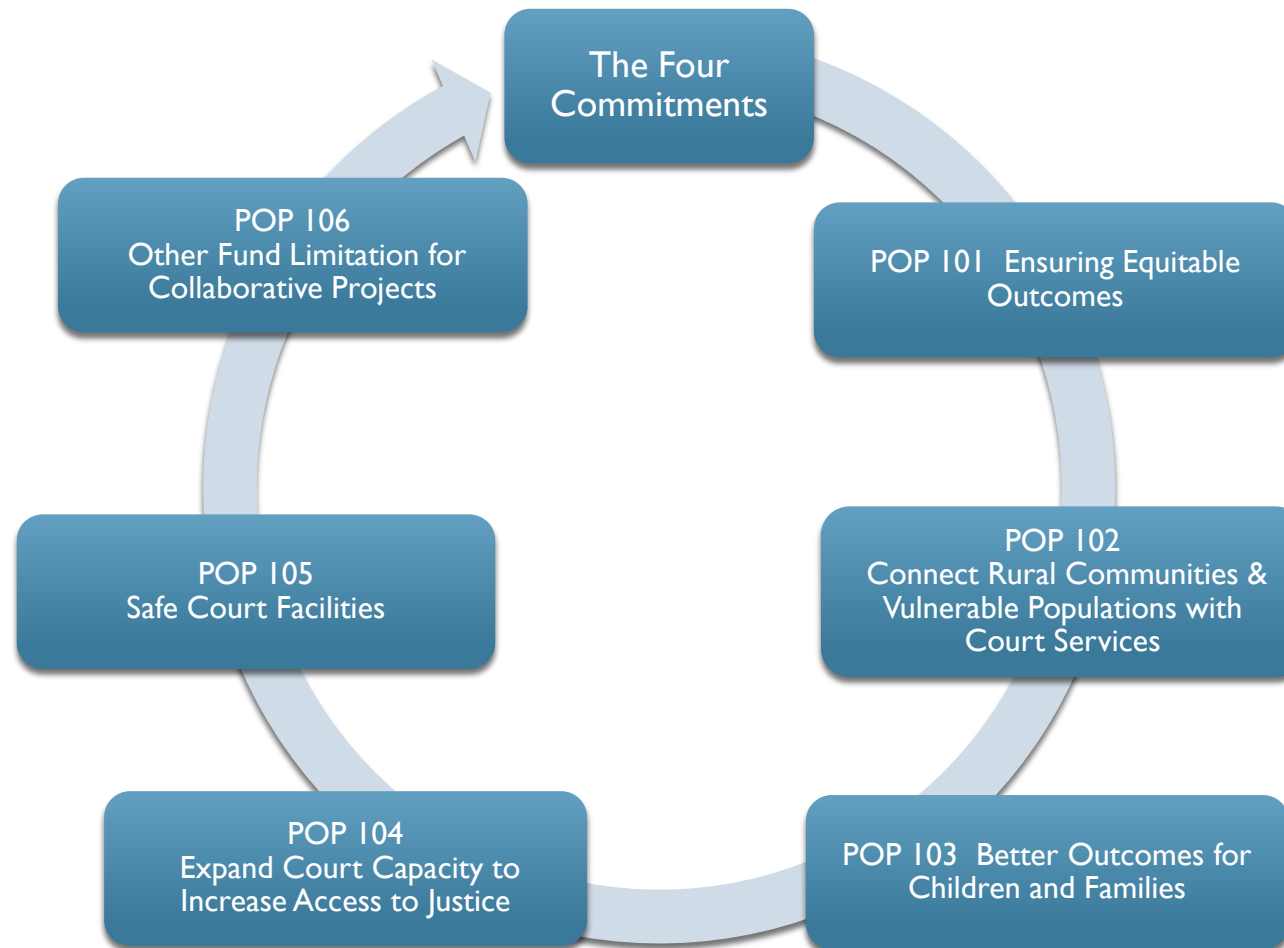
- Wave of new filings expected
- New filings will increase pending caseload
- Existing pending backlogs need to be worked
- Case age will continue to increase until courts can catch up



# LOOKING AHEAD – ISSUES ON THE HORIZON

- Addressing Racial Justice and Equity in the Criminal Justice System
- Ballot Measure 110
- Substance Abuse and Addiction Crises
- Expungement/Expunction (Juvenile)
- Juvenile Justice Reforms
- Child Welfare Needs
- Housing

# STRATEGIC CAMPAIGN – CRITICAL PRIORITIES



# OJD BILLS - 2021 LEGISLATIVE SESSION SENATE BILLS

- **Aid and Assist Reform (SB 295).** Modifies processes to address persons not able to aid and assist in their defense to criminal charges. The 2021 request, supported by a broad coalition of stakeholders, includes consensus amendments to SB 1575-A.
- **Chief Justice Authority During Emergencies (SB 296).** Makes permanent the Chief Justice authority to extend or suspend specified statutory timelines and order remote instead of in-person appearances in civil and criminal cases during and immediately following a declared state of emergency.
- **Judicial Marshal Retirement Parity (SB 297).** Provides that the three Judicial Marshals are eligible for same retirement benefits as other peace officers.
- **Housekeeping Measures (SB 298).** Non-substantive changes that would conform language in civil stalking statutes; requires petition and declaration in sex offender reporting cases; modifies venue provisions in cases to change both name and gender identity; requires judgments identify Title IV-D child support orders; removes notarization requirement for stipulated modifications of parenting time orders.

## LOOKING AHEAD – 2021 ACTION PLAN

- Develop and enhance remote hearing and services options
- Provide the full range of services and work down the backlog
- Collaborate to address the needs of Oregon's most vulnerable populations
- Focus on Strategic Campaign commitments



# NEED MORE INFORMATION?

## [www.courts.oregon.gov](http://www.courts.oregon.gov)

- Courts
- Hours
- Contact information
- Services
- Court records
- Court calendars
- Self-help information and forms

## **Contact:**

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QUESTIONS?

Thank you!

