

March 11, 2021



Oregon Progressive Party Independent Party of Oregon

Position on Bills at 2021 Session of Oregon Legislature:

Dear Committee: **HB 2998: Oppose**

The Oregon Progressive Party and Independent Party of Oregon oppose this bill, which:

- Provides that party or attorney may not move to disqualify judge in judicial district with three or fewer circuit court judges.
- Provides that prosecuting attorney may not move to disqualify judge.

The stated rationale for this bill involves motions for judge disqualification by district attorneys. But the opportunity to move to disqualify a judge is very important to all litigants, particularly those who litigate on behalf of the public interest. Denying any opportunity for disqualification in a district with 3 or fewer judges will result in injustices, particularly when a suit involves use of local natural resources.

We also oppose the -2 amendment, which would require an attorney seeking to disqualify a judge to "allege specific grounds for the belief that the party or attorney cannot have a fair and impartial trial or hearing before the judge, including the particularized facts supporting the belief that the judge has demonstrated bias or prejudice." This not only invites, but demands, that attorneys engage in publicly bashing local judges in order to protect their clients--which itself will require the attorney to likely seek to disqualify the same judge in all future cases. One way to ensure that a judge is biased against an attorney is to require the attorney to publicly bash the judge for his bias.

The current system of judicial disqualification works for litigants who are not district attorneys. If the problem is the actions of the district attorneys, then the remedy should be limited to them.

Oregon Progressive Party

Daniel Meek

authorized legal representative

dan@meek.net

503-293-9021

