

OREGON JUDICIAL BRANCH Strategic Campaign 2020–2021





**Martha L. Walters, Chief Justice
Oregon Supreme Court**

On behalf of Oregon's judicial branch, it is my pleasure to introduce our strategic campaign for 2020-2021. This campaign recognizes our constitutional obligation to provide justice for all Oregonians, makes four commitments to advance that cause, and sets out nineteen initiatives that we will undertake over the next two years. I hope that you will study the elements of this campaign with interest and enthusiasm and determine how best to contribute your time and talents.

This campaign is the work of the Oregon Judicial Department's (OJD's) Strategic Planning Steering Committee, with assistance from the National Center for State Courts and the State Justice Institute. The Steering Committee reviewed OJD's past strategic plans and convened 12 focus groups to obtain the insights and experiences of the diverse individuals who make up our justice system. The first groups included presiding judges, trial court administrators, and division heads from the Office of the State Court Administrator (OSCA). Later focus groups included community leaders, legal advocates, bar leaders, law enforcement, governmental partners, and court staff. We also solicited the advice of legislators and conducted an OJD-wide survey that provided insight about how well we measure on national indicators of highly effective courts.

We compiled what we learned and presented the results at a two-day summit, where 40 volunteer participants from across OJD—including judges, trial court administrators, and central staff—identified the most pressing concerns and made recommendations to address them. The Steering Committee then adopted this plan for a focused two-year campaign. I am thankful to all those who participated in this effort, and I hope that this campaign is a faithful reflection of our justice community's aspirations.

As you will see when you review this campaign, we face many challenges in our constant effort to provide justice for all Oregonians. It is my hope that, by undertaking specific commitments and initiatives, we can better address those challenges, increase public trust and confidence in our courts, and improve our services for all.

To that end, the Oregon Judicial Department makes these four commitments to the people of Oregon:

We will join with community partners to improve services and outcomes for people who are underserved, vulnerable, or marginalized; and we will develop effective, supportive, and creative solutions to respond to their legal needs.

We will improve access to justice by eliminating barriers; continuing to simplify and streamline our processes and forms; enhancing service options; leveraging technology; improving interpreter services; and advocating for resources to keep courts open, safe, and secure.

We will enhance the public's trust and confidence in Oregon's state government, including the judicial branch, by listening and responding to the needs of those we serve; holding ourselves to high standards; and communicating the role of our courts in providing justice for all.

We will create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity; and where all people can thrive and are treated with respect and dignity.

On the following pages, we describe those commitments in greater detail and set out the initiatives that we plan to undertake in the coming two years.

To our readers, we thank you for your interest, and we invite your involvement and inquiries. To those of you who already have contributed to this campaign, we thank you for sharing your experiences and your ideas. To be successful in this campaign we will need your continued, concerted commitment.

To all who join us in carrying out our goals, we thank you for sharing our mission of providing fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence. It is you who ensure that we achieve that mission, and we are committed to working together for the benefit of all Oregonians.

Martha L. Walters, Chief Justice



Commitment 1

We will join with community partners to improve services and outcomes for people who are underserved, vulnerable, or marginalized; and we will develop effective, supportive, and creative solutions to respond to their legal needs.

Commitment 1 — Initiatives

- 1.1 We will participate in statewide efforts to examine how to best meet the needs of Oregonians with **mental and behavioral health challenges** and develop best practices for courts to use in cases where those challenges must be addressed.



Oregon’s court system reflects the growing, state-wide need for unique and appropriately tailored services for those who have mental or behavioral health challenges. The Chief Justice has created a Behavioral Health Advisory Committee (BHAC) to develop policies and procedures to effectively, efficiently, and humanely serve individuals with such challenges. In doing so, the BHAC will work closely with the courts, governmental partners, and other mental and behavioral health committees and stakeholders.

- 1.2 We will continue to examine the impacts of **finest and fees**, develop best practices for their imposition, and take affirmative steps to ensure that they do not create unnecessary barriers or disproportionate outcomes.

Fines are imposed as a way to hold people accountable for their actions and fees are imposed to require that people contribute financially to administrative costs. Despite those legitimate purposes, when people do not have the ability to pay fines and fees, those obligations can hinder them from taking positive steps to improve their lives and fulfill other important responsibilities. OJD will pursue legislation to enable people to successfully satisfy judgments for fines and fees, and will continue to work closely with judges, staff, and stakeholders to improve court practices in the imposition and collection of fines and fees.



- 1.3 We will seek funding to launch a **conservatorship pilot project** to audit court-ordered conservatorships and ensure that the assets of people who are unable to manage their financial affairs are protected from waste or fraud.

A conservator is a person appointed by the court to protect the interests of another person who is not capable of making independent decisions.

A conservator is responsible for managing the person’s finances and property, and must maintain and deliver financial records to the court. OJD oversees conservators and the records that they file. OJD will seek funding for a pilot project to audit conservatorship records in selected courts to ensure that conservators have not engaged in fraud or abuse. In designing the pilot project, OJD will work closely with Oregon’s Office of the Public Guardian, local communities, social services providers, law enforcement, advocates, and stakeholders.



1.4 We will launch a **juvenile delinquency** improvement program.

Oregon law related to juvenile delinquency is changing significantly, and the field of developmental psychology reveals the need for specialized responses for those who are not yet adults. OJD will research and plan for a statewide juvenile delinquency improvement program to ensure that Oregon's judges, court staff, and stakeholders are well-positioned to manage these

changes. We will model this program after the interagency and interdisciplinary work of Oregon's Juvenile Dependency Court Improvement Program and plan to create trainings, best practices, communication models, and policies that will continue to serve Oregon's youth, victims of delinquent conduct, and all their families.



1.5 We will continue efforts to expand **problem-solving** courts, such as veteran, family, and mental health treatment courts.

Oregon's problem-solving courts are delivering results throughout the state. These evidence-based courts offer meaningful alternatives to a court's historically limited role after a conviction in a criminal case or a disposition in a civil case.

Oregon's problem-solving courts provide continuous court involvement and oversight that is focused on rehabilitation, treatment, and restorative justice solutions. While problem-solving courts require an increase in judicial involvement and the time required to resolve a case, they have been found to lower recidivism, improve participation in treatment services, reduce the use of foster care, and garner long-term savings for both state and local budgets. OJD will continue to advocate and develop support for these programs, and their ongoing success.

1.6 We will work with stakeholders to ensure that Oregon has an effective and consistent statewide **pretrial release** system.

Oregon's Public Safety Task Force (PSTF) has been studying security release, and its statutory scheme, and has identified several problems with using money as a tool to secure release. Most significantly, it decreases access and fairness in the court system. Those who are unable to pay for release are routinely sentenced to longer periods of incarceration, resulting in loss of family and livelihood. Additionally, public safety outcomes are better when release decisions are based on an assessment of community risk and the likelihood of returning to court. Use of a pretrial risk tool and improved pretrial practices can produce other benefits including reduced jail crowding, fewer failures to appear, improved public safety outcomes, and significant savings. Oregon courts must be ready to join in efforts to ensure that Oregon pretrial release is informed by data, updated to reflect best practices, and applied consistently throughout the state.



Commitment 2

We will improve access to justice by eliminating barriers; continuing to simplify and streamline our processes and forms; enhancing service options; leveraging technology; improving interpreter services; and advocating for resources to keep courts open, safe, and secure.

Commitment 2 — Initiatives

 **odyssey guide & file**
a tyler courts & justice solution

) dynamic content
) dynamic content () dynamic content



These cases, and others in which parties lack representation, often have significant impacts on Oregonians and their families.

OJD is committed to making it easier for self-represented litigants to obtain legal services, access court services, understand court procedures, and advocate effectively for themselves. To deliver on that commitment, OJD will collaborate with justice system partners to improve online access, statewide forms, facilitation services, and educational resources.

2.1 We will launch and participate in collaborative initiatives to better serve **self-represented litigants** throughout the state.

When Oregonians seek legal services, access and affordability present significant challenges across the state. In many cases, even moderate-income families struggle to find affordable representation. Consequently, in more than 80% of cases involving the dissolution of marriages, custody of children, domestic violence protective orders, and housing, at least one party is not represented by a lawyer.



2.2 We will explore the use of **technology** to improve our communications with, and services for, all court users, including those with challenges due to limited time, location, or capacity.

New technology enables courts to expand communication and engagement in innovative ways. Smart phones and internet-based services provide opportunities to connect with those who have limitations due to work, family, health, transportation, poverty, language, or other challenges. OJD will investigate, and as appropriate, begin to implement creative technology solutions, including expanded eFiling materials, video options, text reminders, and online dispute resolution (ODR) programs.



2.3 We will launch initiatives to improve OJD’s ability to recruit, retain, and engage **interpreters**, and increase multi-language services across the state.

Oregon Courts are nationally recognized for providing interpreters in more than 100 languages for in-person, telephonic, and video-based language support across our state, but customer service feedback indicates that more assistance is needed.

OJD will develop new resources to recruit language-

diverse court staff to directly serve the public in the languages used in our communities. OJD will strengthen efforts to support diverse and capable candidates for court interpreter certification, launching skill building pilot programs for interpreters and bilingual court employees who demonstrate promise but need more training to achieve certification. We will also seek opportunities for more translation of commonly used documents and forms, and will increase efforts to engage interpreters as critical stakeholders in the justice system.



2.4 We will examine, assess, and advocate for **adequate resources** to keep courts open, safe, secure, and responsive to the needs of Oregonians.

Access to justice includes being able to safely attend court proceedings and having access to court staff and services at convenient hours. Due to lasting budget cuts from the 2008-09 recession, too many courts are not able to remain open throughout normal business hours. Moreover, many also lack secure premises or security staff at a time when protection from harassment and violence is needed more than ever before.

OJD will build the foundation necessary to keep courts open, safe, secure, and responsive. To reach

that goal, OJD will examine and assess resource gaps and will continue to work with county and state officials to ensure that there is broad recognition and support for court security.



Commitment 3

We will enhance the public's trust and confidence in Oregon's state government, including the judicial branch, by listening and responding to the needs of those we serve; holding ourselves to high standards; and communicating the role of our courts in providing justice for all.

Commitment 3 — Initiatives

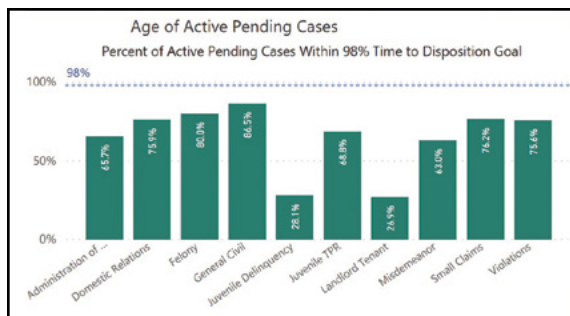
3.1 We will launch community **outreach and engagement** initiatives in all judicial districts, with the goal of listening and responding to the needs of those who rely on our courts.

Oregon courts are a critical part of the welfare of communities, and we serve those communities better when we listen and collaborate. OJD will provide tools and options for each judicial district to conduct outreach, so that we can determine whether our courts are meeting community needs and address the interests of the public and our justice system partners. Tools and options may include written, telephone, or text surveys; listening sessions; and the creation of community advisory groups.



3.2 We will expand **transparency and public education** by communicating the work of our courts.

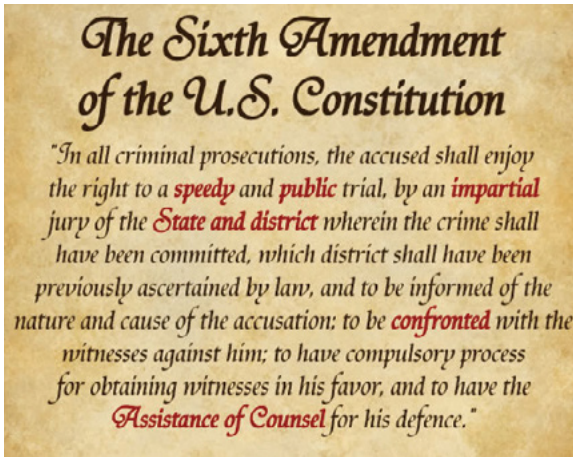
The Chief Justice has established a statewide communications committee that will provide information and devise tools that judicial districts can use to inform the public about the services that our courts provide, initiatives that our courts are undertaking, and the role that our courts play in our democracy. The Communications Committee will make that information and those tools available to each judicial district, and each will develop and implement a plan to regularly inform the public about the work of our courts.



3.3 We will develop **data-driven performance measures and analyze our effectiveness**.

Measuring and evaluating court work improves the administration of justice. OJD will continue to develop reliable data sets by documenting data entry protocols and providing training to staff to ensure that consistent data entry practices are

utilized across the state. OJD will develop expectations for judicial performance and set standards of efficiency and procedural fairness. To enable judges and staff to meet those expectations and standards, we will provide training and measure improvement.



3.4 We will assist the **Office of Public Defense Services** in its efforts to monitor attorney caseloads and performance.

OJD will support Oregon’s Office of Public Defense Services (OPDS) in its mission to provide qualified individuals with quality legal representation by assisting OPDS in its efforts to adopt an effective financial case management system and improve both data collection and caseload analysis.



3.5 We will pursue the resources necessary to ensure that our judicial branch is on **sound financial footing** for the next generation of Oregonians.

OJD has benefitted greatly from recent legislative funding increases. Despite those improvements, our judicial budget remains below what is needed to effectively deliver timely court services. Judicial compensation also remains below what is needed to attract and retain qualified and experienced judges.

OJD will continue to work with stakeholders to encourage investment in our state justice system and obtain the funding necessary to provide timely and complete justice for all Oregonians. Those efforts are critical to our democracy, our system of government, and the protection of generations that will follow us.



Commitment 4

We will create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity; and where all people can thrive and are treated with respect and dignity.

Commitment 4 — Initiatives



- 4.1 We will provide judges and staff with ongoing education and training in the areas of **diversity, equity, and inclusion**.

Diversity, equity, and inclusion in our courts begins with judges and staff. OJD will launch new training and education programs related to diversity, equity, inclusion, and cultural competency. We will provide trainings on how to engage in difficult conversations, develop leaders who demonstrate and model inclusive and equitable behaviors, and increase workforce diversity through recruitment, outreach, career development, and promotion.

We also will develop tools to improve outreach and engagement with diverse communities, so that we can better understand intersecting challenges to the fair and equitable administration of justice for all Oregonians.



- 4.2 We will offer OJD-led education and training to all **court security personnel** in the areas of diversity, equity, and inclusion.

Since the creation of the OJD Marshal's Office, the judicial branch has developed and provided training for security personnel who work in our courthouses in partnership with the Oregon State Sheriffs' Association (OSSA) and Oregon's Department of Public Safety Standards and Training (DPSST).

To ensure that our courts are accessible, welcoming, and inclusive, security officers must be prepared to appropriately respond to the unique needs and perspectives of our court users. OJD will collaborate with law enforcement and private security contractors to provide supplemental training to court security personnel that is focused on inclusivity and providing responsive services to the diverse users of our courts. This training will give security personnel additional tools necessary to appropriately and competently serve all who come to the courthouse.



4.3 We will launch initiatives to enhance **workplace collaboration**, peer-to-peer engagement, and wellness among staff and judges.

Oregon courts serve individuals across broad geographic locations, and each judicial district operates with significant independence. The geographic separation has made it difficult for peers to collaborate across the state. OJD will bring judges and staff together in new, creative ways to share skills and knowledge, and engage in collaborative problem-solving, through means such as expanded use of electronic communication tools, statewide training, education, and committee work.

OJD also will invest in tools to improve staff and judicial wellness and make those tools available to those who volunteer in the courts. We will consider tools that address vicarious trauma, mindfulness, and stress management.

4.4 We will begin to develop a **statewide core curriculum** for OJD staff and judges that includes education and training on the role of courts in our democracy, the mission of OJD, and how to provide procedural justice, increase civility, and best serve those who use our courts.

OJD must provide training to staff and judges on the technical aspects of each court's functions, but it is essential to the public's trust and confidence in government that staff and judges fulfill our mission, provide procedural fairness, and serve all community members in a way that is respectful and welcoming. OJD will begin to develop a statewide core curriculum for staff and judges focused on enhancing those efforts.

Acknowledgements

Chief Justice Martha L. Walters and State Court Administrator Nancy J. Cozine wish to express their sincere appreciation for the funding support from the State Justice Institute and the expertise provided by the National Center for State Courts. Additionally, they are eternally grateful for the valuable, thoughtful, and informative input gathered from those who facilitated and participated in focus groups, judges and staff who completed the High-Performance Court Inventory, and to the Steering Committee and Summit Leadership participants (listed below), who contributed many hours and significant thought to this project.

Hon. Wells B. Ashby, Deschutes County Circuit Court
Bryant Baehr, Enterprise Technology Services Division
Hon. Roxanne Bailin, Retired, Colorado (NCSC)
Hon. Benjamin Bloom, Jackson County Circuit Court
Amy Bonkosky, Crook & Jefferson County Circuit Courts
Hon. Paula Brownhill, Senior Judge
Hon. Suzanne Chanti, Lane County Circuit Court
Hon. Raymond Crutchley, Deschutes County Circuit Court
Tammy Dover, Yamhill County Circuit Court
Hon. Cynthia Easterday, Yamhill County Circuit Court
Hon. Andrew R. Erwin, Washington County Circuit Court
David Factor, Office of General Counsel
Cheryl Fowler, Executive Services Division
Hon. Tim Gerking, Jackson County Circuit Court
Hon. Jenefer S. Grant, Columbia County Circuit Court
Gordy Griller, National Center for State Courts (NCSC)
Jeff Hall, Deschutes County Circuit Court
Hon. Norm Hill, Polk County Circuit Court
Hon. Annette Hillman, Crook & Jefferson County
Circuit Courts
Hon. Lung Hung, Malheur County Circuit Court

Thomas Lankford, Coos & Curry County Circuit Courts
Phil Lemman, Executive Services Division
Hon. Ann Lininger, Clackamas County Circuit Court
Hon. Christopher J. Marshall, Multnomah County
Circuit Court
Tom Maxwell, Douglas County Circuit Court
Leola McKenzie, Juvenile & Family Court Services
Division
Hon. Maureen McKnight, Senior Judge
Bruce Miller, Executive Services Division
David Moon, Business & Fiscal Services Division
Lisa Norris-Lampe, Oregon Supreme Court
Hon. Melvin Oden-Orr, Multnomah County
Circuit Court
Hon. Lindsay Partridge, Marion County Circuit Court
Erin M. Pettigrew, Executive Services Division
John Powell, Klamath & Lake County Circuit Courts
Hon. Tracy Prall, Marion County Circuit Court
Elizabeth Rambo, Lane County Circuit Court
Hon. Scott Shorr, Court of Appeals
Evan West, Judicial Marshal's Office

This document was developed under grant number SJI-19-T-010 from the State Justice Institute. The points of view expressed are those of the Oregon Judicial Department and do not necessarily represent the official position or policies of the State Justice Institute.

For more information on **OJD's Strategic Campaign 2020-2021**

Contact:

Erin M. Pettigrew, Access to Justice Counsel for
Legislative Affairs and Strategic Planning
503-986-7022

Nancy J. Cozine, Oregon State Court Administrator
503-986-5500

The **OJD Strategic Campaign 2020-2021** is also available online:

<https://www.courts.oregon.gov/about/Pages/reports-measures.aspx>

Notes...

Oregon Judicial Department
Office of the State Court Administrator
1163 State Street
Salem, Oregon 97301-2563
503-986-5500
courts.oregon.gov

