

March 2, 2021, Eight o'clock

House Committee on Judiciary

I oppose House Bill 2998:

There cannot be fair and equal justice across all Circuit Courts in the State of Oregon by amending ORS 14.250 and 14.260.

The Legislative Assembly is considering an end to a Judge to sit or hear or try any cause on a case if the County has less than three (3) Circuit Court Judges. HB 2998 written [more than three circuit court judges... line 5-6] = the intensified version of less than three. Open government and plain language, suggestion; write measures similar to: LII / Legal Information Institute (cornell.edu)

In other words, HB 2998 will deny a defendant and defendant's counsel from dismissing the Assigned Judge by Motion. The defendant's Motion must state legal arguments of their belief why a fair and impartial trial or hearing cannot be had by said Judge. Prejudice is a human trait (good, bad, indifferent) Judges are just as effected. Do not let equal justice fail in Oregon Circuit Courts.

The cost associated with ORS 14.250 AND 14.260 is driving HB 2998 forward. *

By eliminating the Chief Justice and the Court Administrator duties to assign an alternate Judge to a case before the court on the premise that the Defendant cannot get a fair trial, the State Courts eliminate the expense of providing wages and expenses of the temporary Judge.

Equal Justice for All has not changed! Fairly certain that HB 2998 will be a temporary change, and save a minute of the overall budget of the Judiciary. Alternately, the State Courts will spend a massive amount of the Judiciary budget to defend this unjust legislation by denying a person their civil rights for a fair and just court proceeding.

It would be a great disservice to the Oregon Judicial Branch and Defendants that have no means of legal support in a court proceeding if Legislators carry this Bill forward.

*No Staff Measure Summary, Revenue Impact Statement, Fiscal Impact Statement, or Budget Report.