



HOUSE OF REPRESENTATIVES

Overview:

The Appeal: Oregon Prosecutors To Judges: You're Fired (July 27, 2017)

<https://theappeal.org/oregon-prosecutors-to-judges-youre-fired-7ebe69a2ec69/>

This is an article about overall process of district attorneys giving blanket affidavits to judges. It includes Judge Matarazzo, Judge Mooney and Judge Goethals. California has a similar problem with the blanket affidaviting of judges. CA Superior Court Judge King ruled that these repeat disqualifications were inappropriate, but this was overturned by the CA 4th Circuit Court of Appeals.

Multnomah County, Judge Judith Matarazzo:

Willamette Week: Prosecutors' Decision to Cripple a Judge's Career Echoes a Larger Battle Over Criminal Justice Reform in Oregon (August 30, 2017)

<https://www.wweek.com/news/courts/2017/08/30/prosecutors-decision-to-cripple-a-judges-career-echoes-a-larger-battle-over-criminal-justice-reform-in-oregon/>

Judge Judith Matarazzo of Multnomah County was visited by District Attorney Rod Underhill who informed her that no one from his office would ever try a case against her again. He filed a blanket affidavit which restricted Matarazzo to only hearing civil cases, less than 25% of the court's caseload.

Oregon Live: DA says judge isn't 'fair and impartial' steers criminal cases away from her (June 21, 2017)

https://www.oregonlive.com/portland/2017/06/da_says_judge_cant_be_fair_and.html

Multnomah County DA's office filed a blanket affidavit against Judge Matarazzo from hearing all felony cases, claiming she can't be fair or impartial. They claimed she has ongoing problems including hearing cases without a prosecutor present, failing to follow state sentencing laws, and cases where they believe she was too lenient on defendants.

Lake County, Judge Robert Nichols:

Herald and News: Lake County District Attorney disqualifies sole judge from all criminal cases (September 28, 2018)

https://www.heraldandnews.com/news/local_news/community/lake-county-district-attorney-disqualifies-sole-judge-from-all-criminal-cases/article_22fe2645-1712-5afd-9b75-45958960f0be.html

District Attorney Forster began a pattern of filing affidavits against sole Circuit Court Judge Nichols of Lake County from hearing every criminal case brought by defense attorney Ronald Howen. Eventually, Forster filed a blanket affidavit against Judge Nichols from hearing all criminal cases. This means that all criminal cases in Lake County must be heard by a different Oregon judge, either by travelling to the district or by video.

Lake County Examiner: Judge taken off all criminal cases by County DA (September 5, 2018)

http://www.lakecountyexam.com/news/lake_county/judge-taken-off-all-criminal-cases-by-county-da/article_99a95df6-b096-11e8-a8b5-df6f4ac64a51.html

DA Forster began filing affidavits on Judge Nichols on all cases where Defense Attorney Howen represented the defendant. A month later, Forster filed affidavits against Judge Nichols on all criminal cases. Judge Nichols is the only judge in Lake County.

Klamath County, Judge Cameron Wogan:

Herald and News: Wogan excluded from hearing criminal cases (September 11, 2015)

https://www.heraldandnews.com/news/wogan-excluded-from-hearing-criminal-cases/article_3766c448-3e89-5401-bc95-bf6cb23c8333.html

Judge Cameron Wogan of Klamath County was blanket affidavited by District Attorney Rob Patridge from all criminal cases. Former District Attorney Ed Caleb has a blanket affidavit in place which Patridge, after taking office, ended and objected on a case-by-case basis. After a year and a half, they went back to a blanket affidavit.

Kobi5 (Local Affiliate, NBC): Klamath D.A. – No criminal cases to Judge Wogan (September 8, 2015)

<https://kobi5.com/news/local-news/klamath-d-a-no-criminal-cases-to-judge-wogan-765/>

DA Rob Patridge filed a blanket affidavit requesting a judge other than Wogan in all criminal cases. He claims the statute allows them to do that, but they would not go into details about why they affidavited Judge Wogan.

Lane County, Judge Josephine Mooney:

Register Guard: DA, judge locked in feud over allegations of bias (March 11, 2017)

<http://projects.registerguard.com/rg/news/local/35356989-75/district-attorney-judge-locked-in-feud-over-allegations-of-bias.html.csp>

Lane County Judge Mooney has been blanket affidavited by the Lane County District Attorney's Office, including both criminal and civil cases, that involve the DA's office. The DA's office has not filed a public affidavit, rather has come to an agreement with Judge Mooney to not hear any cases involving the DA's office.

Umatilla County, Judge Eva Temple:

East Oregonian: Judge Temple blocked from criminal cases (December 13, 2018)

https://www.eastoregonian.com/news/local/judge-temple-blocked-from-criminal-cases/article_34b41378-f598-5eff-a617-e9a69d6cc4a3.html

Umatilla County District Attorney Primus pushed to block Circuit Court Judge Temple from presiding over criminal cases. Primus is filing motions one at a time.

Multnomah County, Judge Marilyn Litzenberger:

Portland Mercury: DA's Office Can't Trust Judge (February 24, 2009)

https://www.portlandmercury.com/BlogtownPDX/archives/2009/02/24/da_s_office_can_t_trust_judge

Multnomah County Circuit Judge Litzenberger had an affidavit filed by District Attorney Schrunck's Office. The DA's office said they plan to affidavit Judge Litzenberger in all felony cases.

Benton County, Judge Janet Holcomb:

Gazette-Times: New DA puts halt to affidavit policy directed at judge (February 27, 2007)

<https://www.gazettetimes.com/news/local/new-da-puts-halt-to-affidavit-policy-directed-at->

[judge/article_513cd7bc-278c-5f3c-ae4a-e74f92938d6b.html](https://www.lagrandeobserver.com/news/local/district-attorney-moves-to-sideline-judge/article_513cd7bc-278c-5f3c-ae4a-e74f92938d6b.html)

District Attorney Heiser began a blanket affidaviting policy to disqualify Judge Holcomb in all cases. This article is about the new DA Haroldson would stop the policy of filing blanket affidavits disqualifying Judge Holcomb.

Union County, Judge Wes Williams:

The Observer: District attorney moves to sideline judge (April 25, 2020)

https://www.lagrandeobserver.com/news/local/district-attorney-moves-to-sideline-judge/article_ad3674a2-84ad-11ea-8cd2-436f0326a16d.html

Union County District Attorney's Office filed a motion to disqualify Circuit Judge Wes Williams from overseeing any of its cases. DA McDaniel filed a 31 page memo to spell out why she does not believe her office can receive a fair trial under Judge Williams.

Columbia County, Judge Cathleen Callahan:

Portland Tribune: Lawyers: 'Wasted' Portland area judge drunk at court (January 30, 2021)

<https://pamplinmedia.com/pt/9-news/496358-398217-lawyers-wasted-portland-area-judge-drunk-at-court>

The Columbia County District Attorney filed a blanket affidavit against Judge Callahan after she appeared in court, seemingly drunk. Judge Callahan says that she had a mini-stroke and was not under the influence of any substances. There is an ongoing investigation.