

The Honorable Meagan Flynn

Chief Justice

Nancy Cozine

State Court Administrator

Phillip Lemman

Deputy State Court Administrator

Jessica Roeser

Asst. Deputy SCA for Operations

Judicial Branch

Oregon Judicial Department

2023-25

Chief Justice's Recommended Budget



Presentation Overview

Day 1

- **The Judicial Branch**
- **The Strategic Campaign**
- **Access to Justice**
- **Statewide Caseload Data**
- **Key Performance Measures**
- **Dive into Case Types**

Day 2

- Continued Dive into Case Types
- Revenue, Collections, and Budget

Day 3

- 10% Reductions – Devastating
- Critical gaps, opportunities, and prioritized policy options

Day 4

- Public Testimony

Judicial Department

Key Takeaways

-
- People, businesses, and communities rely on the judicial branch in all aspects of their lives.
 - Our work is critical to addressing issues of greatest importance to Oregonians and the Legislature.
 - During the pandemic, courts remained open and creatively adapted to ensure access to justice.
 - Ensuring access to justice, fairness, and equity in Oregon's courts – for all Oregonians – requires adequate and stable funding.

The Role of the Courts in Our Democracy



- Access to justice
- Public trust and confidence
- A place to be heard, resolve disputes and conflicts, and improve outcomes

“Justice shall be administered, openly and without purchase, completely and without delay...”

- Oregon Constitution, Article I, Section 10

People Depend on Courts In All Aspects of Their Lives

Courts resolve conflicts and protect people in crisis

Workplaces, Businesses

Debtor/Creditor and Small Claims

Treatment Courts and Mental Health

Family Law and Protective Orders

Dependency (Child Welfare) and Delinquency

Criminal Justice

Housing

Public Benefits

Tax Disputes

Election and Ballot Measure Disputes

Claims of Wrongful Injury

Objections to Government Action



Treatment Court Graduates



Serving Families in Crisis

Oregon's State Government



Legislative Branch



Judicial Branch



Executive Branch

Oregon's Judicial Branch



Oregon Judicial Department

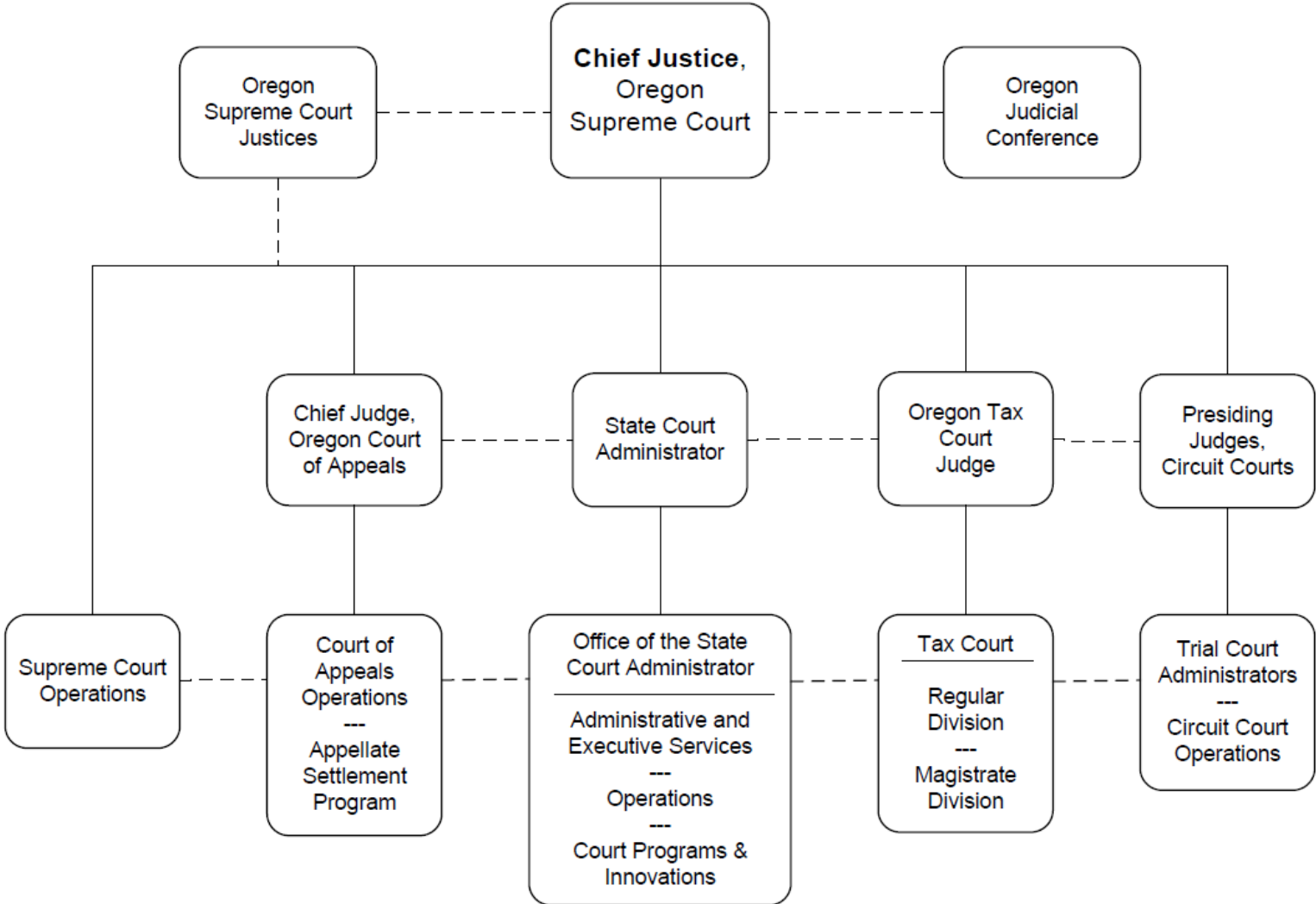
Office of Public Defense Services

Oregon State Bar*

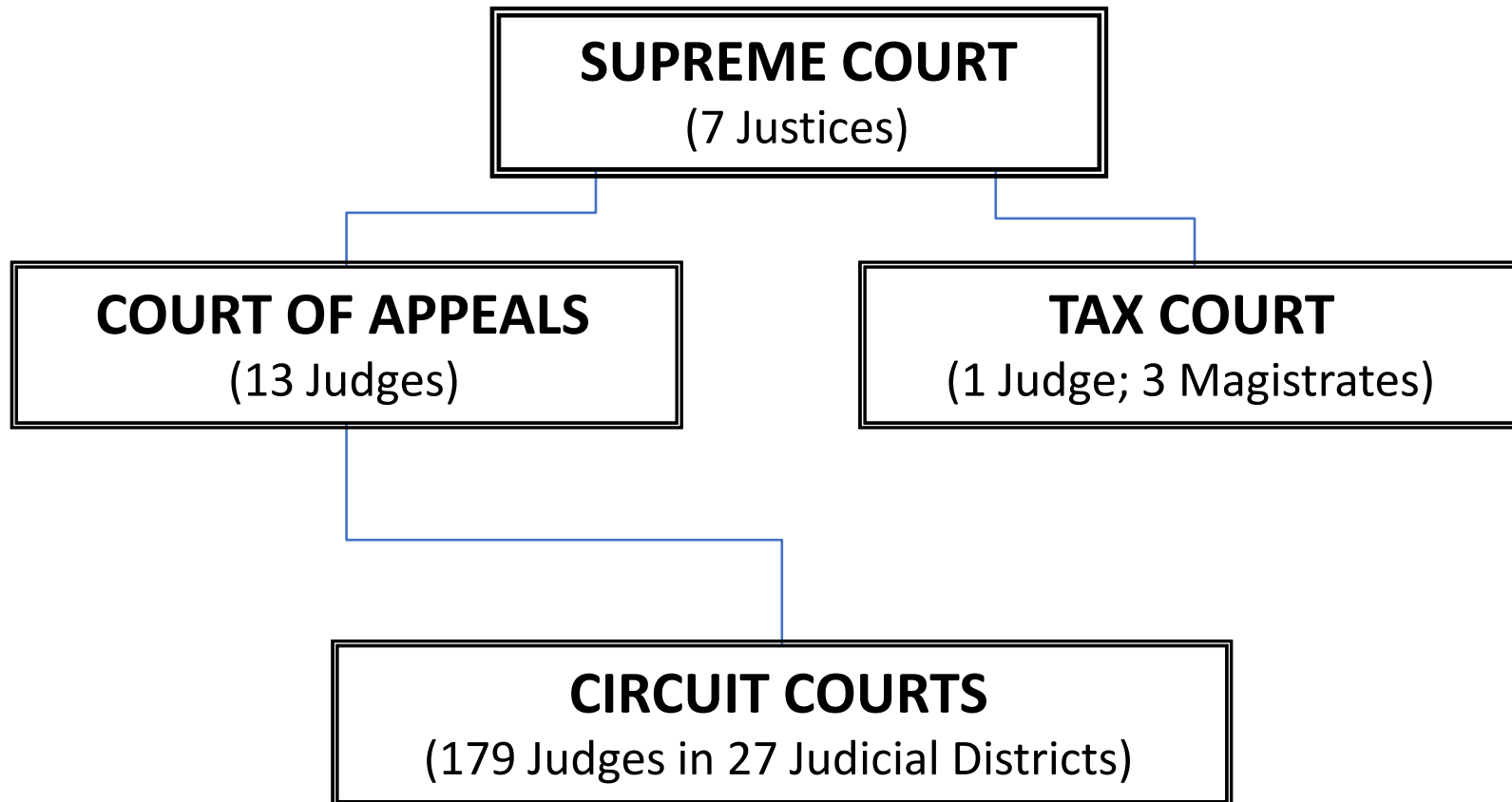
Commission on Judicial Fitness

*The Oregon State Bar is a public corporation and an instrumentality of the Judicial Department... (ORS 9.010(2))

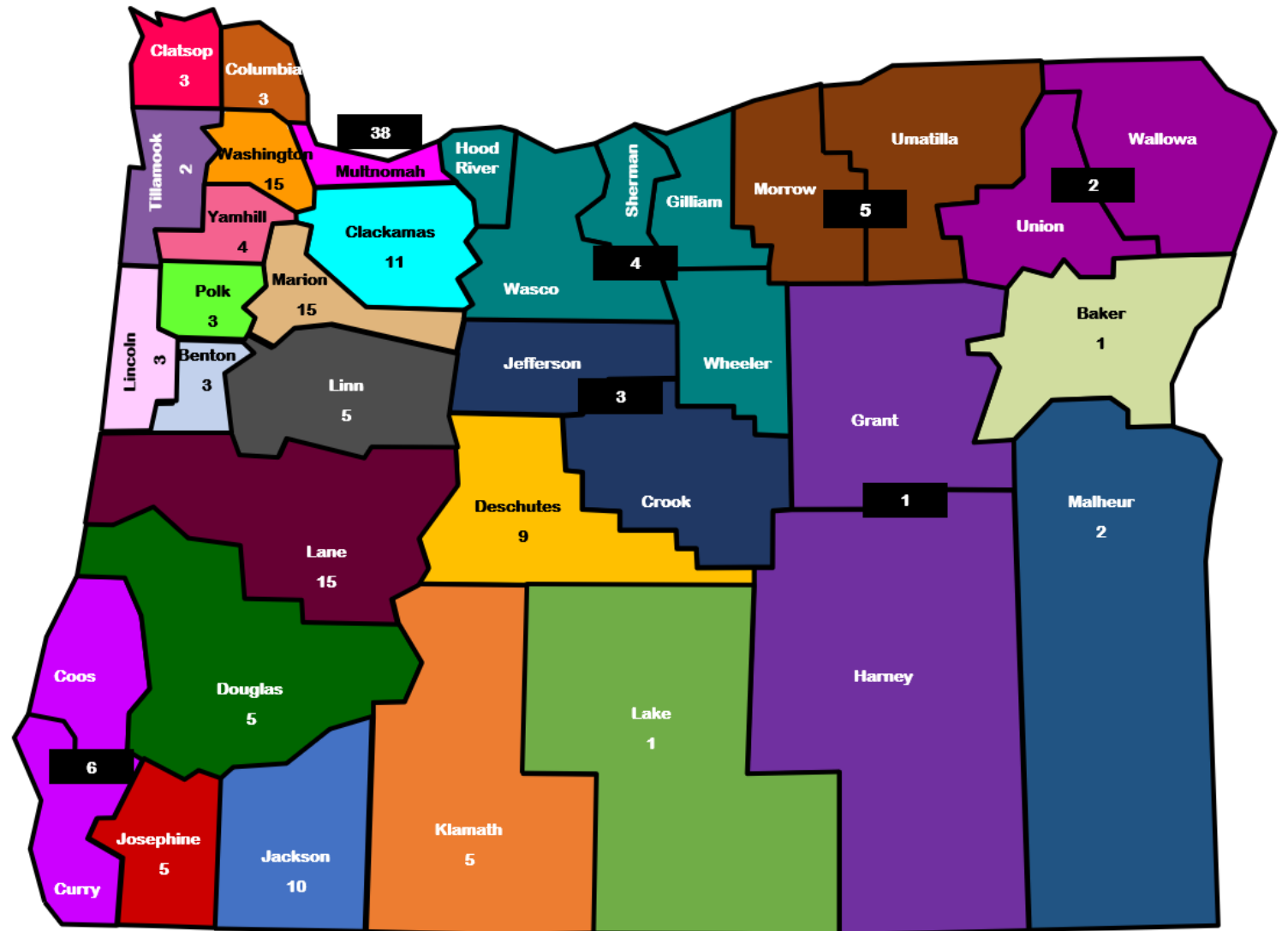
Oregon's Unified State Court System



Oregon's State Court System



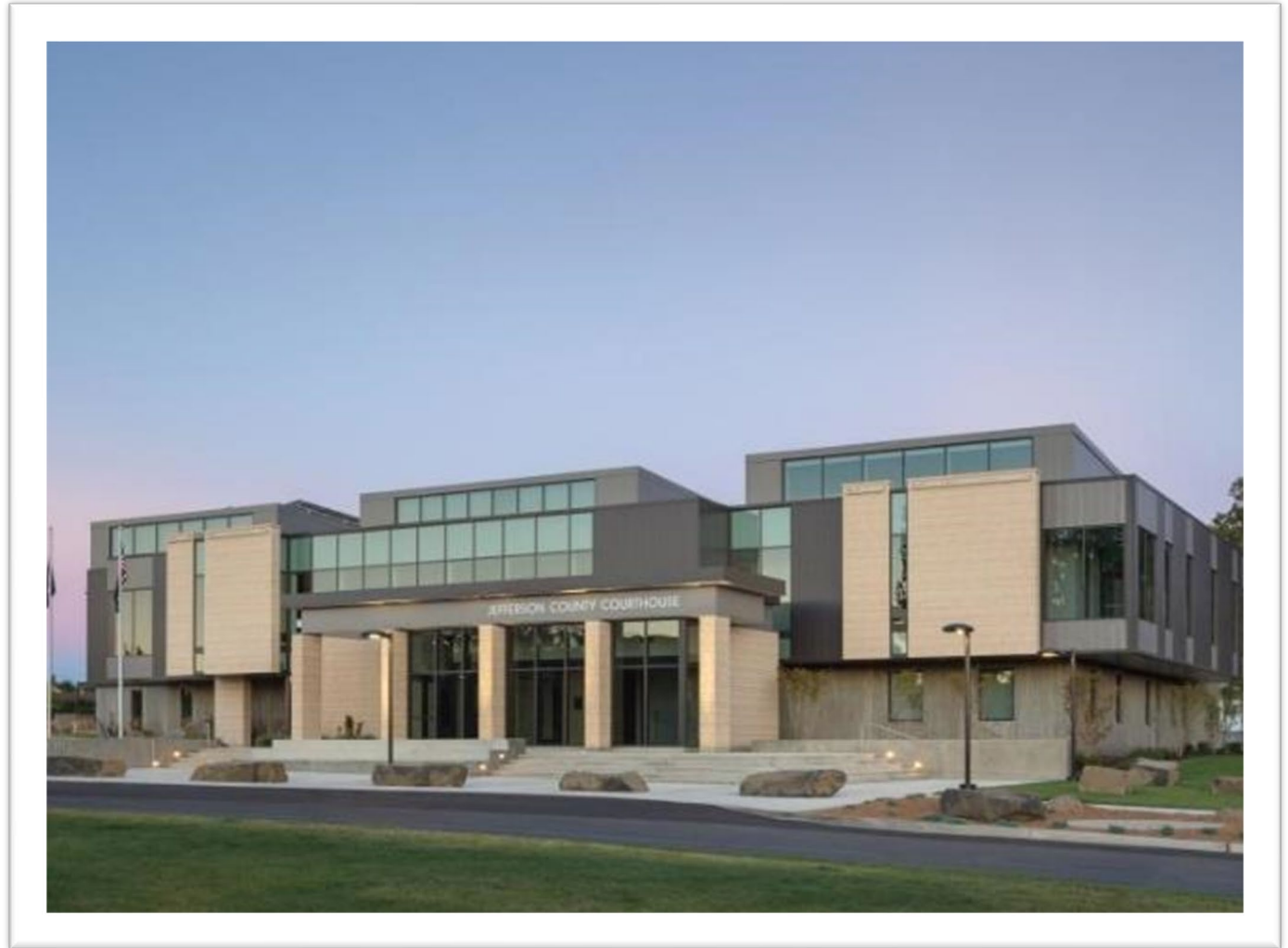
- 27 Judicial Districts
- Circuit Courts in every county
 - 179 Judges
 - 1,428 Staff
- Serving 4.24 million Oregonians

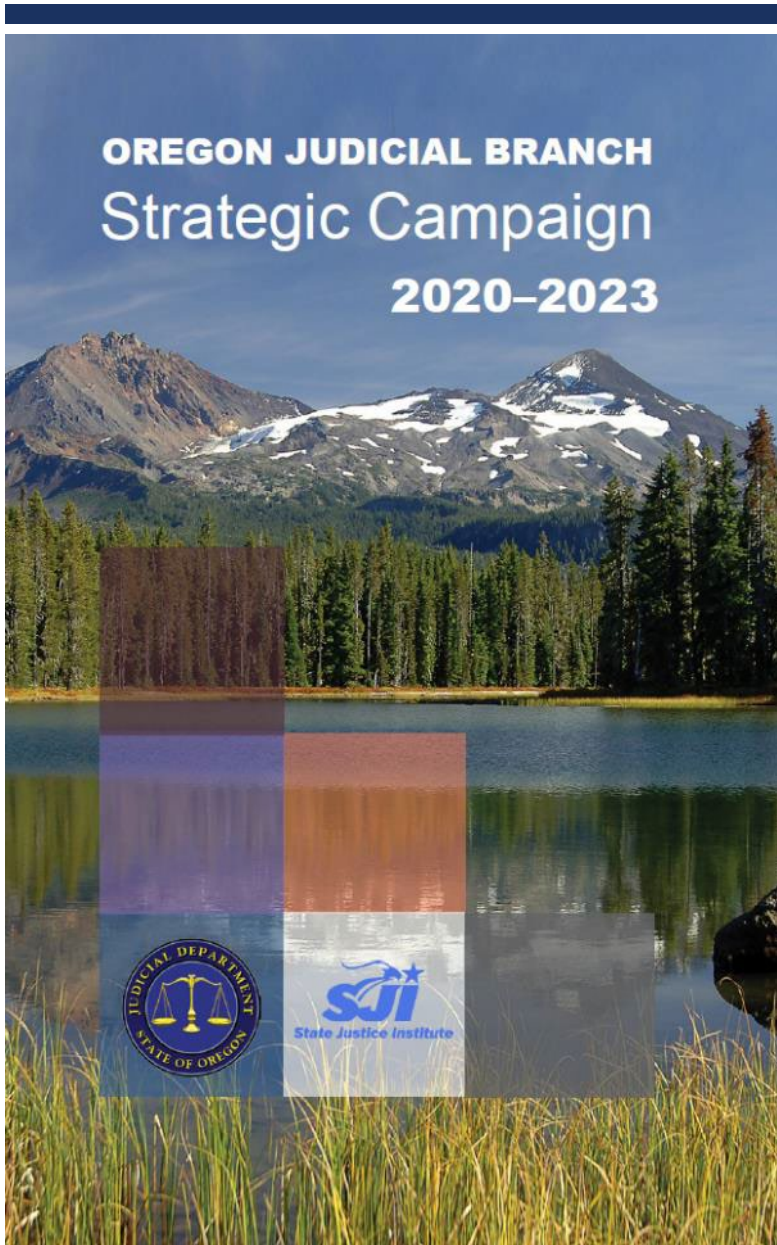


State and Counties: Shared Responsibilities

- **Counties provide** circuit court facilities and security
- **State provides** staffing, judges, technology, central personnel, and tools needed to provide justice services
- State sends funds to counties for court security, law library, and mediation

ORS 1.001; ORS 1.185; ORS 1.187





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/StrategicCampaign>

Four Commitments: Many Initiatives Centered on EDI and Racial Justice

Commitment 1

- Initiative 1.1 – Meeting the needs of Oregonians with behavioral health challenges
- Initiative 1.2 – Fines and fees
- Initiative 1.3 – Conservatorship Pilot Project
- Initiative 1.4 – Juvenile Delinquency Improvement Program
- Initiative 1.5 – Expanding problem-solving courts
- Initiative 1.6 – Effective and consistent statewide pretrial release programs

Commitment 2

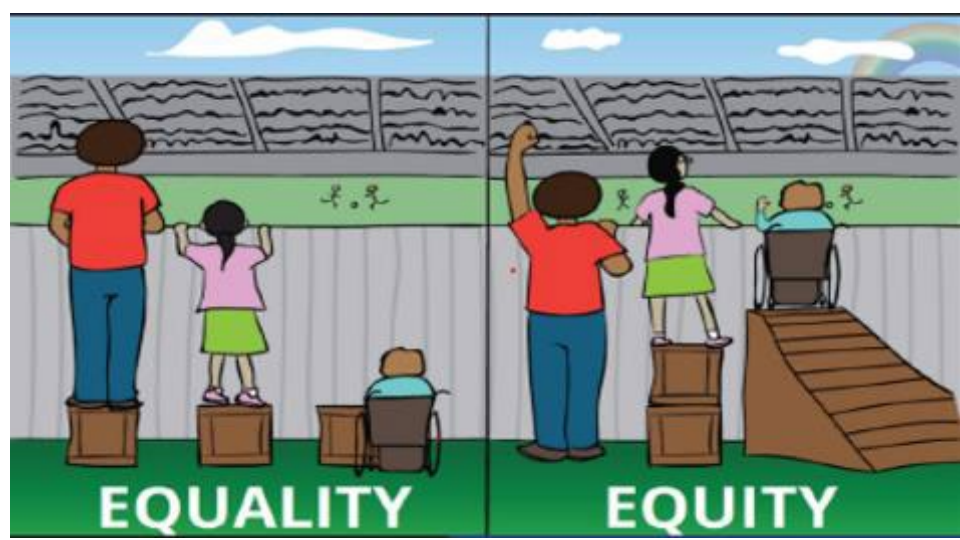
- Initiative 2.3 – Recruiting and retaining interpreters

Commitment 3

- Initiative 3.1 – Community outreach and engagement
- Initiative 3.4 – Assisting with monitoring public defender caseloads and performance

Commitment 4

- Initiative 4.1 & 4.2 – Ongoing education and training on issues related to equity, diversity, and inclusion (EDI also referred to as DEI) for judges, staff, and court security personnel



EQUITY FRAMEWORK

EQUITY = FAIRNESS

Equity is fairness. It is about making sure everyone has access to the same opportunities. It is understanding that we are all different and have different needs.

Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF)



The Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF) works to ensure that all persons have equal access to Oregon state courts and advises the Chief Justice on matters of systemic racial, ethnic, and gender bias in the Oregon Judicial Department.

Three standing subcommittees

- Community Outreach and Engagement
- Data Analysis Subcommittee
- Workforce Development

Completed and current projects include

- Equity Framework for OJD
- Policy regarding collection of race, ethnicity, and gender data
- Community outreach tool kit
- Access and Fairness Survey
- Recommendations for all user restrooms and public lactation rooms

Procedural Justice

Ensuring Equity and Fairness

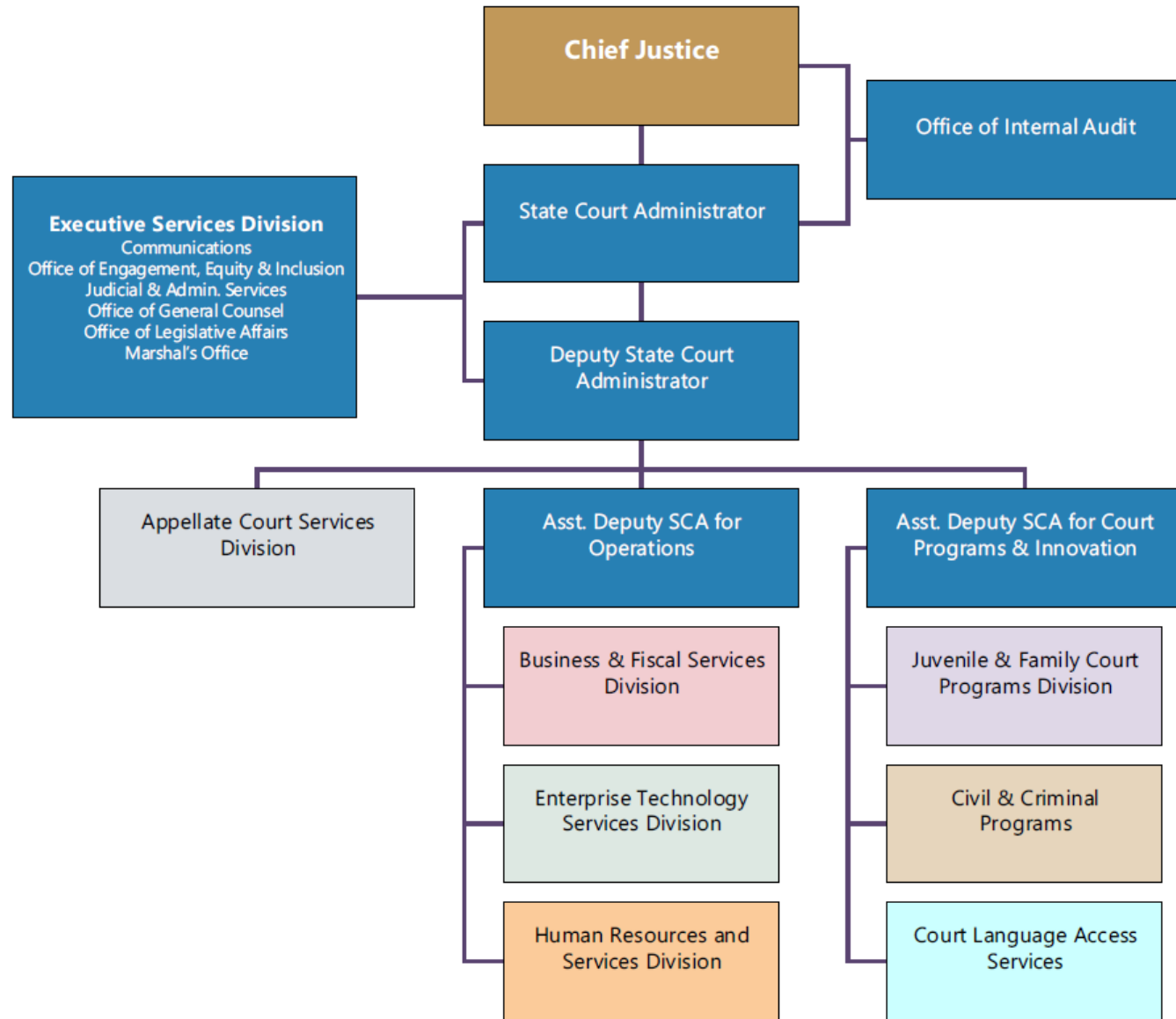
Our mission is to provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public trust and confidence

- Every Oregonian should have safe and timely access to fair and understandable court processes and decisions
- **Everyone** has the right to
 - have their day in court
 - trial by a jury of their peers
 - fair and impartial procedures
 - be heard by a fair and impartial judge

Office of the
State Court
Administrator
(OSCA)

OSCA

- Operational Backbone for Statewide Court System
- Program Support and Coordination
- Strategic Planning
- Governance
- Education and Training
- Ensure Access for All



Court Programs that Expand Access to Justice

- Office of Engagement, Equity, & Inclusion
- Support for Self-Represented Litigants
- Language Access



Office of Engagement, Equity, and Inclusion (OEEI)

The Office of Engagement, Equity, and Inclusion (OEEI) leads the development and implementation of a comprehensive, strategic, and programmatic vision that advances and promotes equity, diversity, inclusion, racial justice, and access to justice for all.

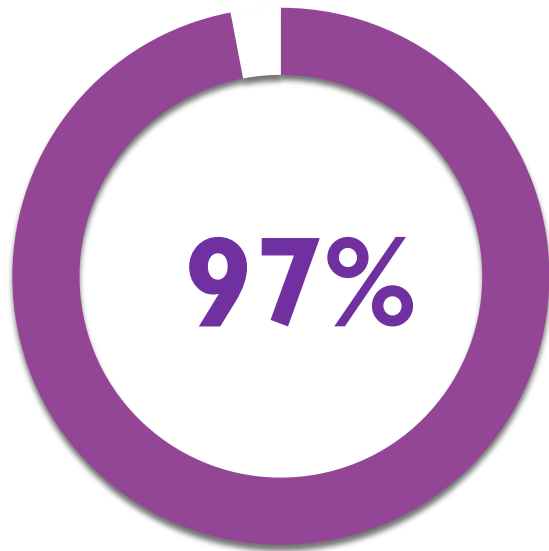
OEEI's responsibilities include

- Support and lead OJD's strategic campaign initiatives relating to equity, diversity, and inclusion (EDI), racial justice, and access to justice
- Support judicial education
- Develop training related to access to justice and EDI
- Assist with OJD's community engagement and outreach efforts

Self-Represented Litigants (SRL)

Percent of Cases Having at Least One SRL

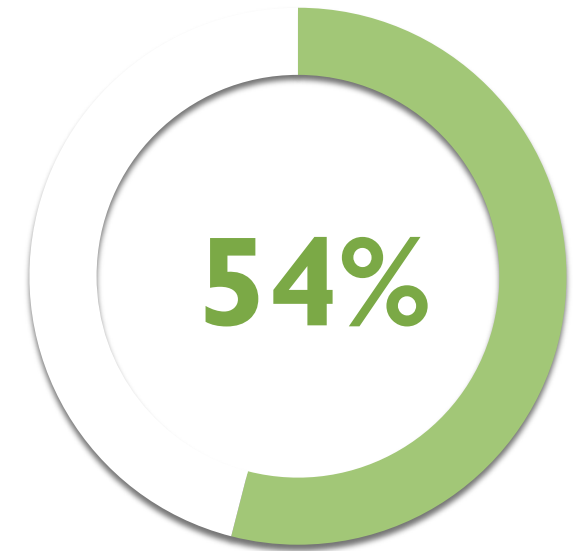
Landlord-Tenant



Domestic Relations



Civil



Self-Represented Litigants

I want to attend the hearing remotely. Where is the link?

What is the filing fee for a Small Claims case?

I want to represent myself in my case.

My landlord is trying to evict me. How can I stay in my home?

Where can I find court forms?

My wages are being wrongly garnished.

How do I fill out the papers for a restraining order?

How do I prepare for trial?



How do I file for divorce?

How do I change my name?

I cannot afford a lawyer, who can I contact for legal assistance?

Services for Self-Represented Litigants



**COURT
FACILITATORS**



**OREGON LAW
HELP**



**INTERACTIVE
FORMS**



COURTS E-PAY

The Honorable Benjamin Bloom,
Jackson County Circuit Court Judge

Self-Represented Litigants



Southern Oregon Facilitation Initiative (SOFI): Regional Approach In 11 Counties

A litigant can call and reach one of our 10 expert family law facilitators and get answers about their case, help finding a form, or even completing a document review.

Calls Handled 1223

Intakes Completed
1550

Litigants reporting “very
satisfied” 93.33%



Data from 5.2.22-11.30.22

SOFI Litigant Service Feedback

"The lady I spoke with was professional and curious the whole time. She was super helpful and even sent me everything I needed."

"Melanie, Tracy, and Chad – the three I spoke with – were all amazing."

"Doing exceptional work with exceptional patience."

"I went through a custody case with my current ex wife 23 years ago. Ended up costing me \$68,000 for her to get custody. Our divorce after 23 years cost me \$350. Your staff is very well trained. Thank them for me."

"She was so patient and kind."

"As a veteran of no less than 7 different call centers... I can honestly say that the young lady who helped me today provided top-notch customer service... Seriously, that young lady deserves kudos."

Language Access

- 5.6% of Oregon’s population identifies as Limited English proficient (LEP)
- Top ten requested languages
 - Spanish
 - American Sign Language
 - Chuukese
 - Russian
 - Vietnamese
 - Arabic
 - Somali
 - Mandarin
 - Mam
 - Bosnian



Interpretation Services Available

OREGON JUDICIAL DEPARTMENT
Office of the State Court Administrator



This document was developed under grant #51131145 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.

English Translation: Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.

Arabic عربي أشر إلى لغتك. وسيتم الاتصال بمترجم فوري. كما سيتم إحضار المترجم الفوري مجانًا.	Mam Mam Jyonkxha tb'i tyola. Ok kytzajil txko'n jun miltz'ul yol teya. Naq kukx mo oyaj ok kyjawil miltz'eta yol teya.
Burmese မြန်မာ သင့်ဘာသာစကားကို ပြောပြပါ။ စကားပြန် ခေါ်ပေးပါမယ်။ သင့်အတွက် စကားပြန် အခမဲ့ ပေးပါမယ်။	Mandarin 國語 請指認您的語言，以便為您提供免費的口譯服務。
Cantonese 廣東話 請指認您的語言，以便為您提供免費的口譯服務。	Polish Polski Proszę wskazać swój język i wezwiemy tłumacza. Usługa ta zapewniana jest bezpłatnie.
Chuukese Chuukese Pointi ngeni ifan om foosun fenu. Sipwe kori emon chon chiaku. Ese kamo ren an emon epwe interpretini ngonuk.	Portuguese Português Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo para você.
Farsi فارسی زبان مورد نظر خود را مشخص کنید. یک مترجم برای شما درخواست خواهد شد. مترجم بصورت رایگان در اختیار شما قرار می گیرد.	Punjabi ਪੰਜਾਬੀ ਆਪਣੀ ਭਾਸ਼ਾ ਚੋਣ ਦਿਖਾਵਾ ਕਰੋ। ਜਿਸ ਮੁਤਾਬਕ ਇਕ ਦੁਬਾਰੀਆ ਬੁਲਾਇਆ ਜਾਵੇਗਾ। ਤੁਹਾਡੇ ਲਈ ਦੁਬਾਰੀਆ ਦੀ ਮੁਫਤ ਸੇਵਾ ਪ੍ਰਦਾਨ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।
Haitian Creole Kreyòl Lonje dwèt ou sou lang ou pale a epi nap rele yon entèprèt pou ou. Nou ba ou sèvis entèprèt la gratis.	Russian Русский Укажите язык, на котором вы говорите. Вам вызовут переводчика. Услуги переводчика предоставляются бесплатно.
Hindi हिंदी अपनी भाषा को इंगित करें। जिसके अनुसार आपके लिए दुभाषिया बुलाया जाएगा। आपके लिए दुभाषिया की निशुल्क व्यवस्था की जाती है।	Somali Af-Soomaali Farta ku fiiqluqadaada... Waxa laguugu yeeri doonaa turjubaan. Turjubaanka wax lacagi kaaga bixi mayso.
Hmong Hmoob Taw rau koj hom lus. Yuav hu rau ib tug neeg txhais lus. Yuav muaj neeg txhais lus yam uas koj tsis tau them dab tsi.	Spanish Español Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.
Japanese 日本語 あなたの話す言語を指してください。無料で通訳サービスを提供します。	Tagalog Tagalog Ituro po ang inyong wika. Isang tagasalin ang ipagkakaloob nang libre sa inyo.
Korean 한국어 귀하께서 사용하는 언어를 지정하시면 해당 언어 통역 서비스를 무료로 제공해 드립니다.	Vietnamese Tiếng Việt Hãy chỉ vào ngôn ngữ của quý vị. Một thông dịch viên sẽ được gọi đến, quý vị sẽ không phải trả tiền cho thông dịch viên.

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	Interpreting Three-way communication: Connecting you, your customer and our interpreter.	Translation All content types including documents, websites, training materials, multimedia and apps.	Testing and Training Utilize our expertise to help improve interpreter and bilingual staff skills development and language proficiency.
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Tools for Connecting Across All Languages

Public Counters
Self-Help Centers



Bilingual Phone
Trees

Staff Training

Language Access Basic Training
Ensuring Language Access Outside the Courtroom

Welcome Yvette.
You last logged in in on 11/5/21, 8:34 AM

Fundamentals
For Everyone

Bilingual Skills

Enter

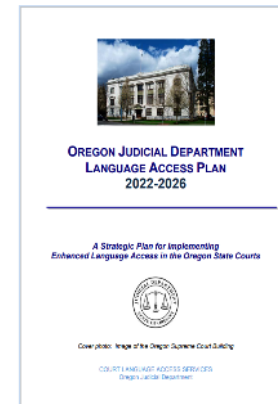
Fundamentals

The Fundamentals module is pertinent for all judicial system professionals whether monolingual or bilingual. It consists of four sections:

- Program Overview
- Professional Standards
- Roles of Court Staff
- Cultural Competency & Customer Service

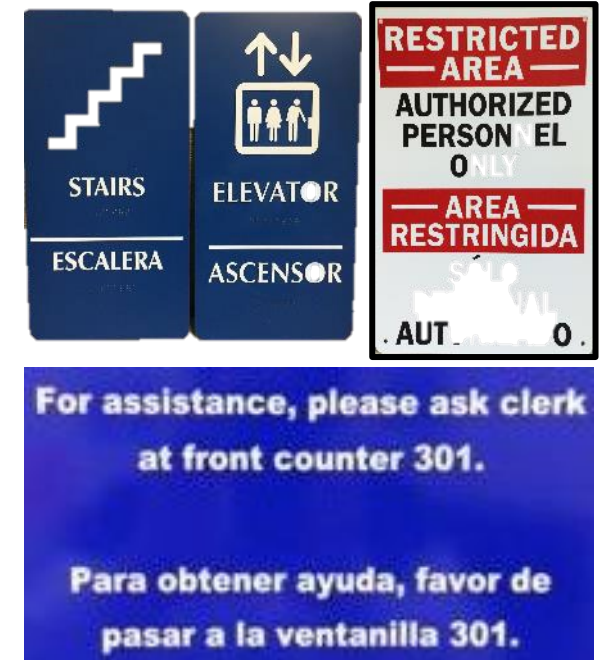
Educational strategies, such as case studies, question/answer scenarios, scaffolding of interactions, and expert commentary are some of what you'll see in this module.

You will need speakers or earphones connected to your computer to complete this module.



Goal Setting &
Federal
Compliance

Wayfinding



Court Language Access Services: Interpretation



- 46,000+ interpreting requests per year in more than 200 languages
- Support for unusual or complicated interpreting situations
- In person and remote interpreters for court hearings, public counters, and all OJD court customer services
- Language access education for judges, staff, and justice system partners
- Certification and training of court interpreters

Court Language Access Services: Translation

With limited resources, OJD has translated

- Online guided interview form for application of appointment of counsel
- Question and answer message boards
- Self-help website for guardians and individuals in need of guardianship
- Spanish narration of public service announcements
- Some local court signage



90% of OJD's online resources are not translated



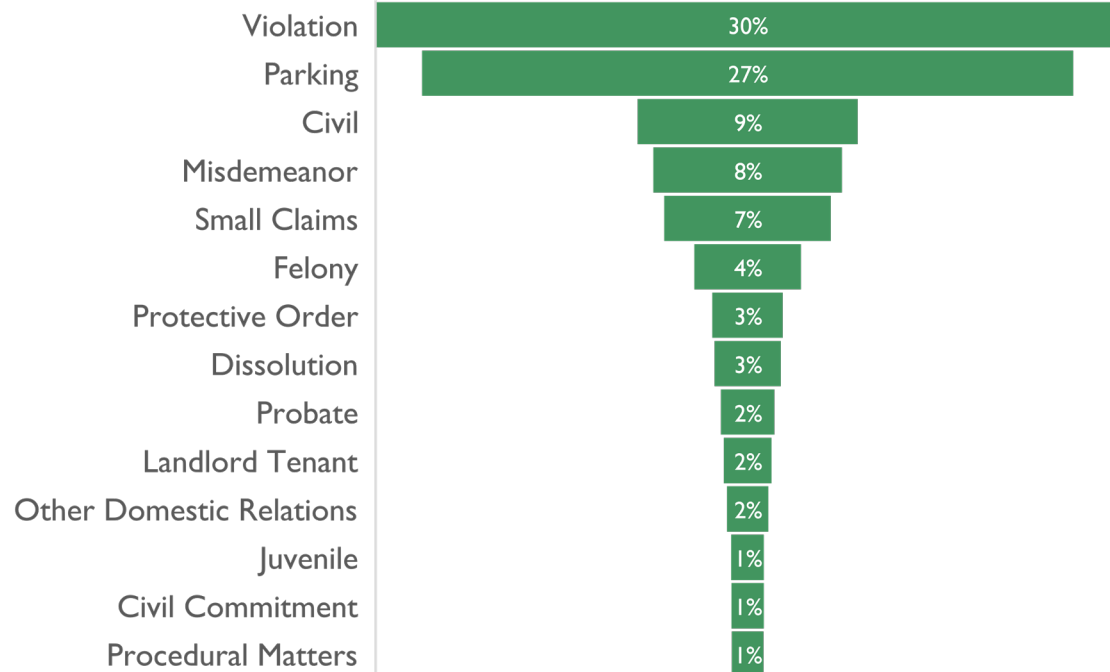
Circuit Courts

Serving Your
Communities

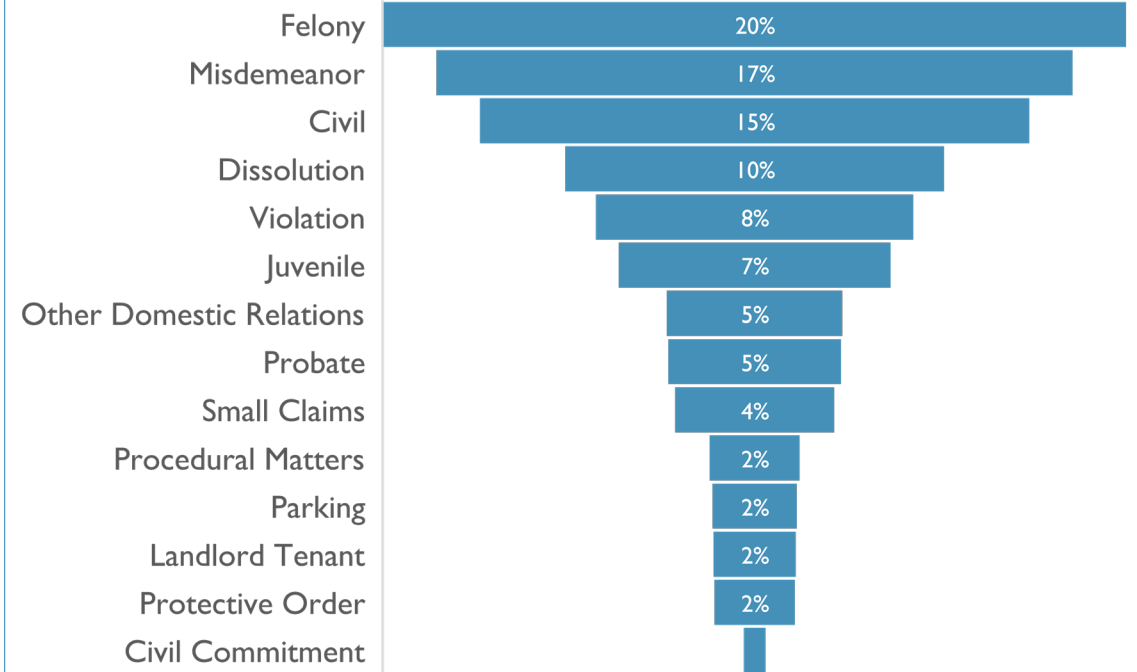
Caseload vs. Workload

2019-2021 Avg Annual Case Filings – NCSC Workload Model

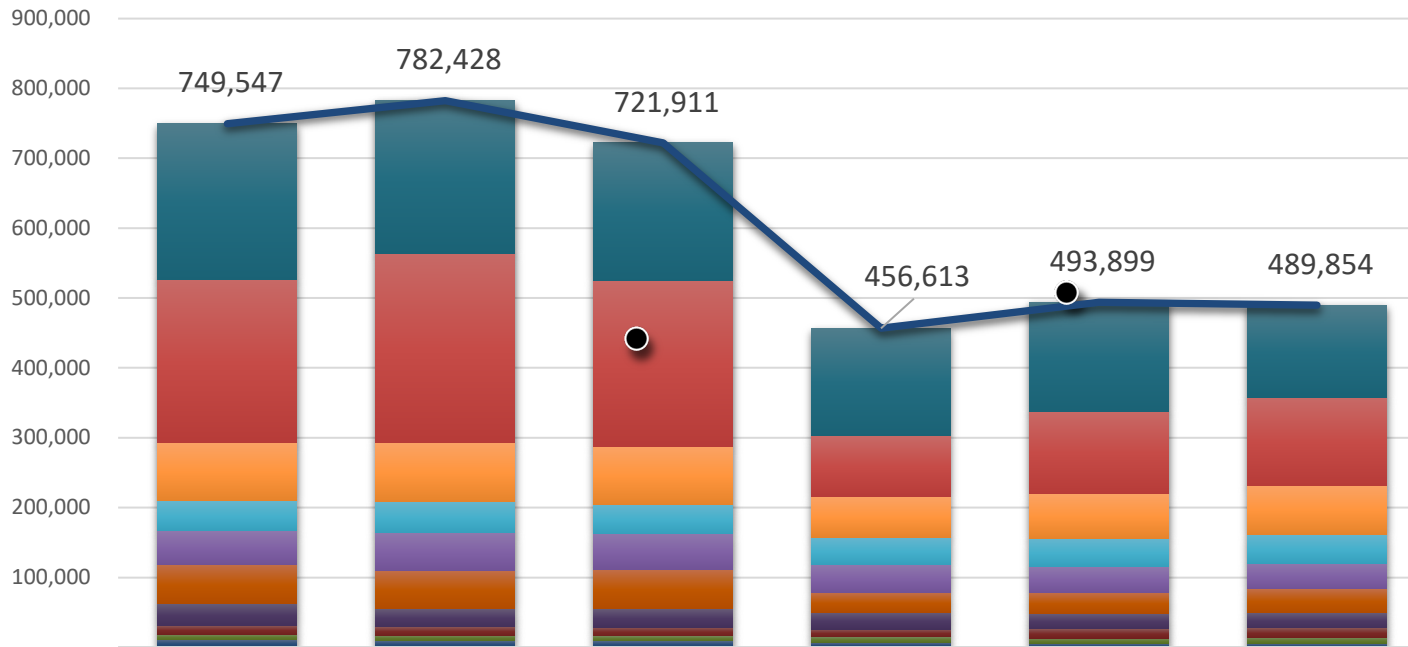
Circuit Court Caseload



Circuit Court Workload



Cases Filed in Oregon Circuit Courts



	2017	2018	2019	2020	2021	2022
Violation	222,331	218,271	196,531	153,489	156,026	132,636
Multnomah Parking	234,761	271,796	238,514	87,081	117,748	125,805
Civil	82,271	84,086	81,768	58,713	64,207	69,952
Domestic Relations	43,592	44,177	42,250	38,774	40,670	41,249
Misdemeanor	48,418	54,459	51,536	40,143	36,977	36,378
Small Claims	55,719	54,093	56,091	27,943	29,533	34,177
Felony	31,506	26,265	26,598	24,283	22,096	21,917
Probate	12,106	11,860	12,090	11,228	13,364	13,694
Civil Commitment	7,693	7,243	7,084	7,872	7,386	8,010
Juvenile	11,150	10,178	9,449	7,087	5,892	6,036
All Case Types	749,547	782,428	721,911	456,613	493,899	489,854

Fewer Filings Reduced Caseload More Than Workload

- Violations and Multnomah Parking filings dropped 50%, reducing revenue
- Civil and Small Claims filings dropped during the pandemic but are increasing
- Felony and Misdemeanor filings fell but have stabilized
- Probate filings at highest level since OJD began tracking statewide filings (1998)
- Juvenile filings declined each year since 2017
- Civil Commitment filings increased over the last four years

Caseload and Workload Impact of Pandemic



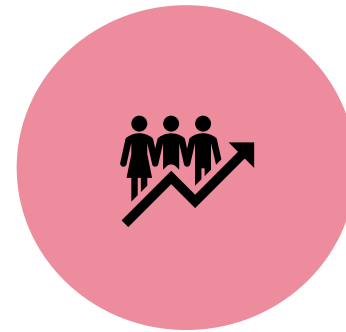
CASE FILINGS
DECREASED

-37%



CASE PROCESSING
TOOK LONGER

+41%



PENDING CASELOAD
GROWTH EXCEEDED
HISTORICAL NORMS

+45%

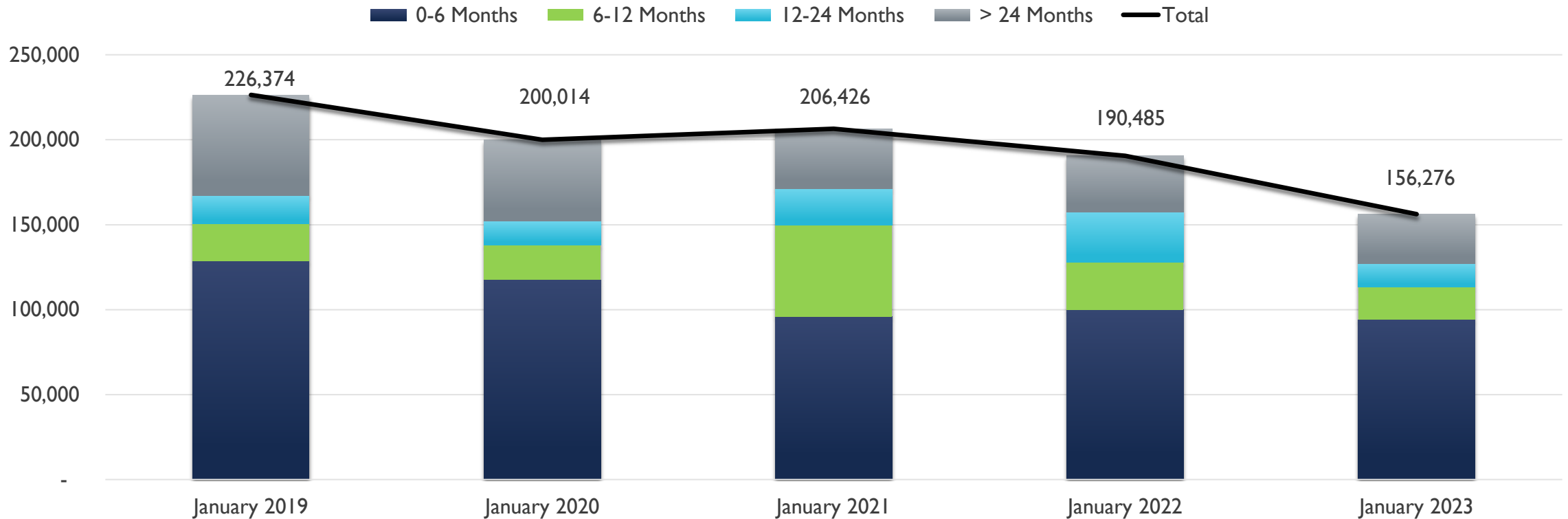


WORKLOAD &
COST PER CASE
INCREASED

+25%

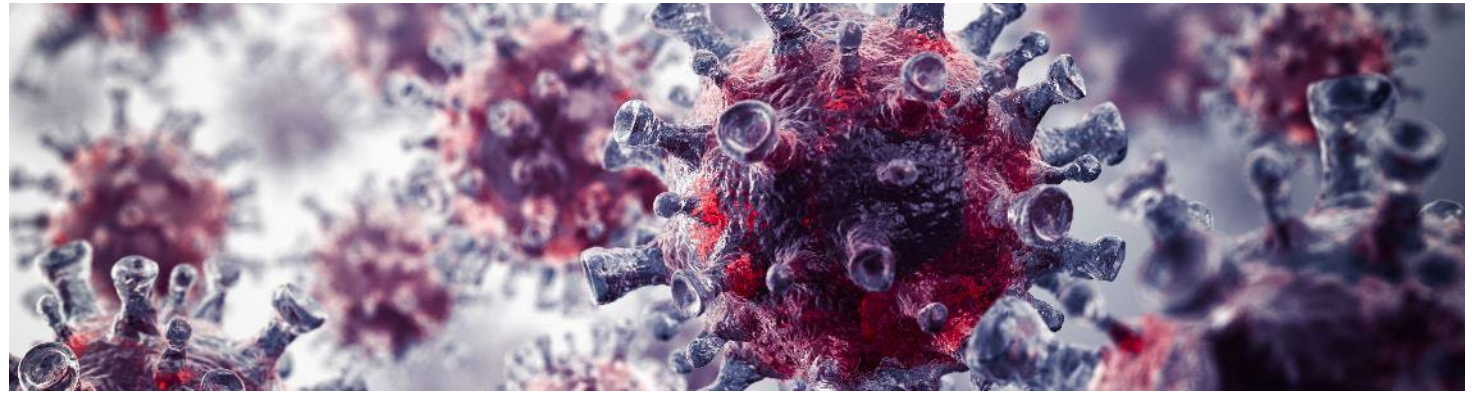
Courts Worked Through COVID Case Processing Delays

Age of Active Pending Cases



Court COVID Response - Protecting Staff and Communities

- 23 Chief Justice Orders
- Emergency Authority to extend deadlines and require remote services





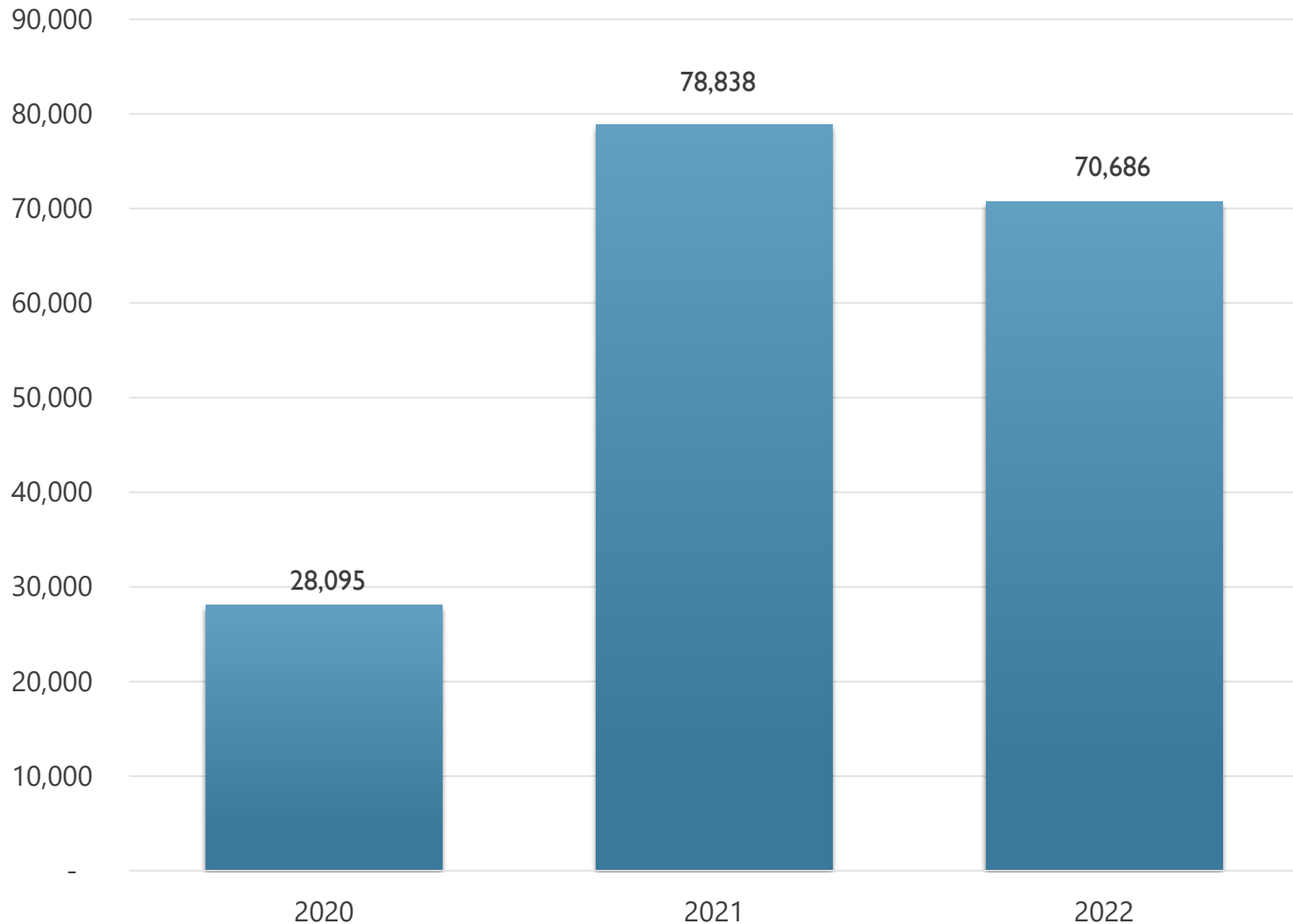
Practical Steps to Safely Provide Services

- Implemented six-foot social distancing in all court areas
 - Used multiple courtrooms for a single proceeding
 - Held court proceedings in off-site locations
 - Separated juror chairs in jury room and courtrooms
- Created new eFile and Guide & File options for litigants
- Worked with system partners to create new processes
- Remote proceedings
 - Remote jury service
 - Provided equipment to external entities
 - Created new spaces for people to engage remotely



Court proceedings held in off-site locations to accommodate social distancing

Remote Proceedings in Circuit Courts



Here to Stay

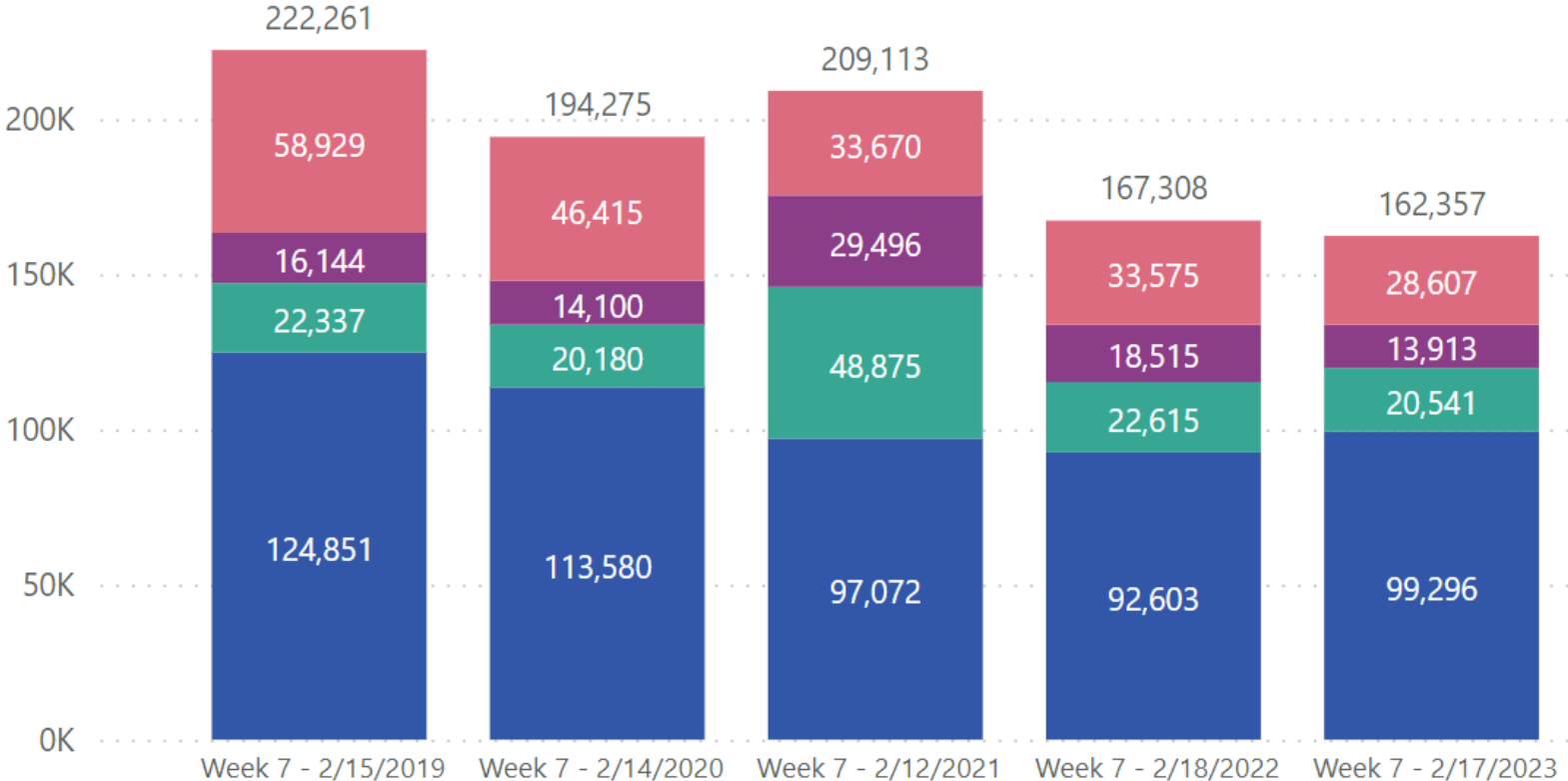
- Litigants are more responsive to remote proceedings
- Remote proceedings remove barriers like child-care, transportation, and parking
- Parties can attend court without creating work and childcare challenges
- Avoids trauma of confrontation with other parties
- Quality of hearings improved

Monitoring Our Work

- Data Dashboards
- Key Performance Measures

Pending Caseload Over Time by Week of Year

● 0-6 Months ● 6-12 Months ● 12-24 Months ● > 24 Months

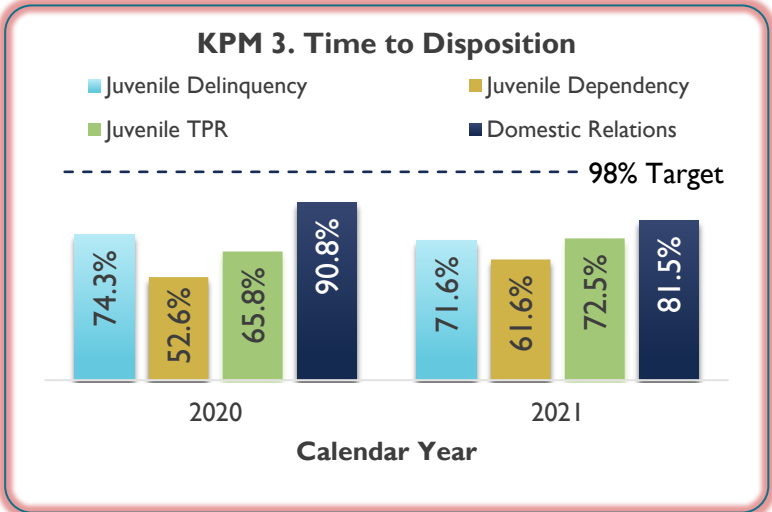
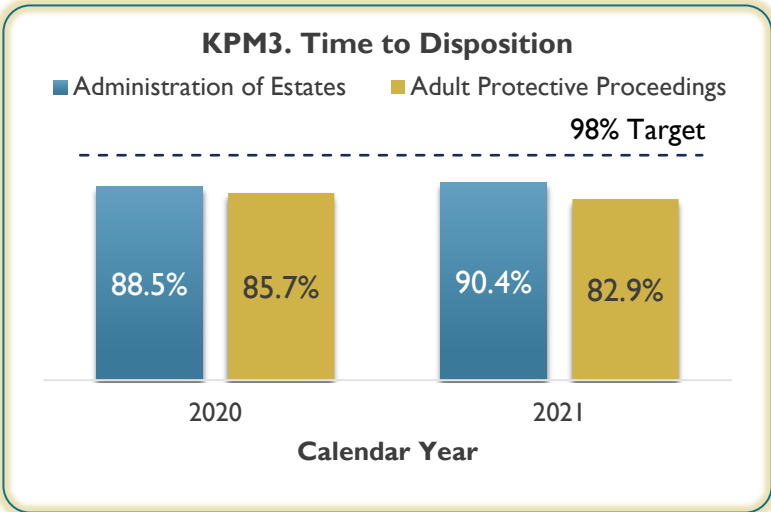
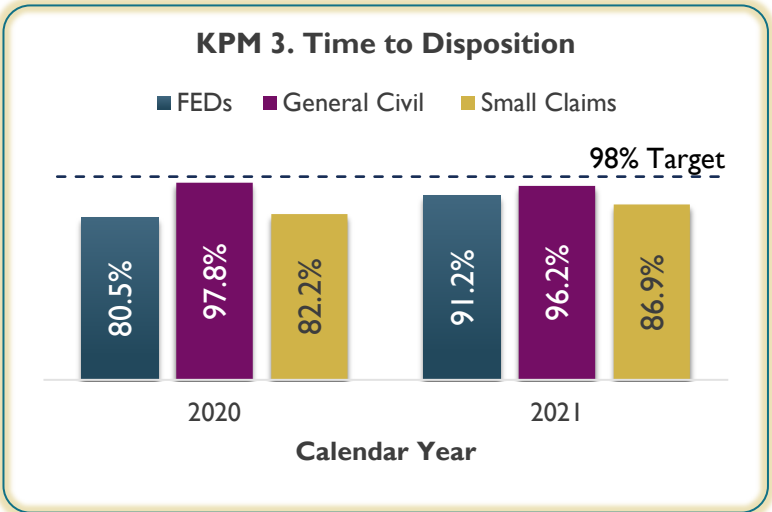
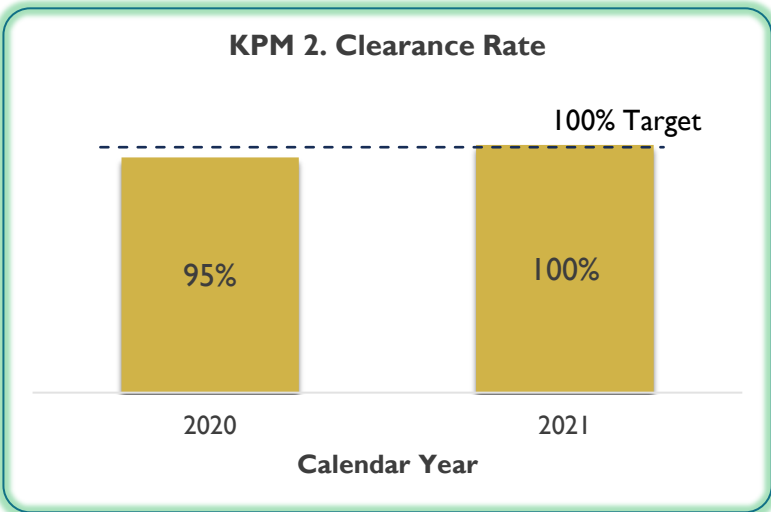
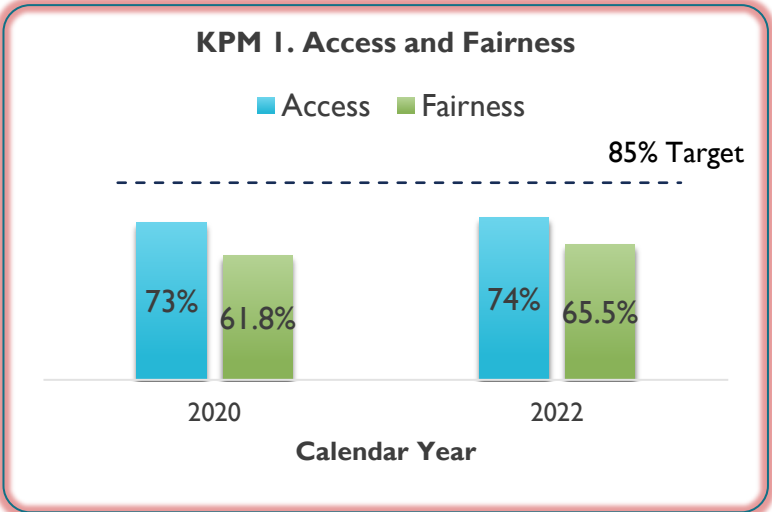


Key Performance Measures (KPM)

Target to -5%

Target -5% to -15%

Target > -15%

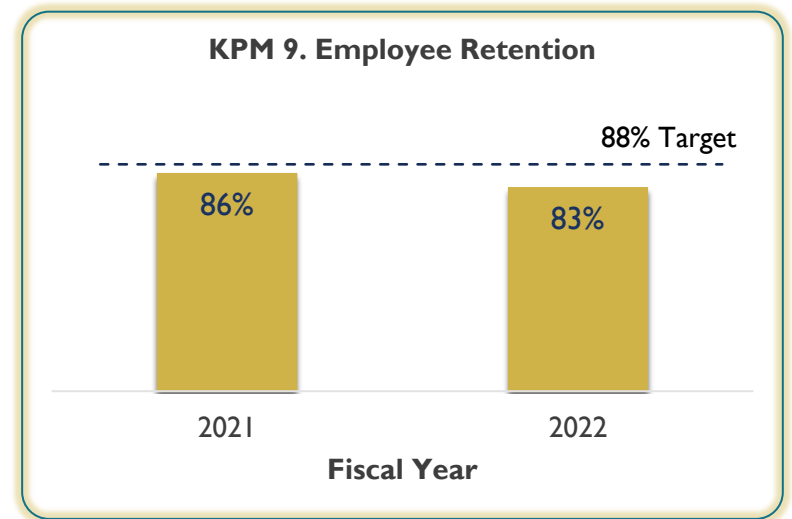
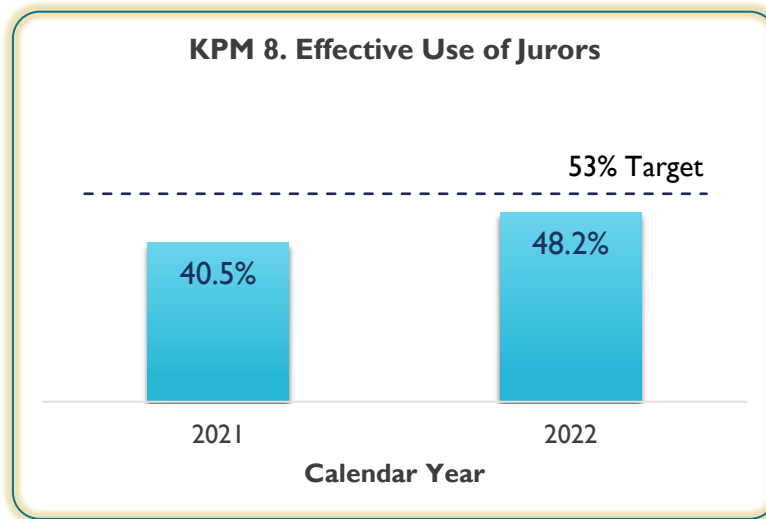
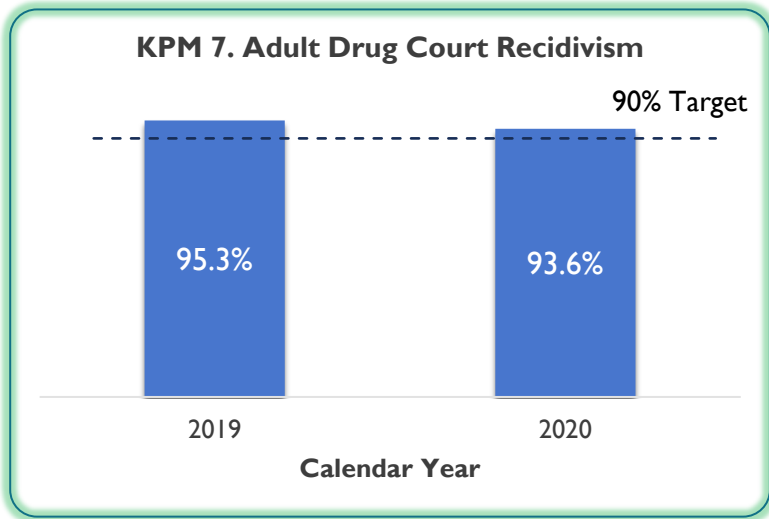
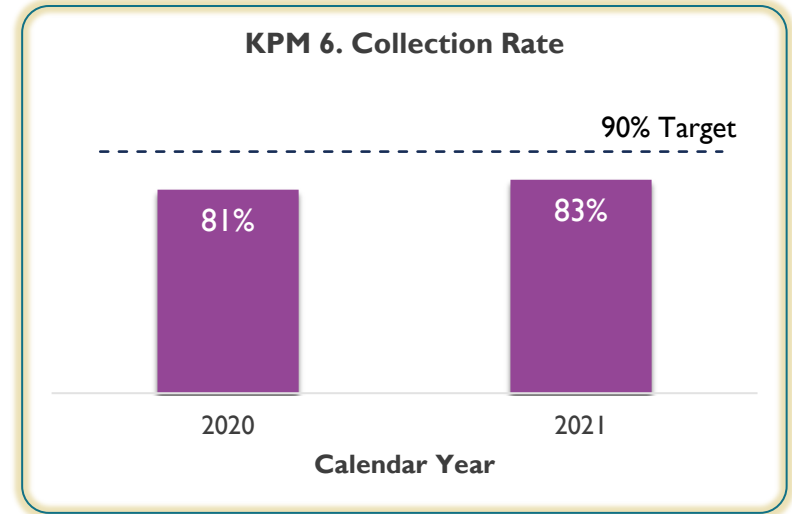
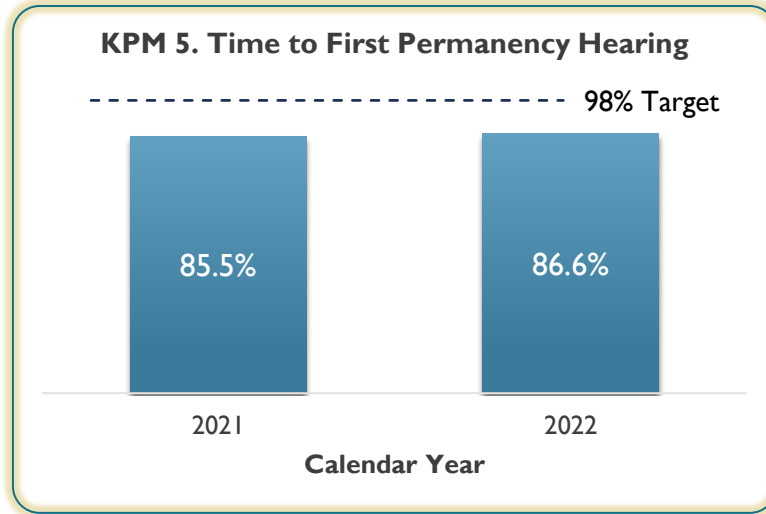
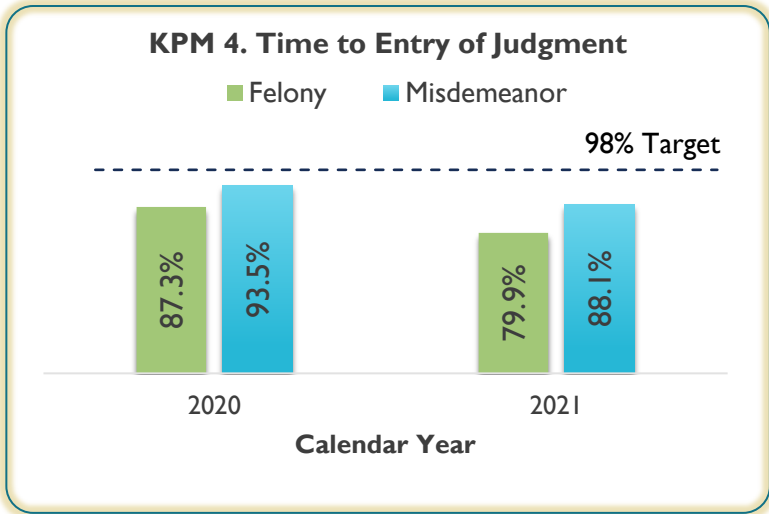


Key Performance Measures *continued*

Target to -5%

Target -5% to -15%

Target > -15%



Key Performance Measures

2023-25 Requested Changes

OJD is requesting approval to delete KPM 7 and replace it with a new expanded definition to include all criminal and juvenile system treatment courts.

- **Propose Delete**

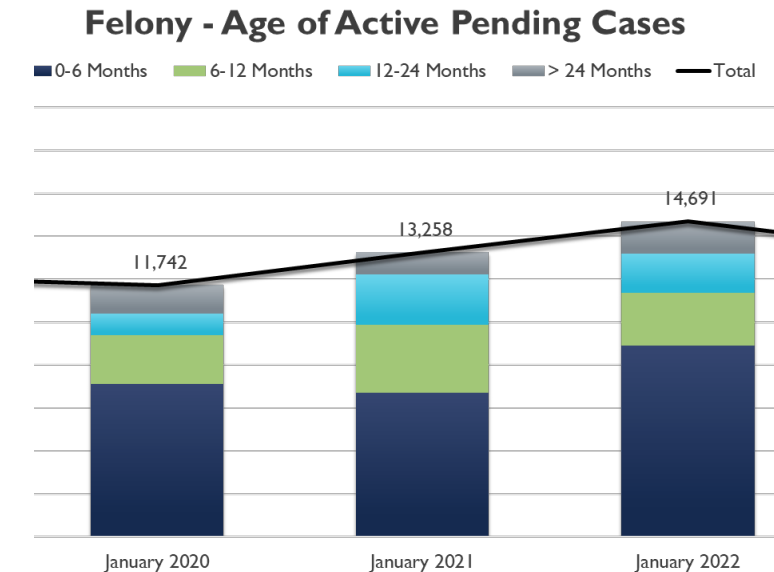
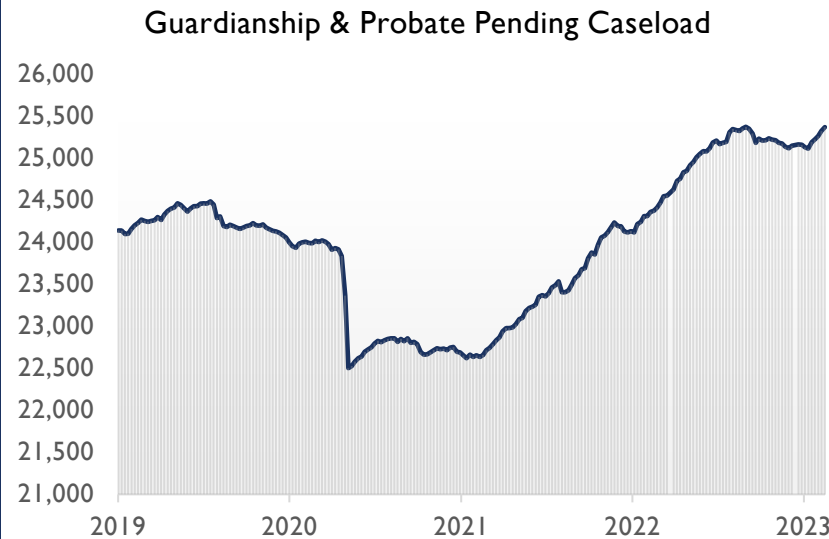
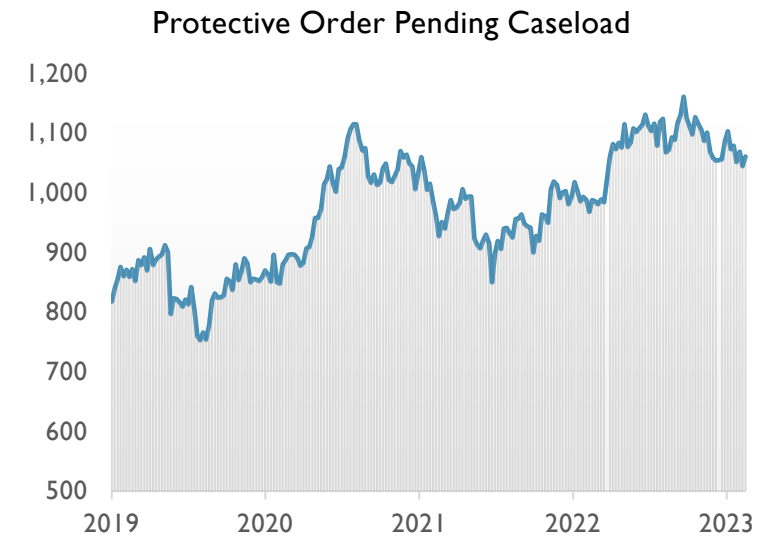
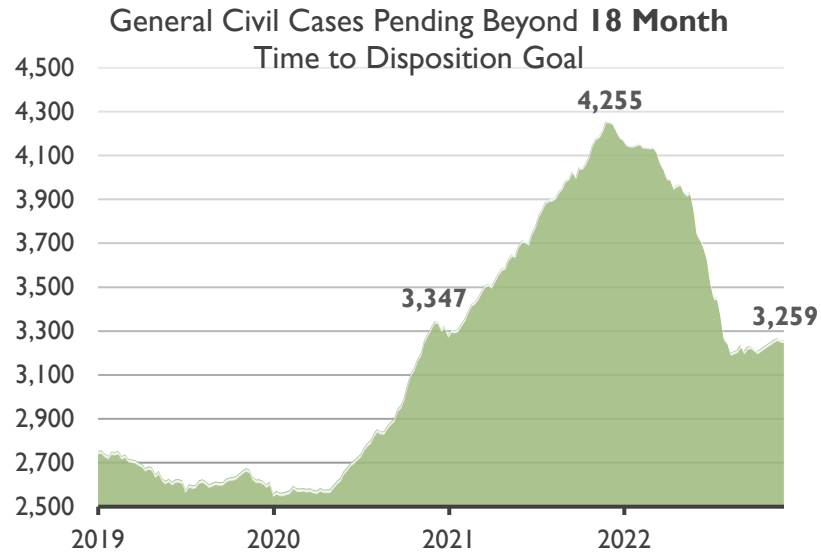
KPM 7 - Adult Drug Court Recidivism: Percent of participants with no new criminal offenses within a year of Adult Drug Court graduation.

- **Propose Add/Replace**

KPM 7 - Specialty Courts - Justice System Reinvolvement: The percentage of treatment court graduates with no misdemeanor or felony charges filed in Oregon circuit courts within one year of program graduation.

Caseload Areas of Concern

- General Civil
- Protective Orders
- Guardianship and Probate
- Felony



Touching All Aspects of Peoples' Lives



Family Law



Juvenile Cases



Protective Orders



Behavioral Health



Civil Law



Criminal Law



Specialty Courts

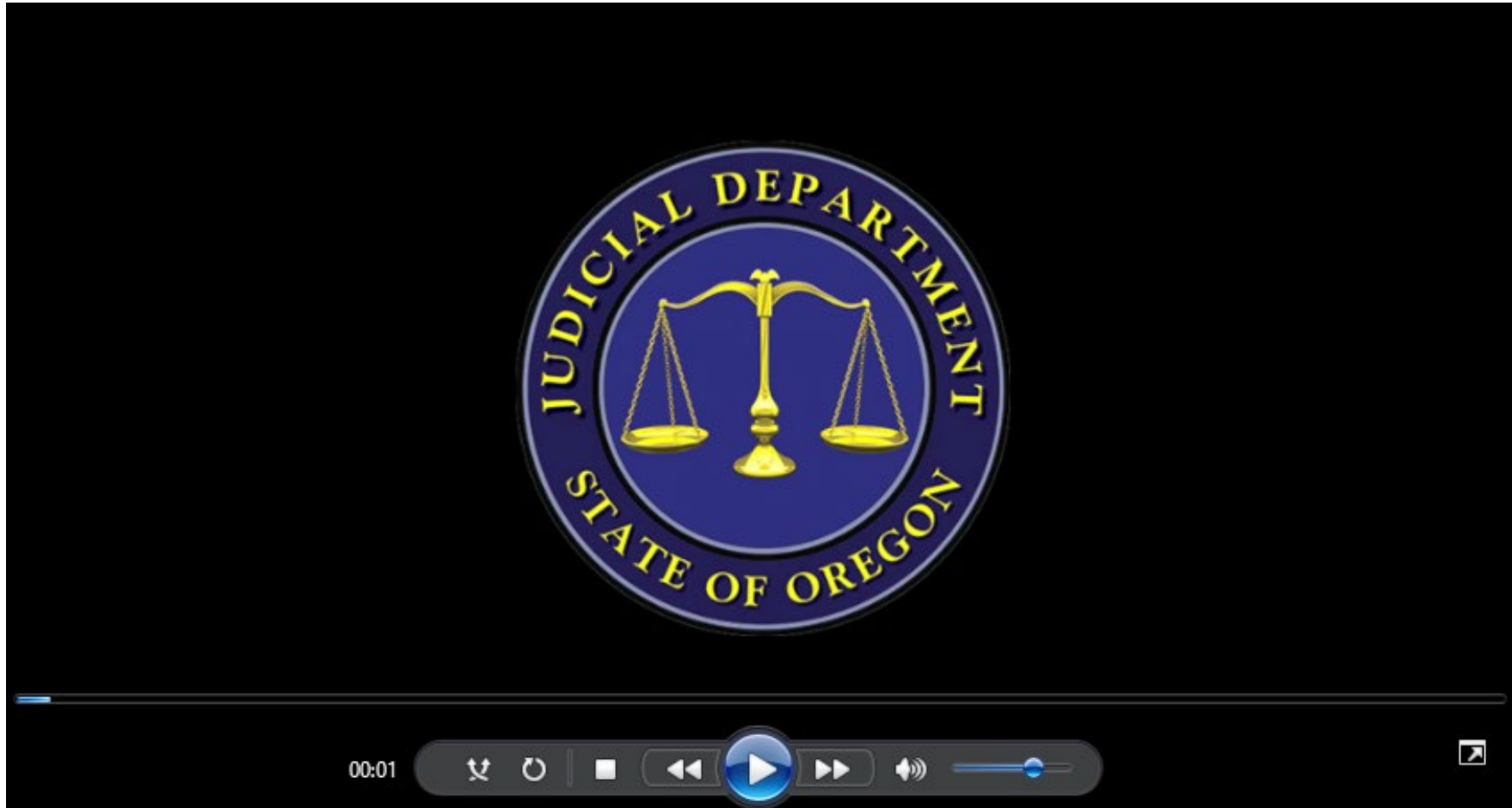


Protective Proceedings

Family Law Cases

- High rates of self-represented litigants
- Economic and social stressors
- Families' needs are time sensitive
- Most cases continue long after initial judgment (i.e., enforcement and modifications)
- Families, domestic violence victims, and others need timely court access to minimize trauma
- Family law cases make up **17%** of court workload





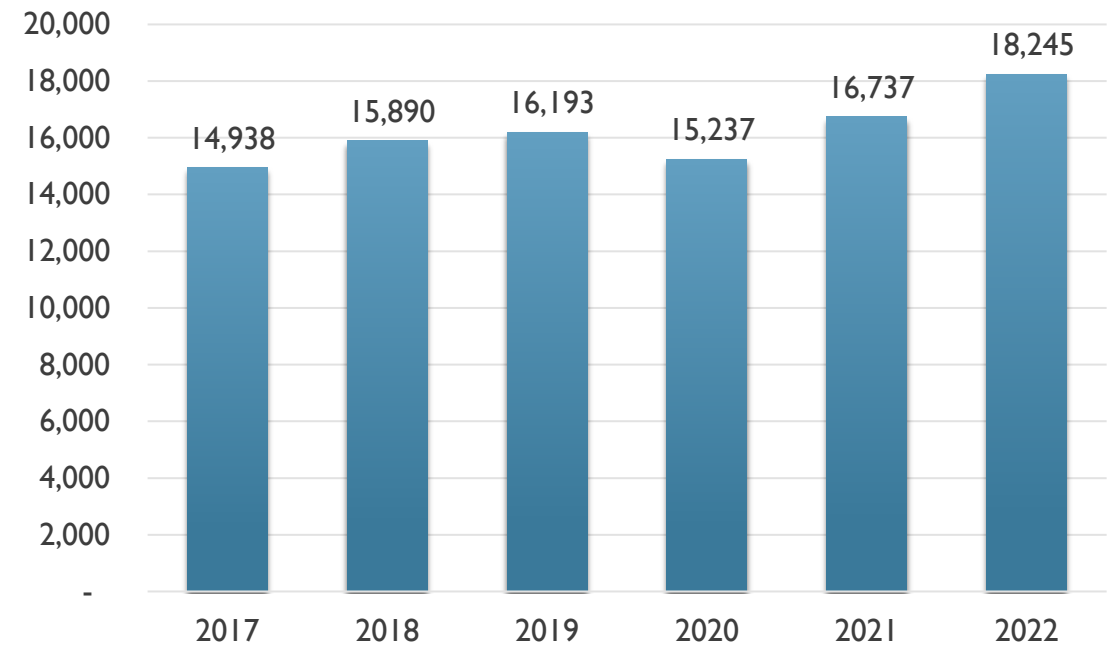
How Courts Meet Family Needs – During and After the Pandemic

The Honorable Patricia McGuire, Multnomah County Circuit Court Judge

Protective Orders Are Increasing

- Family Abuse Prevention Act Order (FAPA)
- Elderly Persons and Persons with Disabilities Abuse Prevention Act Order (EPPDAPA)
- Sexual Abuse Protection Order (SAPO)
- Extreme Risk Protection Order (ERPO)
- Stalking Order
- Emergency Protective Order (EPO)

Protective Orders Increasing



Protecting People in Unsafe Situations

- Self Help Center includes online and paper application forms
- Court facilitators provide remote and in-person assistance
- STOP VAWA Formula Grant program
 - Staff Attorney
 - Judicial and Court Staff Training and Education
 - Pretrial Release Officer Training



Family Law Programs Bridge the Service Gap



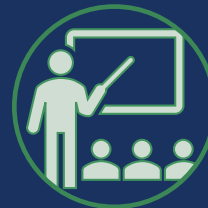
Streamlined resolutions in domestic relations trials



Centralized child support docket provides enhanced problem solving



Statewide facilitation services



Educational conferences, seminars, and peer information exchanges



Bench books and training materials

Building Improvements Together with System Partners

Court-Connected
Mediator
Qualifications
Committee

OJD Mediation
Training
Workgroup

Domestic
Relations
Mediation Funding
Workgroup

Statewide Family
Law Advisory
Committee
(SFLAC)



Protective Proceedings

2 out of every 5 cases start with a protected person over age 65 – Between 2010 and 2020 the number of Oregonians aged 65 or older rose from 14% of the state population to 18.6%



What are Guardianships and Conservatorships?

Guardianships & conservatorships (protective proceedings): court cases where one person or entity has asked a court to give them legal authority to make personal and/or property decisions for another person who is at risk of physical neglect or financial fraud.

- ❖ **Guardians** make health and safety decisions
- ❖ **Conservators** make financial decisions
- ❖ A **protected person** is someone for whom a guardian or conservator has been appointed



Courts Monitor More than \$1.2 Billion in Assets

- Financial auditing oversight of conservatorship activity
 - 25% of pending cases are conservatorships supervising protected persons' money
- Consistent court review procedures
 - promote fiduciary accountability
 - improve outcomes



Strengthening Protections for Oregon's Vulnerable Population

-
- Received 2-year federal grant in 2021 for the Conservatorship Pilot Project
 - Created advisory committee of judges, staff, and distinguished community stakeholders
 - Assessed all circuit courts to understand strengths and weaknesses
 - Identified targeted improvements to improve court monitoring
 - Developed centralized auditing pilot



Protective Proceedings Court Oversight Program

The Honorable Kathleen Johnson,
Douglas County Circuit Court Judge

Centralized Auditing Pilot Program

- Courts and auditor select cases to review
- Reviews Include
 - Assessment of court findings
 - Accounting audit of conservator actions
- Accounting audit findings described by level 1-4

Accounting Audit Findings

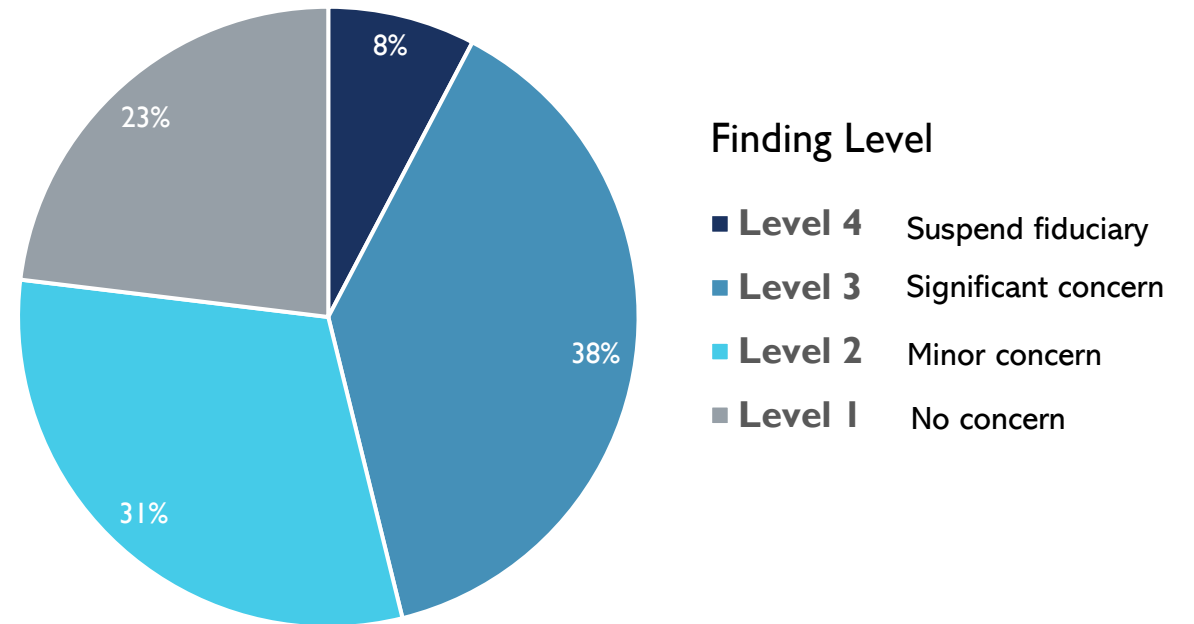
Level 1	No material concerns noted
Level 2	Minor concern(s) noted relating to procedural or financial errors or omissions, or misuse of funds
Level 3	Significant concern(s) noted relating to procedural and/or financial errors or omissions, or misuse of funds
Level 4	Prompt action recommended to suspend fiduciary powers or remove the fiduciary
Level F	The conservator materially failed to comply with the Court Order to assist with this audit; further court action is required

Centralized Auditing Program: Initial Results

- Results (October 2022-January 2023)
 - 23 cases reviewed across 5 pilot counties
 - Cases referred by courts and selected by auditors

Conservator transaction amounts referred for court decision:	\$471,240
---	------------------

Cases by Finding Level



Presentation Overview

Day 1

- The Judicial Branch
- The Strategic Campaign
- Access to Justice
- Statewide Caseload Data
- Key Performance Measures
- Dive into Case Types

Day 2

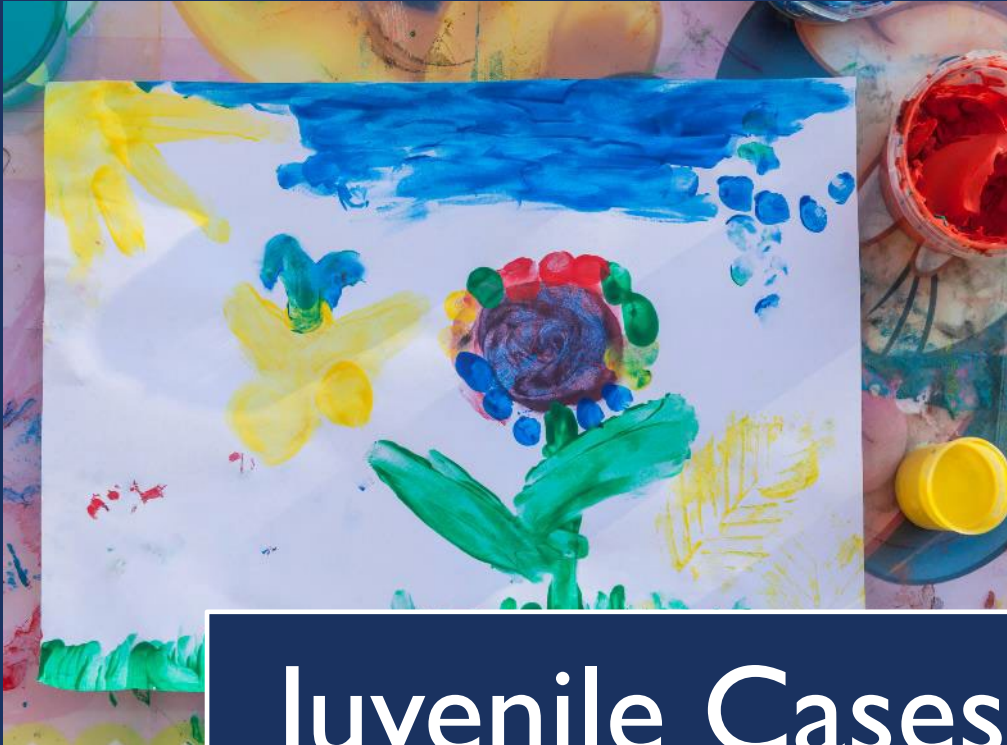
- **Continued Dive into Case Types**
- **Revenue, Collections, and Budget**

Day 3

- 10% Reductions - Devastating
- Critical gaps, opportunities, and prioritized policy options

Day 4

- Public Testimony



Juvenile Cases

Juvenile cases are 7% of court workload

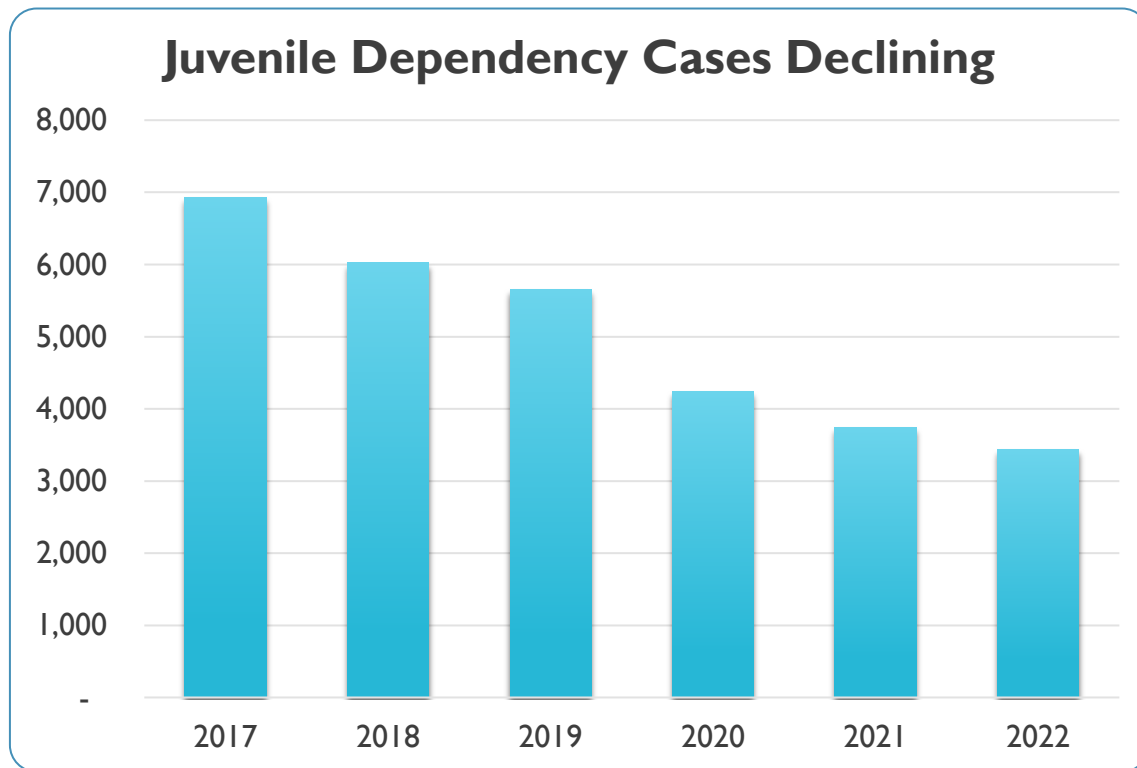
There are two types of cases

- **Dependency cases**
- **Delinquency cases**

Both case types

- Have statutory timelines and constitutional requirements.
- Involve a complex framework of state, federal, and administrative law.
- Require specialized judicial knowledge of child development, child wellbeing, adolescent brain development, and behavioral health.

Juvenile Dependency Cases

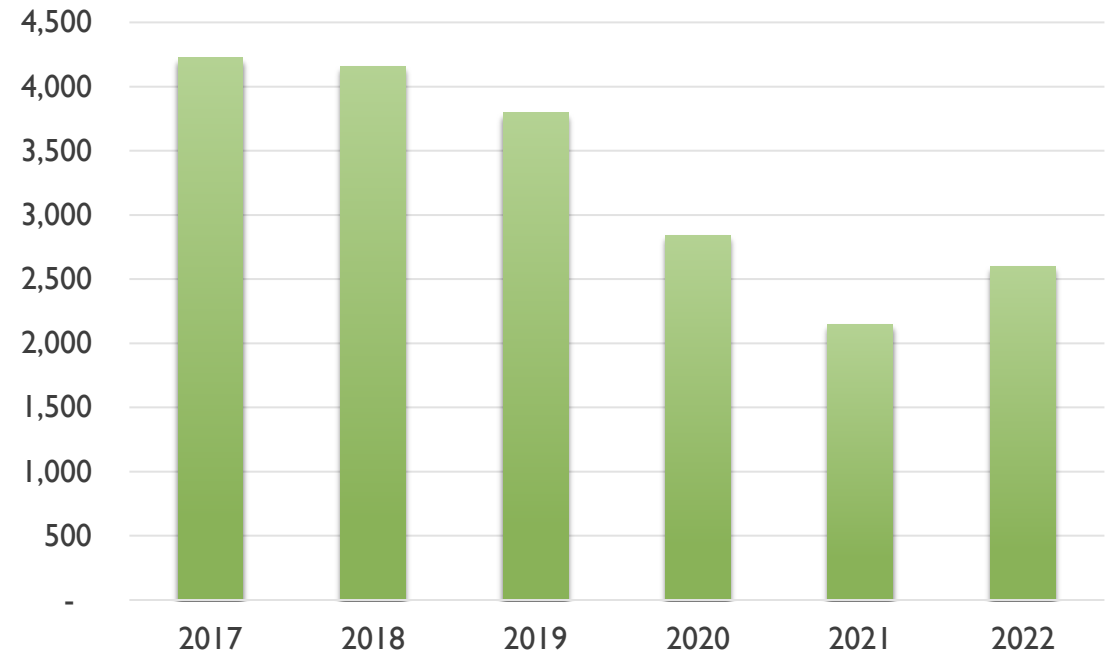


- Involve allegations of abuse and neglect of children
- Require decisions about whether child welfare intervention is necessary
- May result in removal from family, placement in foster care, and termination of parental rights
- Include supports and services to preserve child well-being and reunify families
- Downward trend driven by changes in federal law & ODHS vision for transformation

Juvenile Delinquency Cases

- Involve youth charged with behavior that would be criminal if adult
- Include services that prevent further criminal activity
- Purpose is to protect the public, reduce delinquency, and provide fair & impartial procedures

Juvenile Delinquency Cases Declining



Juvenile Law Programs

Ongoing Education



Providing education, training, and resources to judges and court staff, to support quality hearings and improve outcomes for families and youth

Collaboration



Reducing disproportionality is a focus of collaborative work with stakeholders

Indian Child Welfare Act



Dedicated staff to support implementation and compliance with the federal Indian Child Welfare Act (ICWA) and Oregon's Indian Child Welfare Act (ORICWA)

Federal Grant Program



Manage federal grant program to establish a family engagement initiative and delinquency model courts

Supporting juvenile courts, and better outcomes for youth, families, and communities

Building Improvements Together with System Partners



Juvenile Court
Improvement Project
(JCIP) Advisory
Committee

Juvenile Delinquency
Improvement Program
(JDIP) Advisory
Committee



Civil Cases

Courts provide a forum for resolution of a broad range of civil cases

- Landlord-tenant
- Small claims cases
- Contract and business disputes
- Torts
- Civil rights violations
- Statutory and regulatory violations

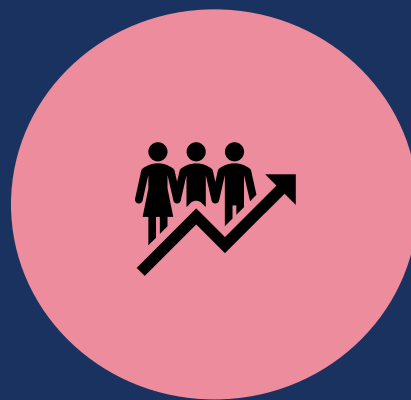
Civil cases are **21%** of court workload



LANDLORD TENANT

97%

MOSTLY SELF-REPRESENTED
POTENTIALLY LIFE ALTERING
OUTCOMES



SMALL CLAIMS

99.9%

MOSTLY SELF-REPRESENTED
SMALL DOLLAR AMOUNTS



GENERAL CIVIL

54%

SOME SELF-REPRESENTED
LARGE CASES OFTEN INVOLVE LAW FIRMS

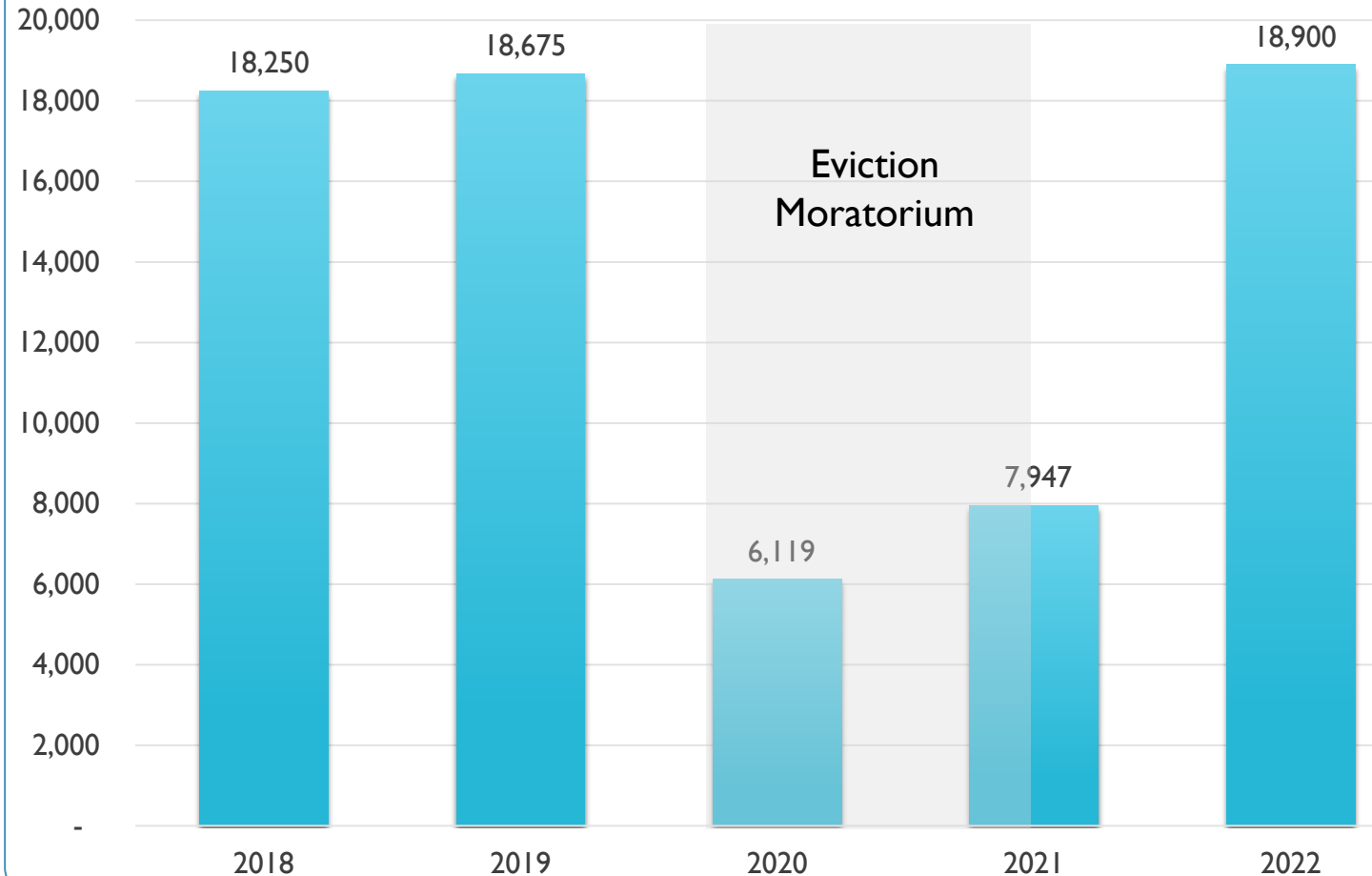
Civil Case Demographics

Landlord Tenant Eviction (FED) Mediation

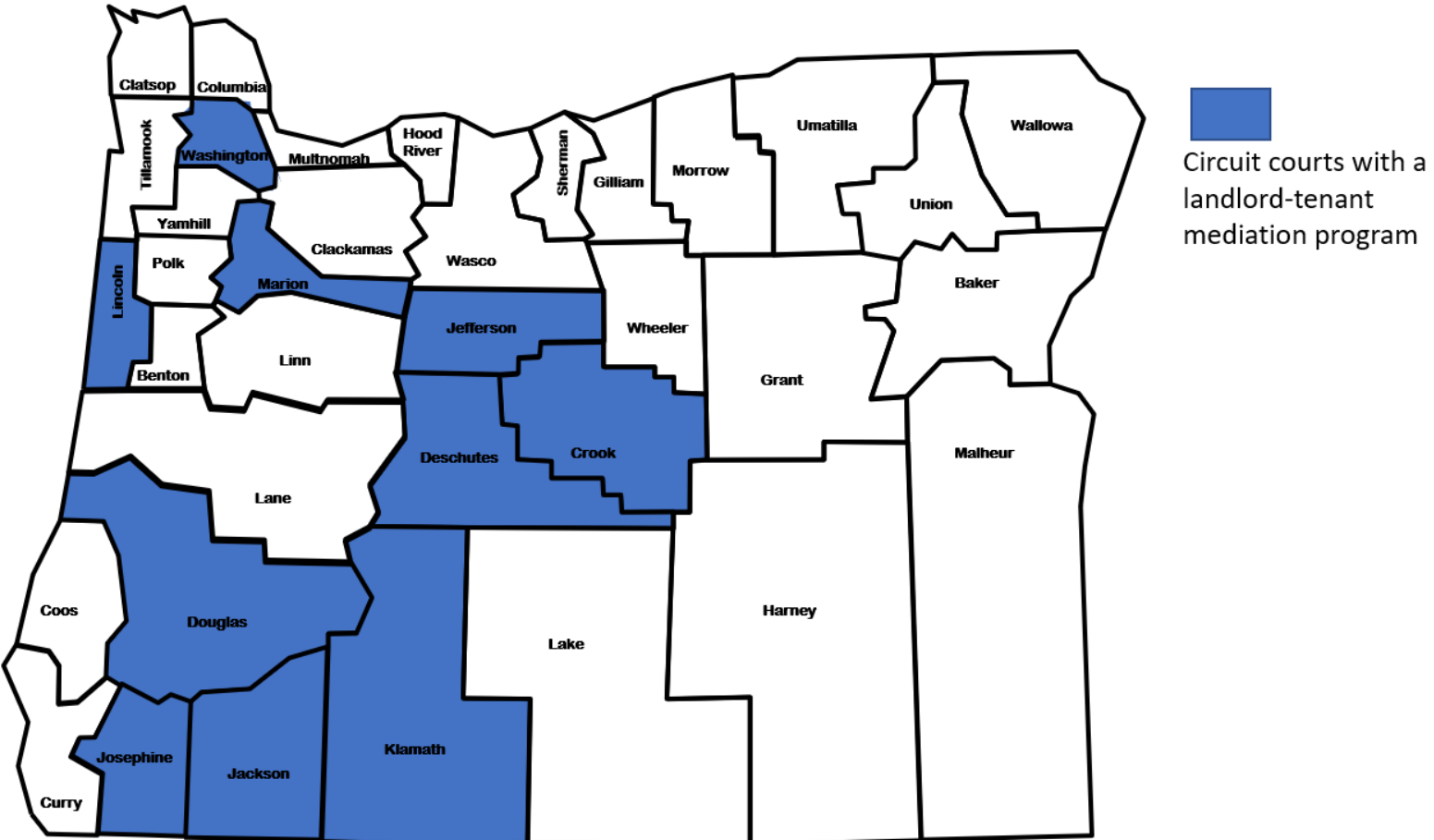
Eviction diversion programs give parties the time, information, and resources they need to resolve disputes without litigation. Access to mediation is a critical component to eviction diversion.

- 10 courts currently offer mediation to landlord / tenant litigants after an FED complaint has been filed.
- In Deschutes County in 2019 and 2020, parties in 90% of the cases referred to mediation reached a settlement with the help of mediator.

Landlord Tenant Case Filings



Landlord Tenant (FED) Eviction Mediation Programs

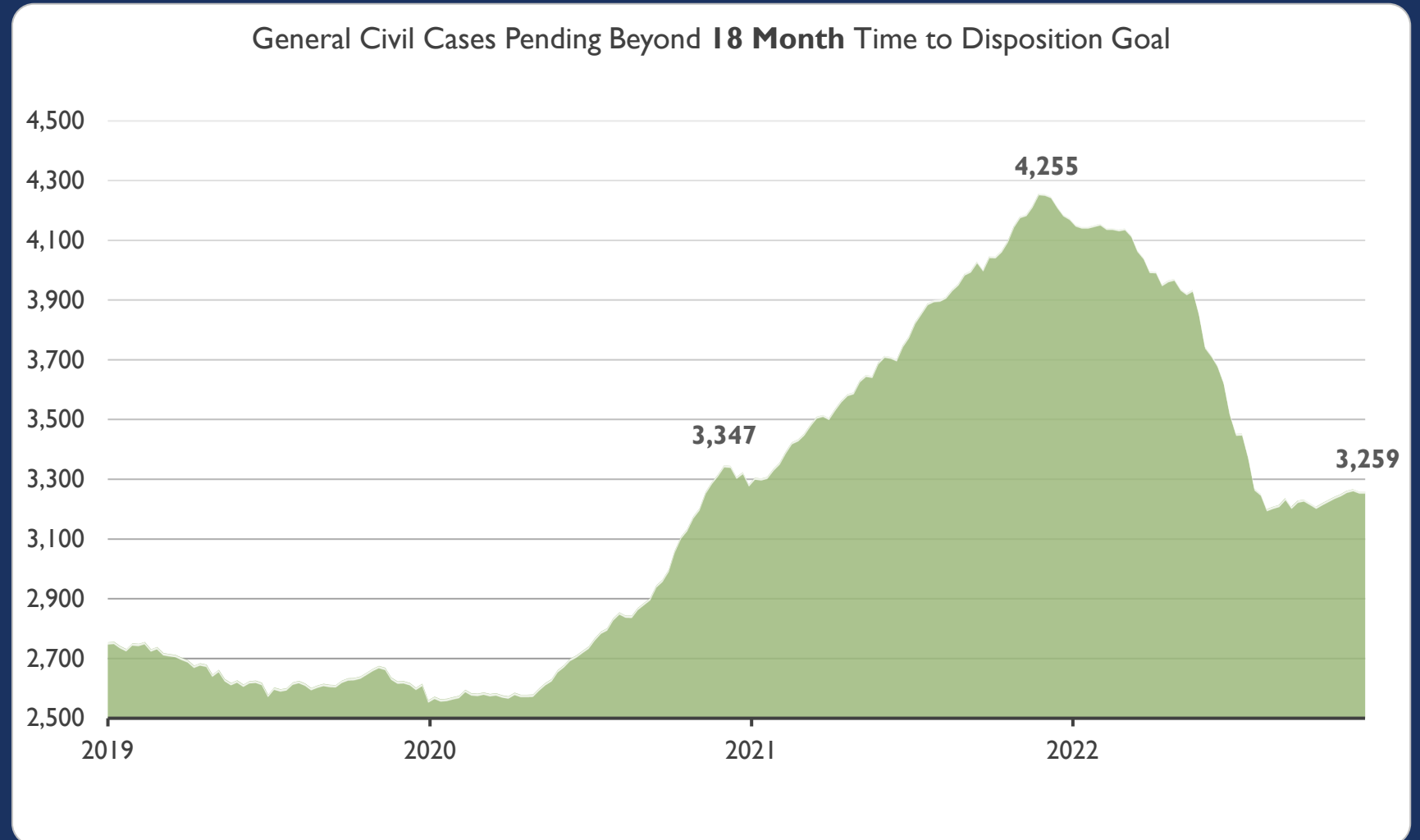


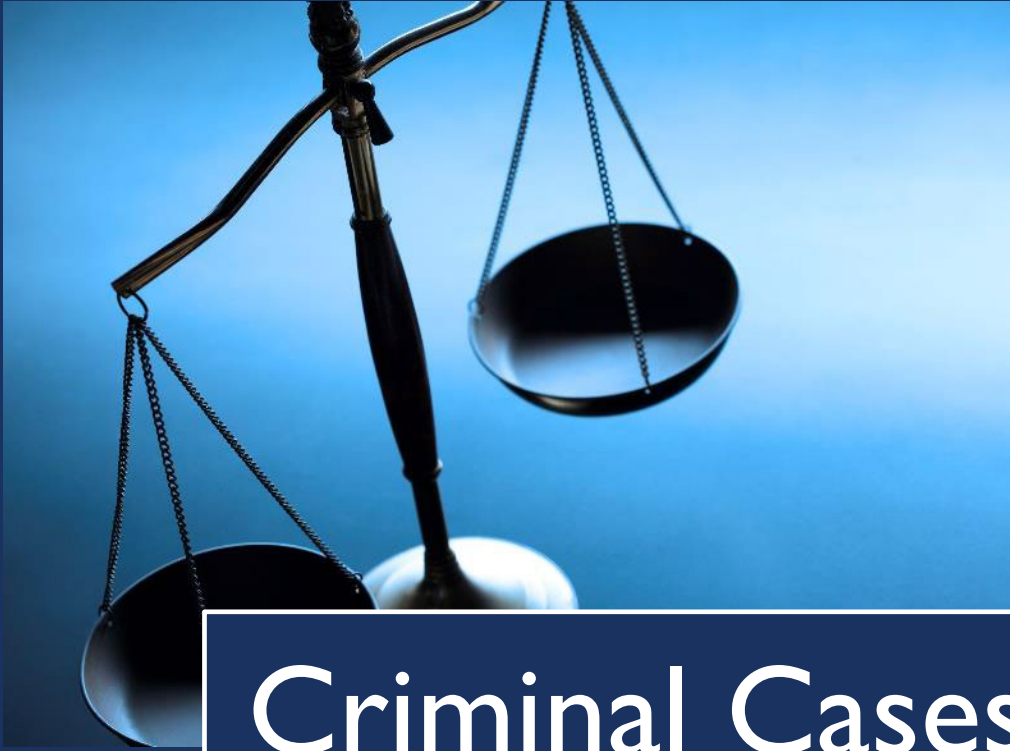
General Civil Cases Beyond Time to Disposition Goal

General Civil cases include:

- ❖ Contract and business disputes
- ❖ Tort claims
- ❖ Civil rights claims
- ❖ Employment disputes
- ❖ Statutory and regulatory violations

Courts made progress working down COVID backlogs, but the progress is stalling, and new case filings are starting to increase.





Criminal Cases

Criminal cases are **37%** of court workload

- Each year, tens of thousands of people – including those charged with crimes, victims, witnesses, and the families involved – experience the benefits and challenges of Oregon’s criminal justice system.
- Courts are uniquely positioned to manage the tension points.
- Getting the best outcomes requires time and attention to details and emotions.

Good Case Outcomes Require Court Attention

Courts address the needs of victims and those charged with crimes at multiple stages in a case, and through a variety of approaches.

- Release hearings
- Settlement Conferences
- Specialty Courts
- Diversion Programs and Conditional Discharges
- Pretrial Motions
- Trials



Mrs. Judge Easterday,

“I just wanted to thank you for being so incredibly kind and big-hearted last week in court...It meant so much to me that you cared about my feelings...how you handled the defendant and what you said to him...you cared deeply about the situation...”



Building Improvements Together with System Partners

Chief Justice's Criminal Justice Advisory Committee (CJAC)

- The CJAC advises the Chief Justice on changes to court rules, policies, processes, services, or other areas in response to current and future issues in the state criminal justice system for the purpose of improving the administration of justice and ensuring access to justice for all.

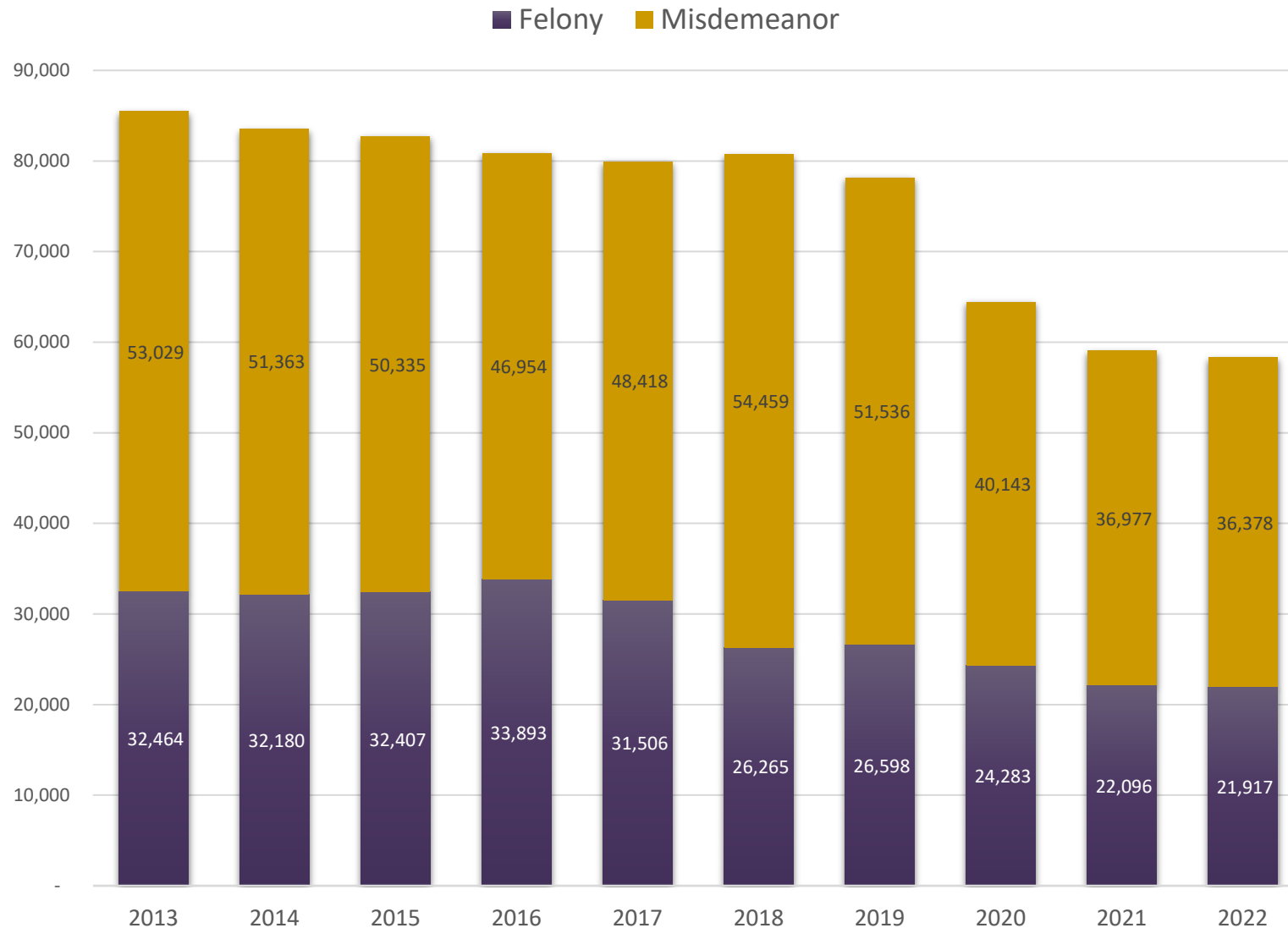
Local Criminal Justice Advisory Councils

- The presiding judge of each judicial district shall establish a local criminal justice advisory council... [that] shall meet regularly to consider and address methods of coordinating court, public defense and related services and resources in the most efficient and cost-effective manner that complies with the constitutional and statutory mandates and responsibilities of all participants. ORS 1.851

Local Public Safety Coordinating Council (LPSCC)

- Trial courts work with their Local Public Safety Coordinating Council on improving public safety by reducing recidivism, ensuring victim voice in the process and reducing disproportionate impacts. ORS 428.560

Criminal Cases Filed in Oregon Circuit Courts

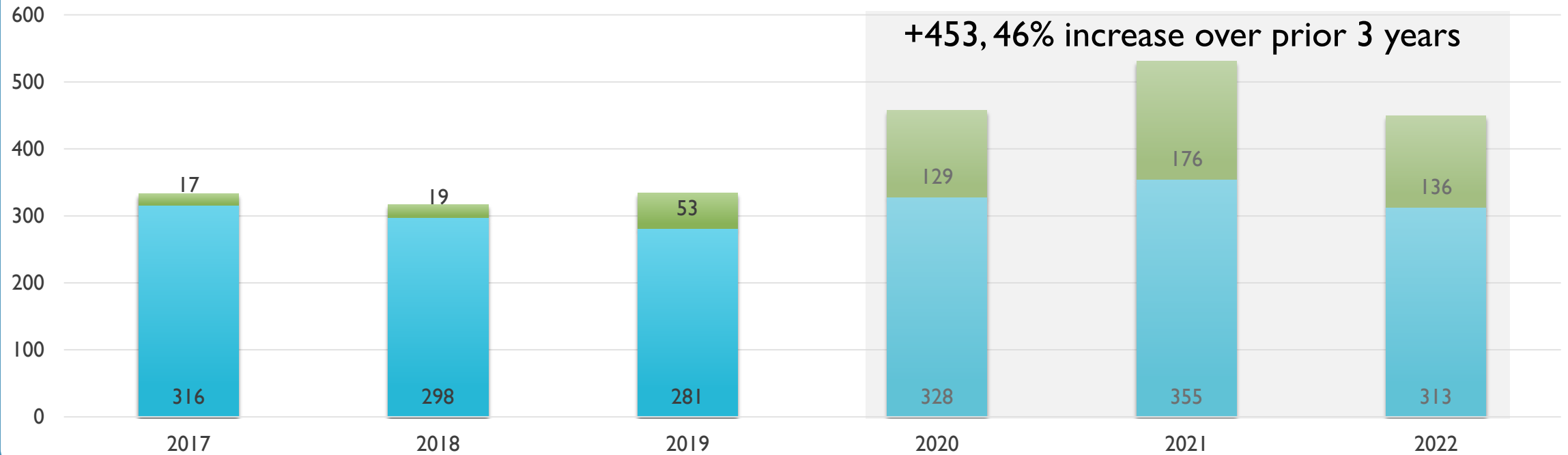


Recent Changes to Filings

- Misdemeanor and felony filings declined due to the pandemic and law changes related to possession of controlled substances
- Serious felony crimes (Murder, Attempted Murder) increased 46%
- Out-of-custody dockets increase during COVID along with FTA rates and warrants
- Aid & Assist caseload increasing

Murder Charges Filed

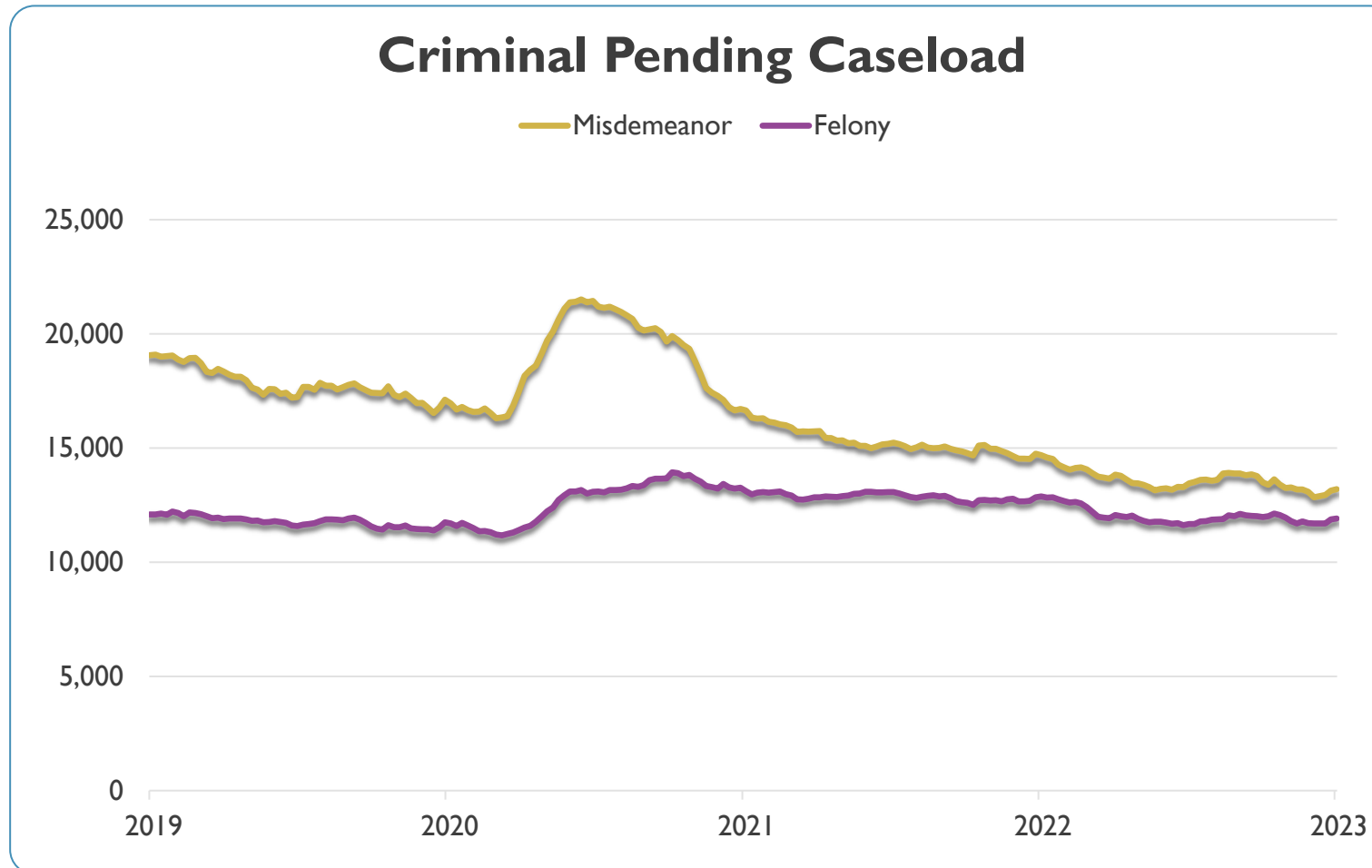
■ Attempted Murder ■ Murder



Murder charges increase 46% 2020-2022 compared to 2017-2019

Statewide Pending Criminal Caseload

Overall, Pending Criminal Caseload Continues to Drop, but Challenges Remain

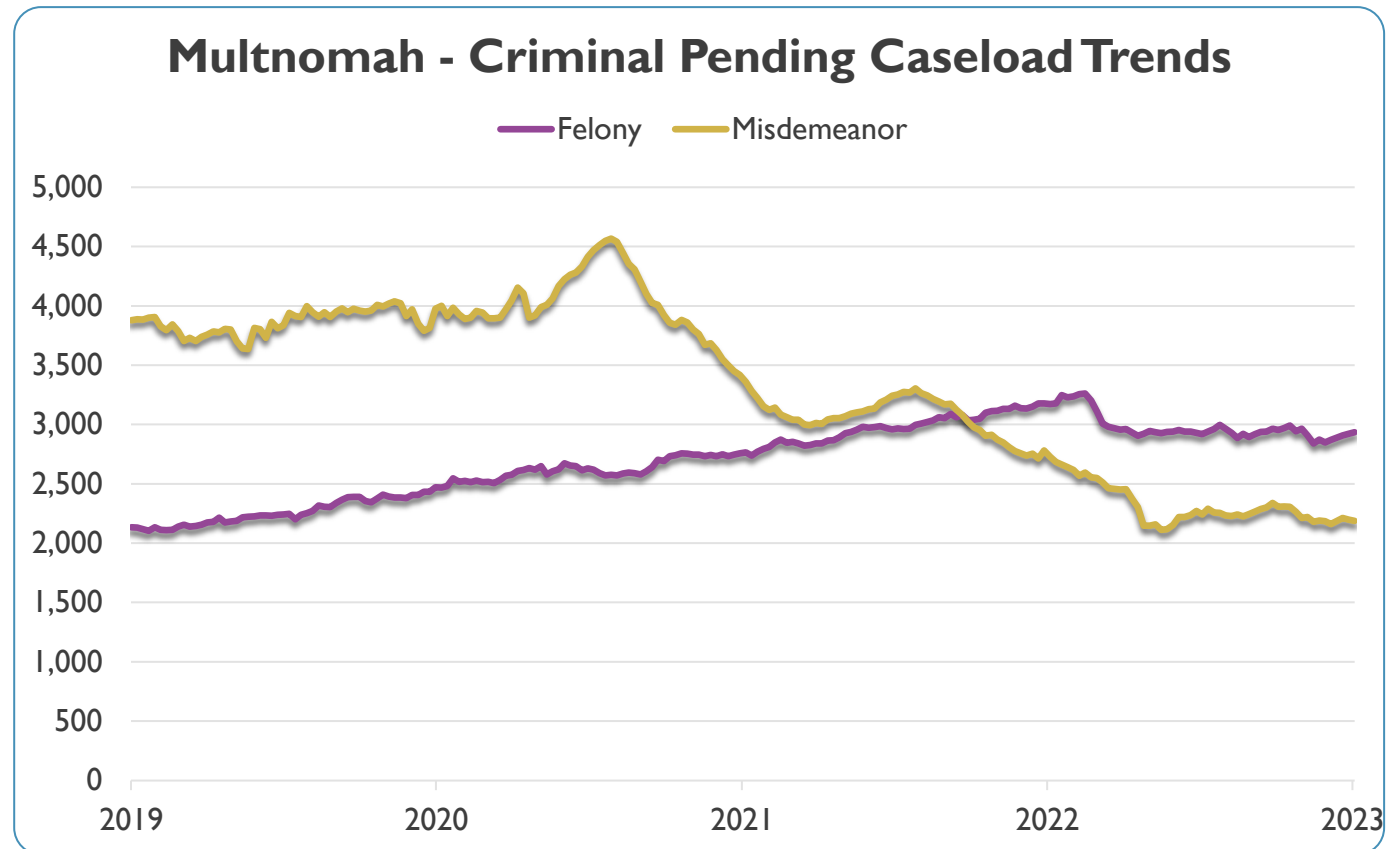


Multnomah Pending Criminal Cases

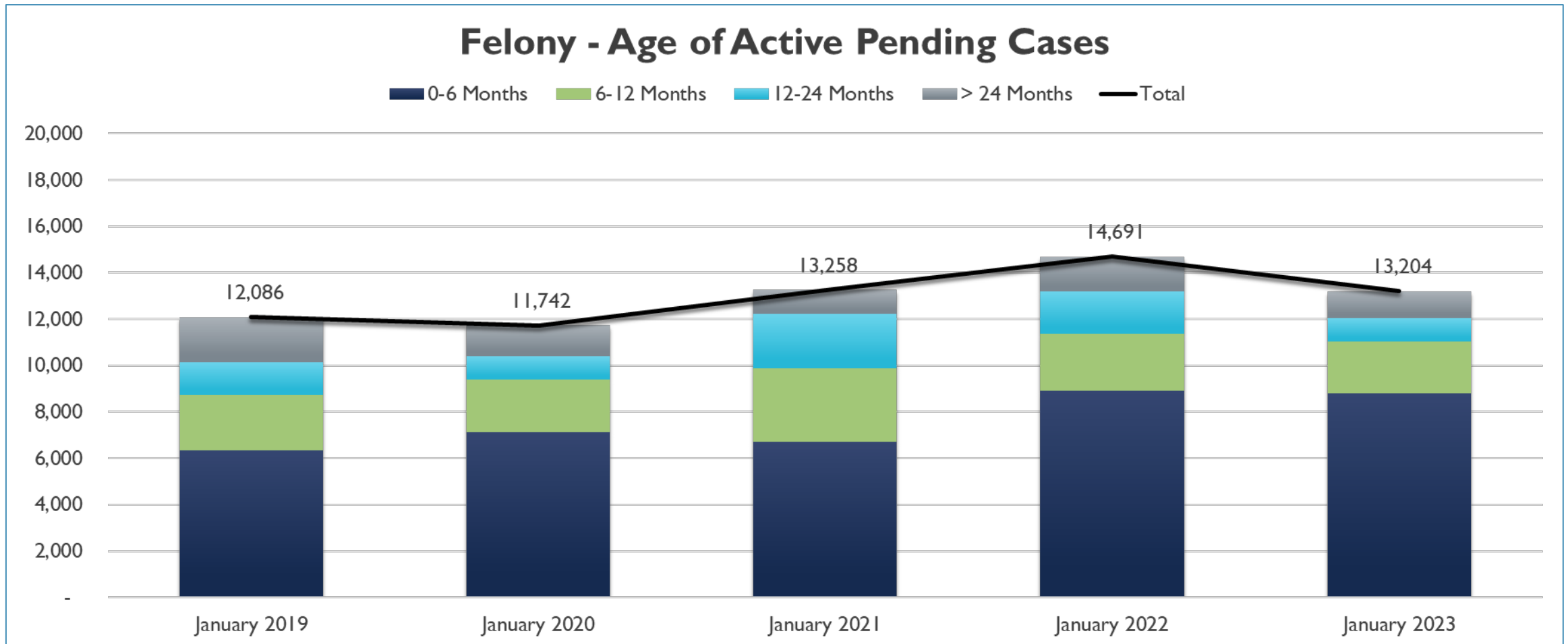
This trend, with more pending felony cases than misdemeanor cases, is extraordinary and counter to historical norms.

Other counties with the same or similar dynamics are listed below.

- Douglas
- Jackson
- Jefferson
- Josephine
- Linn
- Marion
- Washington

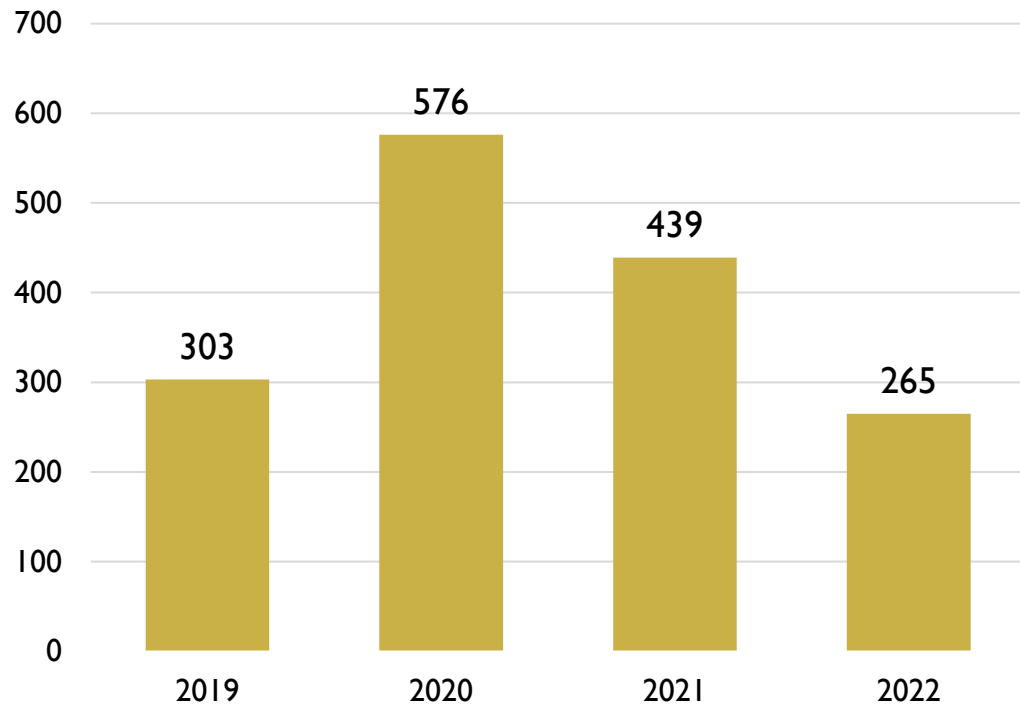


Courts Are Working Through Felony Backlogs

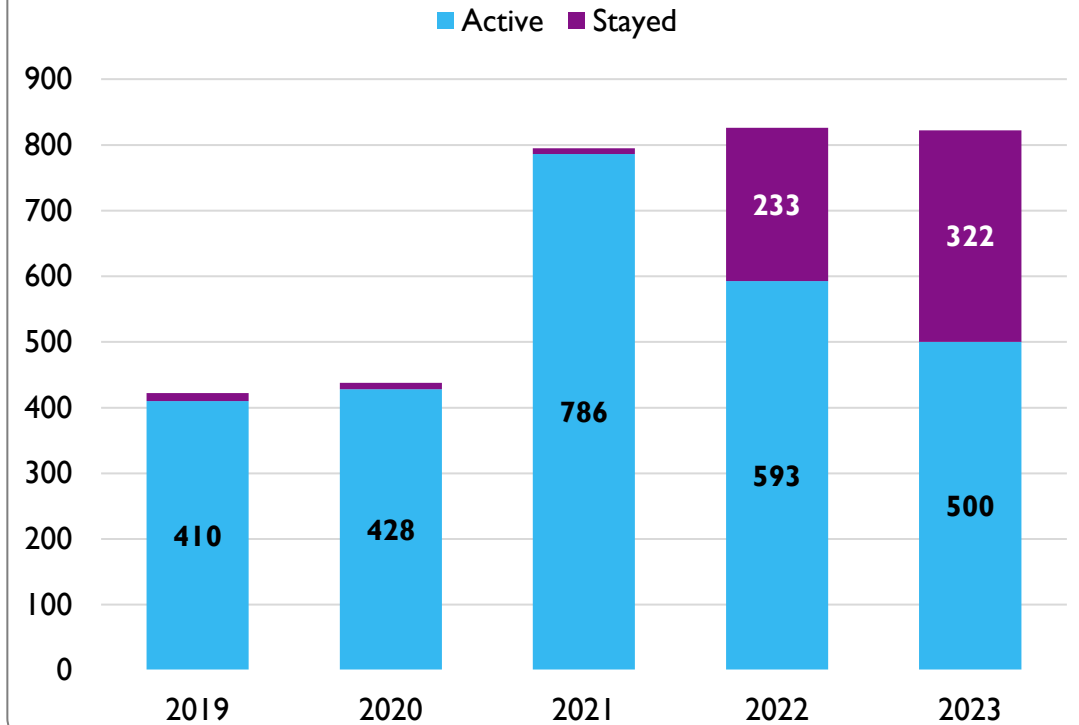


Post-Conviction Relief Filings

Post-Conviction Relief Petitions



Post-Conviction Relief Petitions Pending



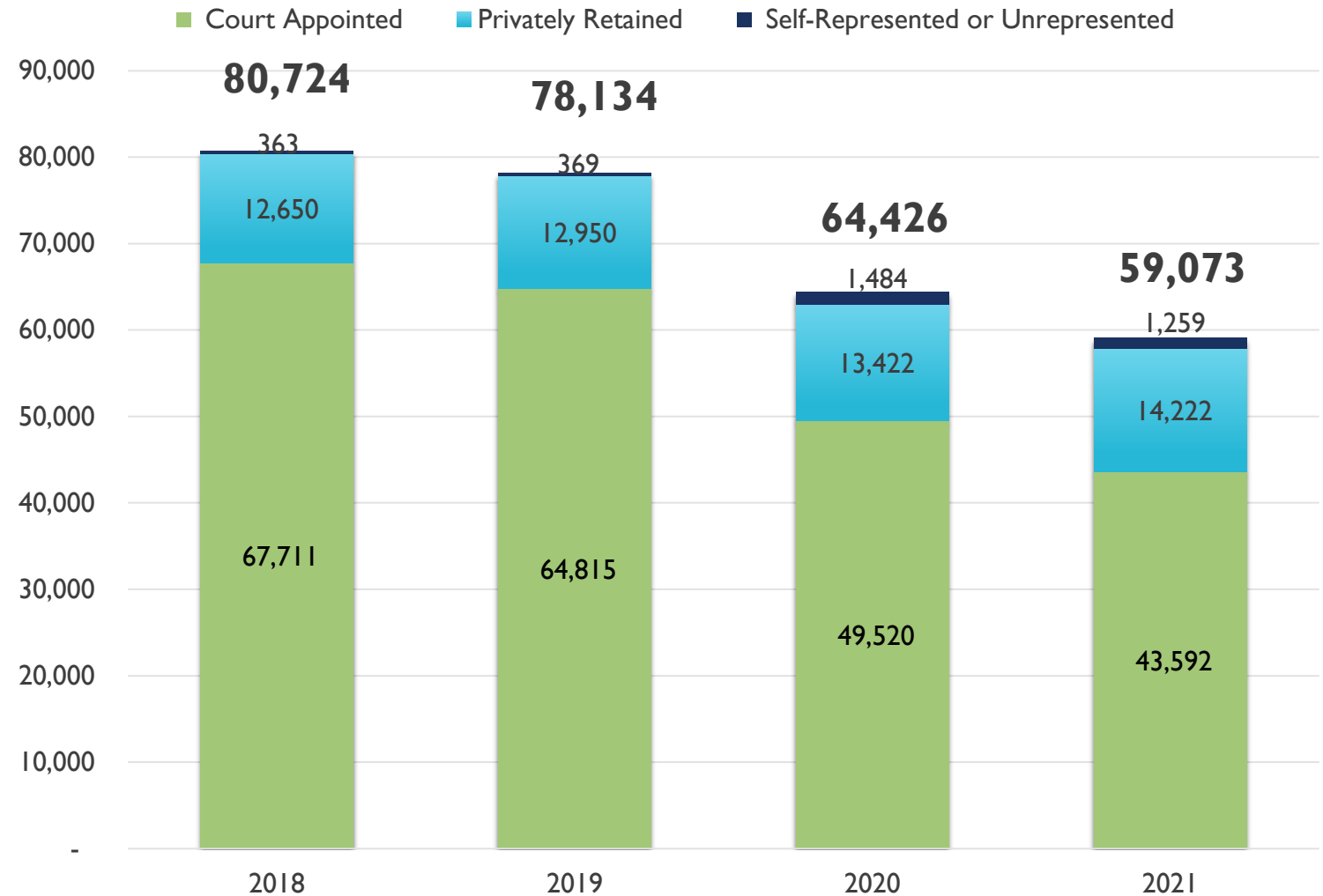
Partners in Addressing Crisis of Unrepresented Individuals



What We Can Track

- Type of representation
- Appointment date
- Case information (status, time to disposition, activity)
- Changes over time

Criminal Cases Filed by Representation Status



Oregon Judicial Department Efforts to Address the Crisis of Unrepresented Individuals



Supreme Court



Chief Justice



Trial Courts



State Court
Administrator

Devoting substantial judicial and staff resources

- Added full-time analyst, improved data collection/dashboards
- Deployed (retired) judges to support case resolution efforts, including specialized settlement dockets
- Conducted extensive daily trial court case monitoring to track unrepresented defendants, prioritize limited public defender resources
- Reached out to local private criminal defense attorneys to secure lawyers for unrepresented individuals
- Encouraged judge outreach to local civil attorneys to encourage assistance with criminal case burden

Oregon Judicial Department Efforts to Address the Crisis of Unrepresented Individuals



Supreme Court



Chief Justice



Trial Courts



State Court
Administrator

Modifying court procedures

- Early hearings to resolve cases
- Omnibus hearings
- Altered judge assignments for consistency in handling attorney appointment issues
- Consolidated felony morning call dockets to reduce number of appearances

Using technology to improve efficiencies

- Increased use of remote technology to reduce in-person court appearances
- Enhanced data collection on unrepresented persons in each judicial district and developed public dashboard to show location and status of unrepresented persons

Case Processing Examples

- Wingspan Program - Washington
- Specialized Resolution Dockets - Multnomah
- Expanded Use of Pretrial Motions
- Modified local court practices - Coos

Oregon Judicial Department Efforts to Address the Crisis of Unrepresented Individuals



Supreme Court



Chief Justice



Trial Courts

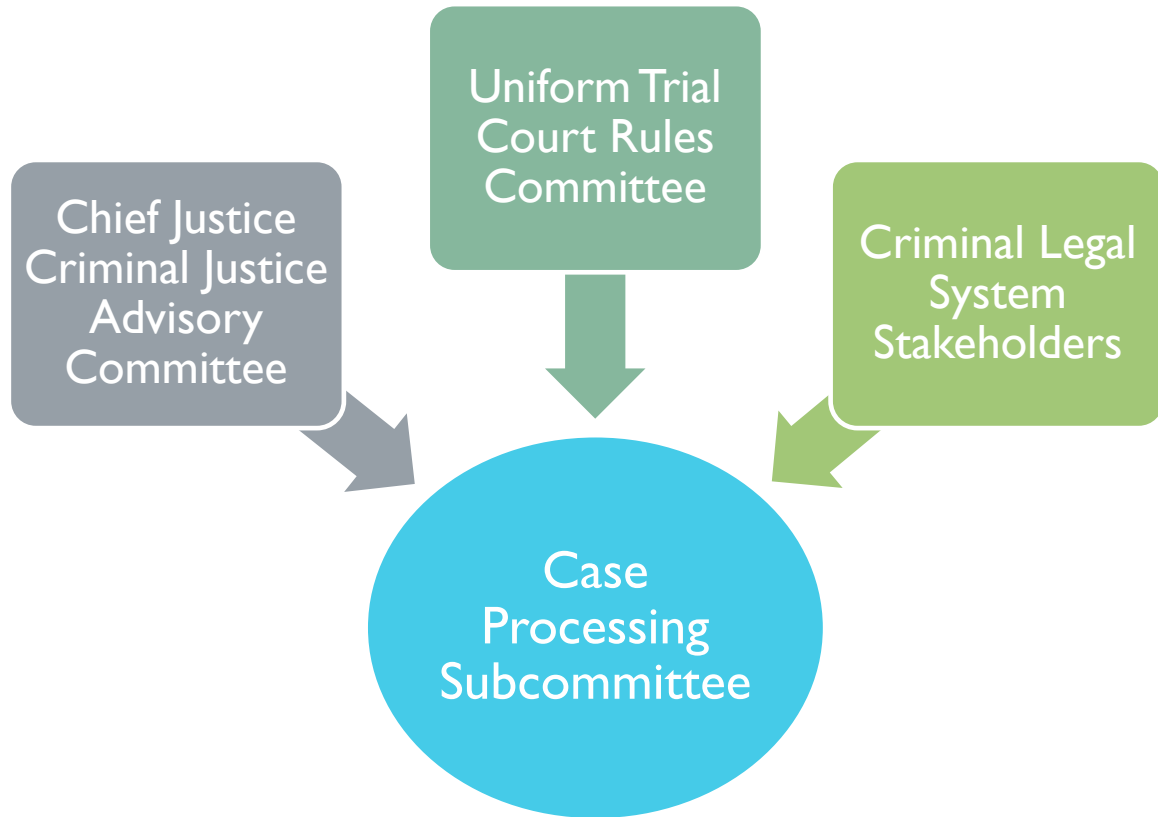


State Court
Administrator

Working with system partners

- Worked with Oregon State Bar to make it easier for out-of-state and retired attorneys to take public defense cases
- Presiding judges facilitated cooperation among local stakeholders to develop processes for consolidating cases to reduce number of attorneys needed for a single individual
- Continued collaboration in state-level workgroups, subgroups
- Worked with district attorney's office to improve discovery practices (DA developed new reminder system to ensure timely discovery)
- Established collaborative effort between Uniform Trial Court Rules (UTCRC) Committee and Chief Justice's Criminal Justice Advisory Committee (CJAC) to address case-processing proposals from Oregon Criminal Defense Lawyers Association (OCDLA)

Case Processing Subcommittee



Case Processing Subcommittee will evaluate proposals, seek criminal justice system stakeholder input, and make recommendations on how to best move forward with strategies and solutions to alleviate the unrepresented individuals crisis.

Behavioral Health

Thousands of individuals who appear in Oregon courts are experiencing behavioral health issues, including mental health and substance use disorders.

Aid & Assist

Civil
Commitment

Pretrial Release

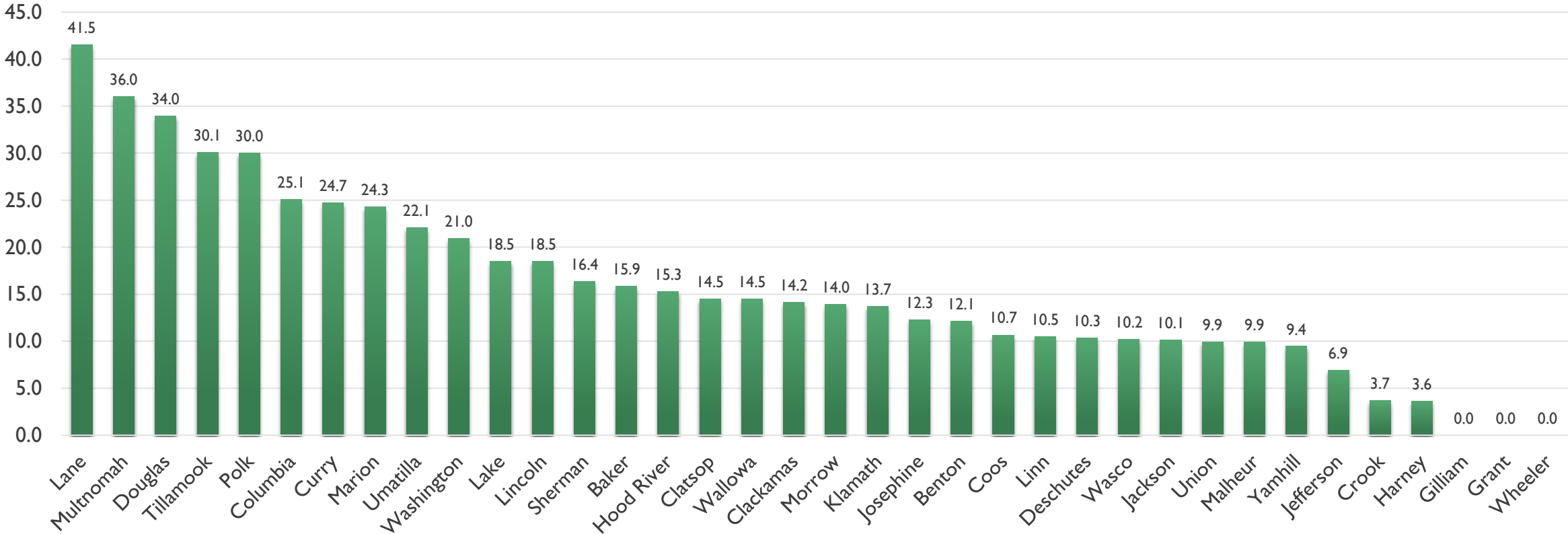
Specialty Courts



Behavioral Health

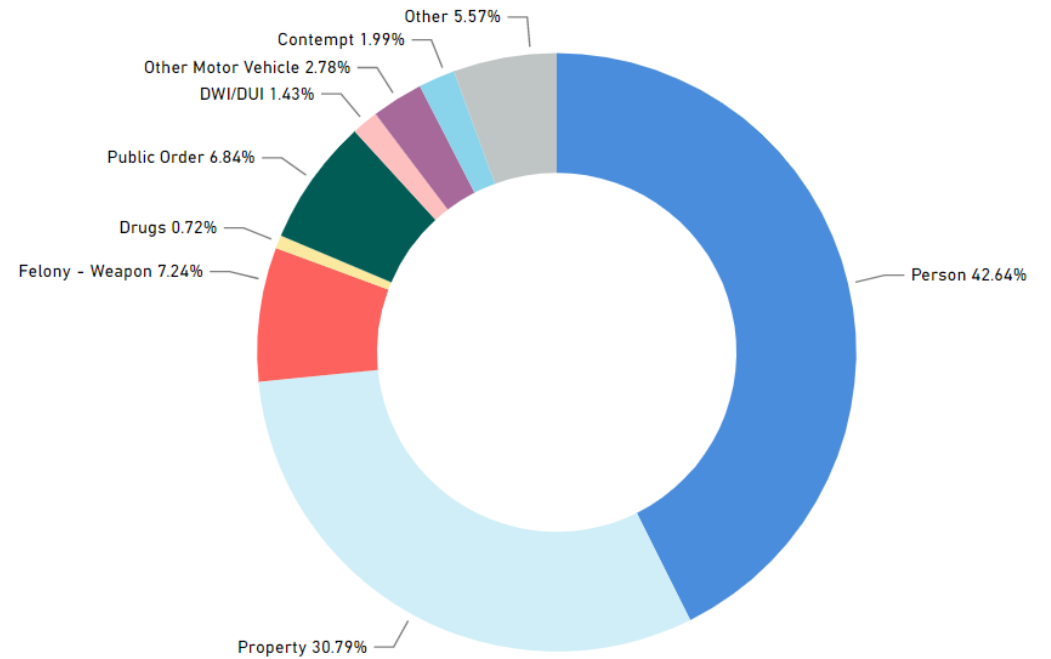
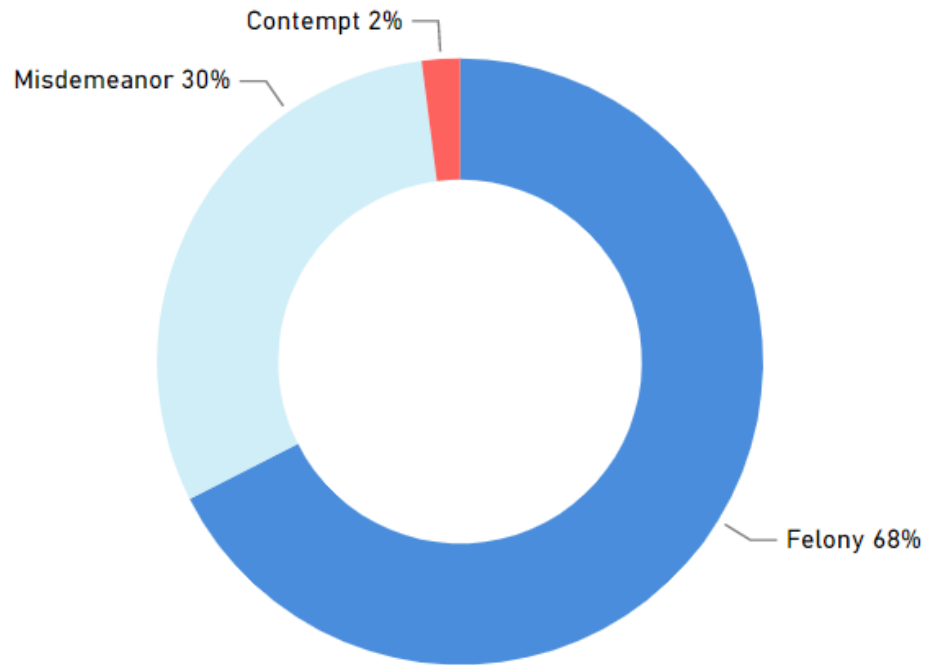
The Honorable Nan Waller,
Multnomah County Circuit Court Judge

Current Aid & Assist Caseload per 1,000 Criminal Cases Filed Last Year



This slide shows that some counties have a higher proportion of aid & assist cases per 1000 cases filed than others. The data does not explain why that is so. Possible explanations may include regional variations in the number of defendants who are unfit; choices by defense attorneys raise the issue; and availability of resources in the county.

Majority of Aid & Assist Caseload are More Serious Crimes



Building Improvements Together with System Partners

Behavioral Health
Advisory Committee
(BHAC)

Aid & Assist Three
Branch Workgroup

SAMHSA GAINS
Community of
Practice (CoP)
Workgroup (Aid &
Assist)

Civil Commitment
(Commitment to
Change) Workgroup

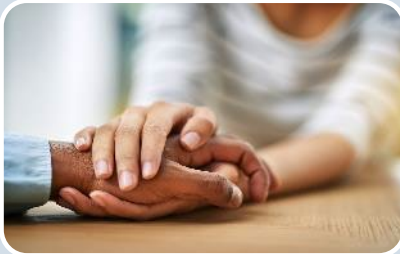
BHECON
Collaboration with
Oregon Council for
Behavioral Health

How Individuals with Behavioral Health Issues Flow Through the Justice System

Deflect

Divert

Engage



Strengthen
Community
Responses

Promote Early
Intervention
**divert and deflect
through effective
pretrial practices**

Institutionalize
Alternative
Treatment

Expedite
Resolution
and Improve
Outcomes

Effectively
Manage Post-
Adjudication
Events

Should Oregon rethink its cash bail system?

An examination of the state's bail system shows that it might not be achieving its goals

Street Roots, January 2019

Oregon's new bail law eliminates cash from the question of who gets out of jail before trial

Pre-trial release bill intended to make who stays in jail about the alleged crime, not who can pay

Bend Bulletin, July 2022

“The big difference is that, instead of people using money to get out of jail, the jail will follow the information as laid out in that presiding judge order.”

The Astorian, July 2022

Pretrial Release

Studying Pretrial Practices, with a Focus on Reducing Racial and Economic Disparities and Improving Data Collection

The Oregon Legislature's Public Safety Task Force engaged in a multi-year analysis, developing recommendations to address:

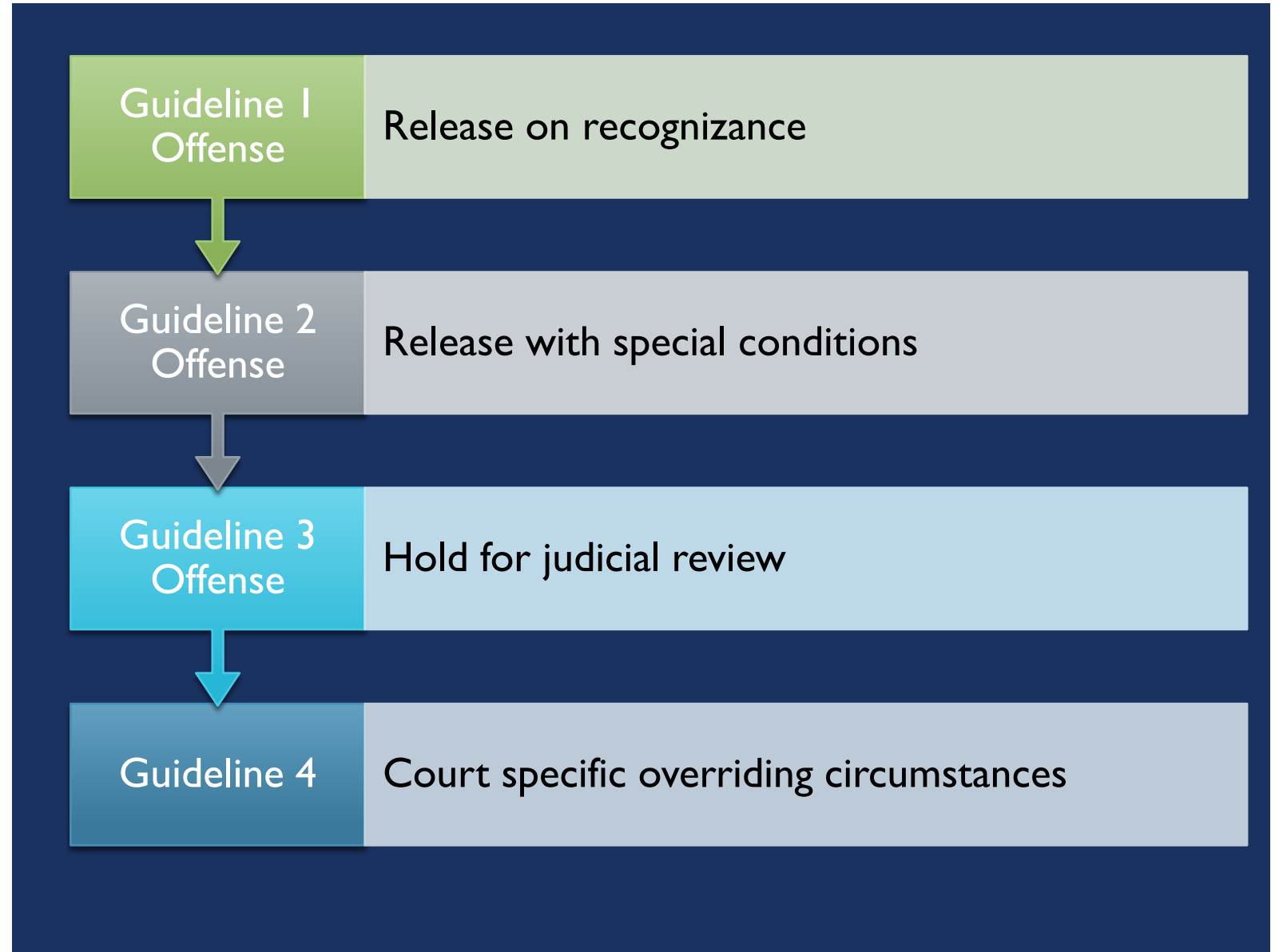
- Racial and Economic Disparities
- Victim Rights
- Domestic Violence Safety
- Maximizing Court Appearance
- Data Collection and Reporting
- Best Practice Integration



Senate Bill 48 Implementation

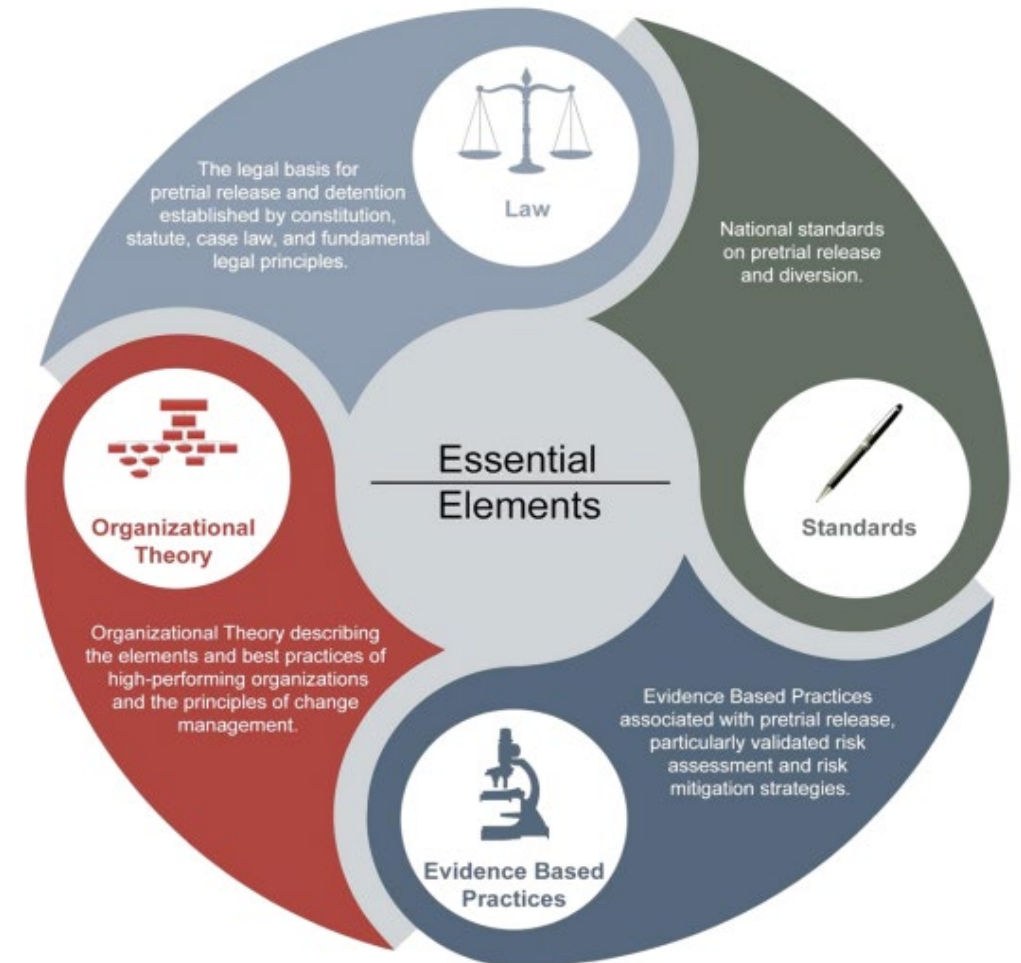
Chief Justice Order 22-010 was issued in June 2022, providing a consistent release decision-making structure across the state.

- Every court has issued a pretrial release order consistent with the guidelines included in the CJO.
- Local courts have identified person-specific, risk-based criteria that ensure public and victim safety in the pretrial process.

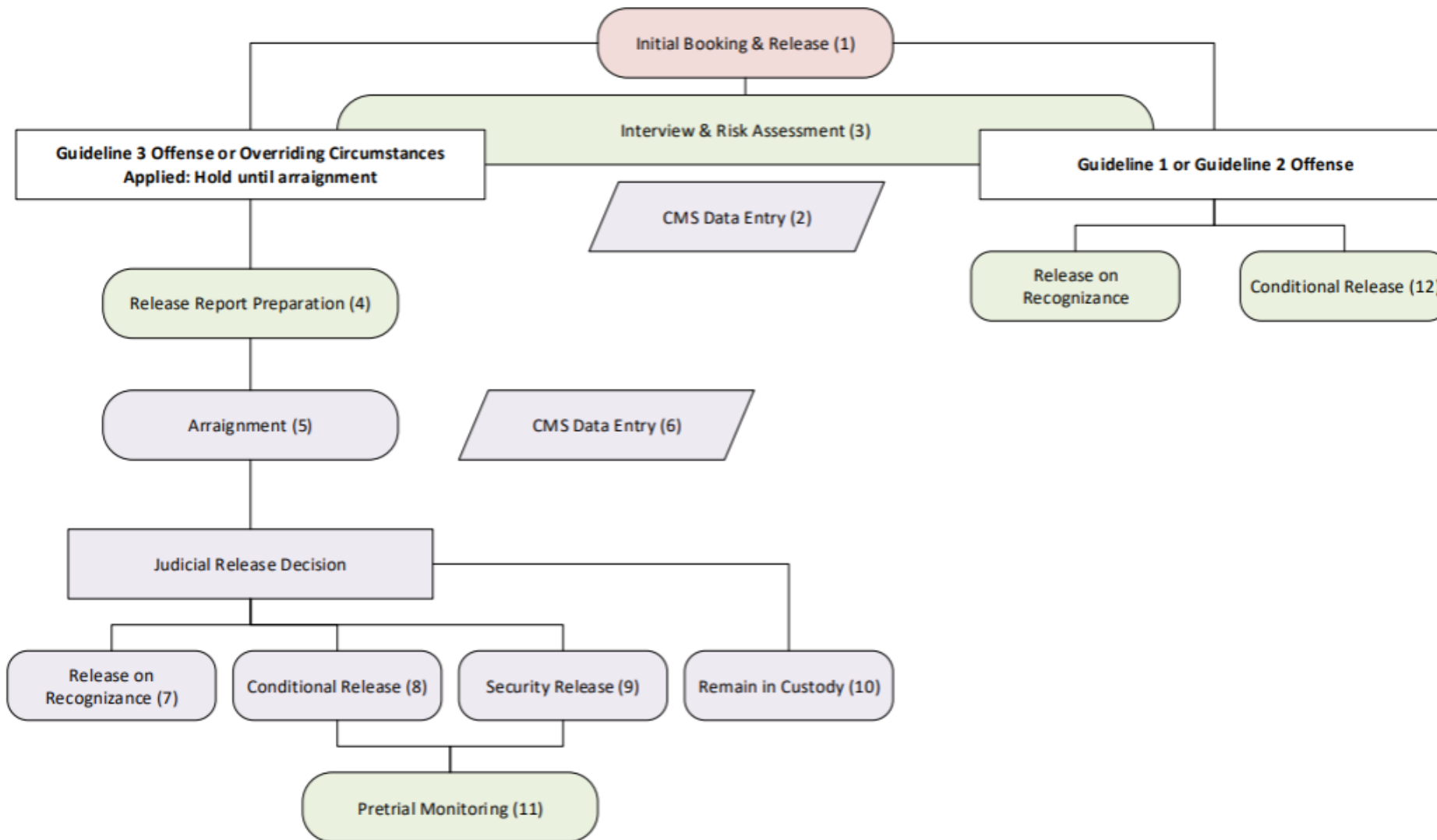


Building Pretrial Programs

- Programs are informed by national best practices on pretrial release
- Stakeholders across communities are engaged, informed, and participate in the development and improvement of pretrial programs
- Pretrial programs support release and community safety



Pretrial Process



Sheriff/entity supervising local correctional facility

OJD RAO's, County pretrial programs, sheriff, or local correctional facility may complete these steps

OJD RAO's or the court are primarily responsible for these functions



Additional Investment Needed for Robust Programs in Every County

Case management system

Victim notification

Better informed court decisions

Integrating best practices

Risk assessment tool

Data consistency

Population management

Diversion and deflection







Evaluation

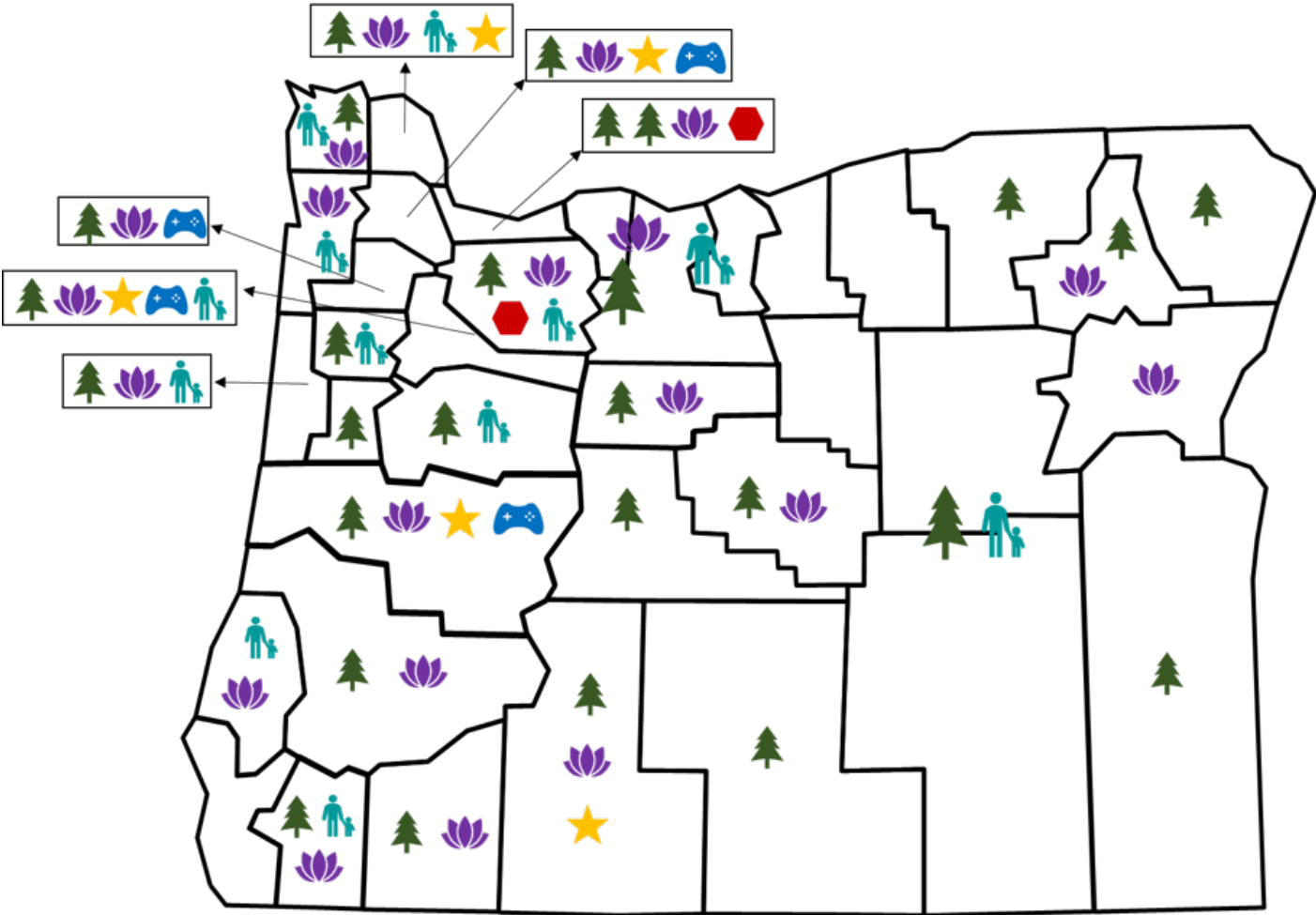
Specialty Courts



“I have tried before but nothing worked. Treatment court saved my life.”

Oregon Specialty Courts

	Adult Drug Court (27)
	Mental Health Court (20)
	Family Treatment Court (12)
	Veterans Court (5)
	Juvenile Drug Court (4)
	DUII Court (2)



CJC/OJD Partnership in Administering Specialty Courts

- CJC provides funding to support Oregon's specialty courts
 - In 2021-23, CJC funds supported 51 (out of 70) specialty courts
 - \$26 million requested; **\$20.2 million awarded**
 - 30% of funds support OJD personnel
 - Remaining dollars fund treatment services, drug testing, participant supports, and other county team members
- OJD provides programmatic, implementation, and best practices support
 - Racial & Ethnic Disparities (RED) Self-assessment Tool
 - Universal Screening (RANT) Project
 - Veterans Treatment Court Strategic Planning
 - Family Treatment Court Peer Review

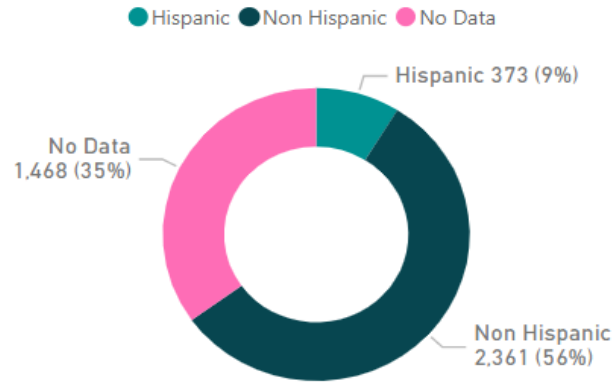




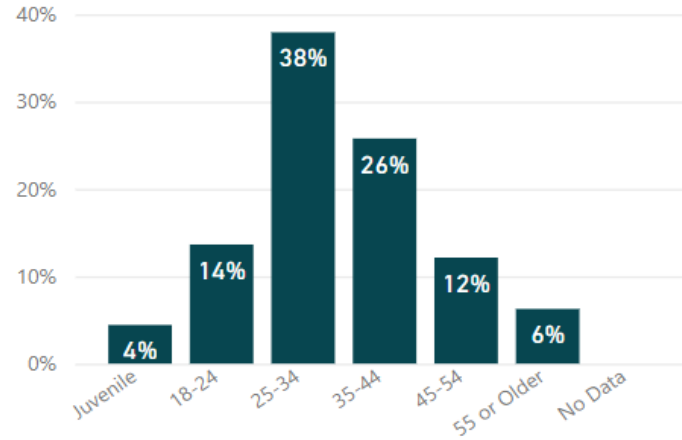
Specialty Court Coordinators are OJD employees who coordinate the work of the specialty court.

Using Data to Implement Best Practices

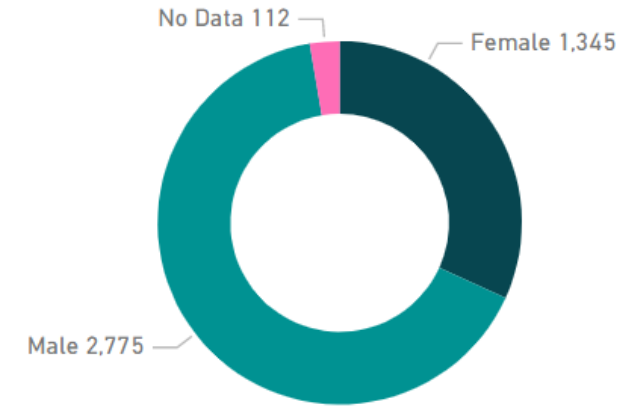
Participants by Ethnicity



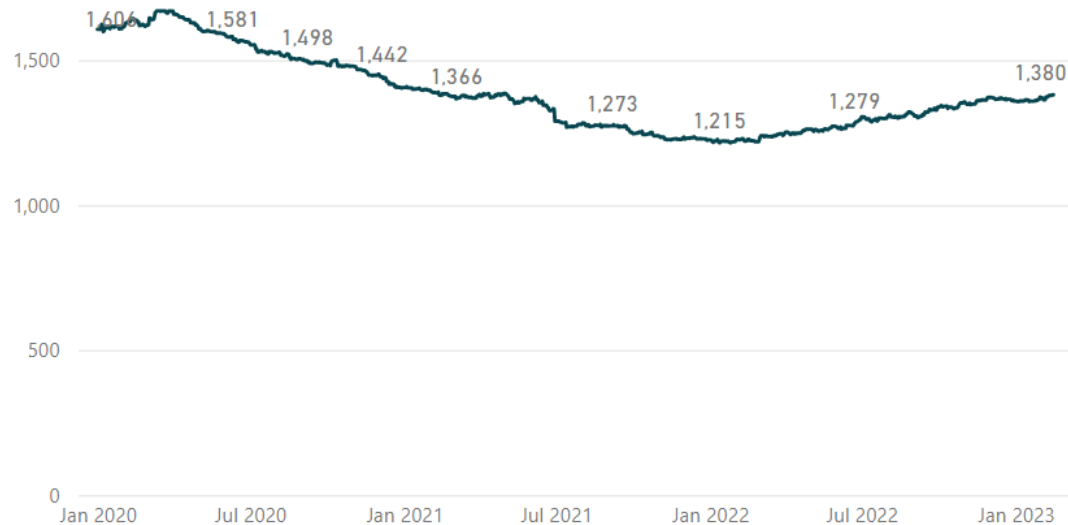
Participants by Age Group



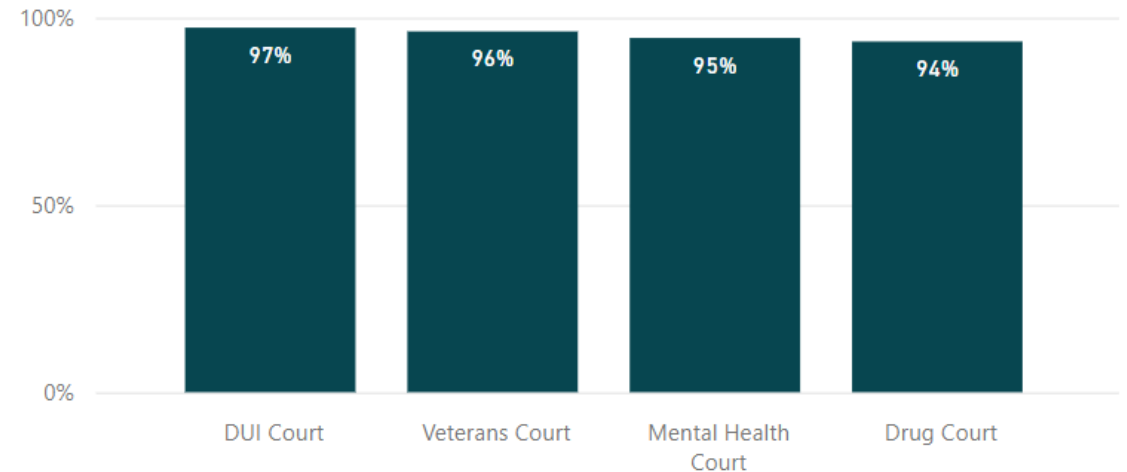
Participants by Gender



Participants, Over Time

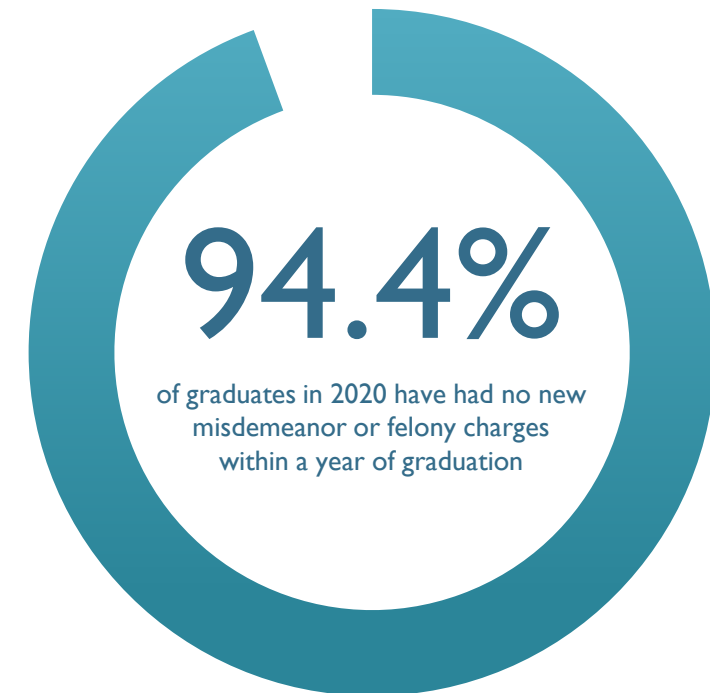


Of Participants Graduating at Least a Year Ago, the Percent With No New Felony or Misdemeanor Charges Within One Year of Exit



Specialty Courts are Good Investments

- Specialty courts are the single most successful intervention in our nation's history for leading people living with substance use and mental health disorders out of the justice system and into lives of recovery and stability.*
- Multnomah County, Oregon – 3-year outcome cost savings of \$6,812 per adult drug court participant.**
- National Institute of Justice – Average savings up to \$6,208 per adult drug court participant.***
- Clark County, Washington – Cost savings of \$10,230 per family treatment court participant.****



*National Association of Drug Court Professionals, [Treatment courts are justice reform - NADCP](#), for studies and research

**[Oregon Drug Court Cost Study: Statewide Costs and Promising Practices, Final Report | Office of Justice Programs \(ojp.gov\)](#) (2011)

***[NIJ's Multisite Adult Drug Court Evaluation | National Institute of Justice \(ojp.gov\)](#) (2012)

****[https://www.clark.wa.gov/sites/default/files/dept/files/superior-court/therapeutic-courts/CAM%20Grant%20Fact%20Sheet\(1\).pdf](https://www.clark.wa.gov/sites/default/files/dept/files/superior-court/therapeutic-courts/CAM%20Grant%20Fact%20Sheet(1).pdf) (2015)

Chelsea's Story – Overcoming Addiction in Clackamas County



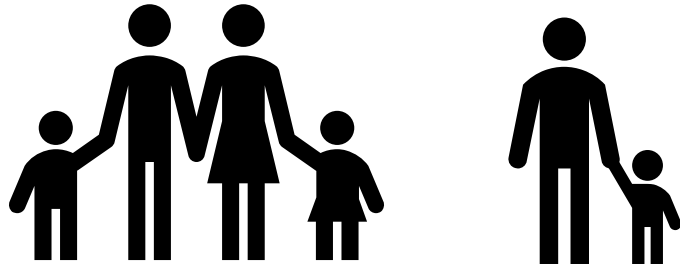
Building Improvements Together with System Partners

Veterans
Treatment
Court Strategic
Planning
Workshop



Statewide
Family
Treatment
Court (FTC)
Advisory
Committee

Family Treatment Court (FTC) Model



FTC Participant Families

- Roughly twice as likely to reunify vs. the traditional dependency model¹
- Children spend fewer days in out-of-home care²
- Less likely to re-enter foster care system or experience subsequent maltreatment³

Traditional Dependency Court Model

Case Begins

Dependency Petition Filed

Jurisdictional/ Dispositional Hearings

Dependency Review Hearings (Every 3-6 Months)

Family Treatment Court Model

Referral to Family Treatment Court

Treatment Needs Assessment

Referral to Inpatient or Outpatient Treatment

Case Staffings (Weekly or in Alternating Weeks)

FTC Review Hearings (Weekly or in Alternating Weeks)

Phase Progression in Family Treatment Court

FTC Graduation

Reunification and Dismissal of Dependency

- Prompt Treatment Modifications
- Enhanced Accountability & Engagement
- Integrated Wraparound Services
- Comprehensive Stabilization Resources
- Collaborative Case Management
- Increased Judicial Oversight
- Individualized Parenting Education
- Timely Children's Needs Assessments
- Targeted In-Home Supportive Services
- Holistic and Effective Advocacy
- Supplemental Mental Health Services
- Vocational & Educational Opportunities
- Peer Support / Recovery Mentors
- Positive Connections/Community-Building
- Recovery Planning

1. Zhang, S., Huang, H., Wu, Q., Li, Y., & Liu, M. (2019). The impacts of family treatment drug court on child welfare core outcomes: a meta-analysis. *Child Abuse & Neglect*, 88, 1-14.
 2. Lloyd MH. (2015). Family drug courts: conceptual frameworks, empirical evidence, and implications for social work. *Families in Society* 96(1):49-57.
 3. Chuang, E., Moore, K., Barrett, B., and Young, M.S. (2012) Effect of an integrated family dependency treatment court on child welfare reunification, time to permanency and re-entry rates. *Children and Youth Services Review*, 34(9), 1896-1902.

FTC Model Produces Better Outcomes for Families



Goals:

- Reduce time children spend in out of home care
- Reduce reentries to foster care and future maltreatment
- Improve family well-being and stability
- Interrupt generational cycles of abuse, neglect, and substance use disorders

Court Records Integrity Program

- Remove barriers to expungement
- Promote consistency in business processes
- Streamline procedures in handling records
- Automate technology solutions
- Expedite and equalize opportunities for relief



What are Set-Asides and Expungements?

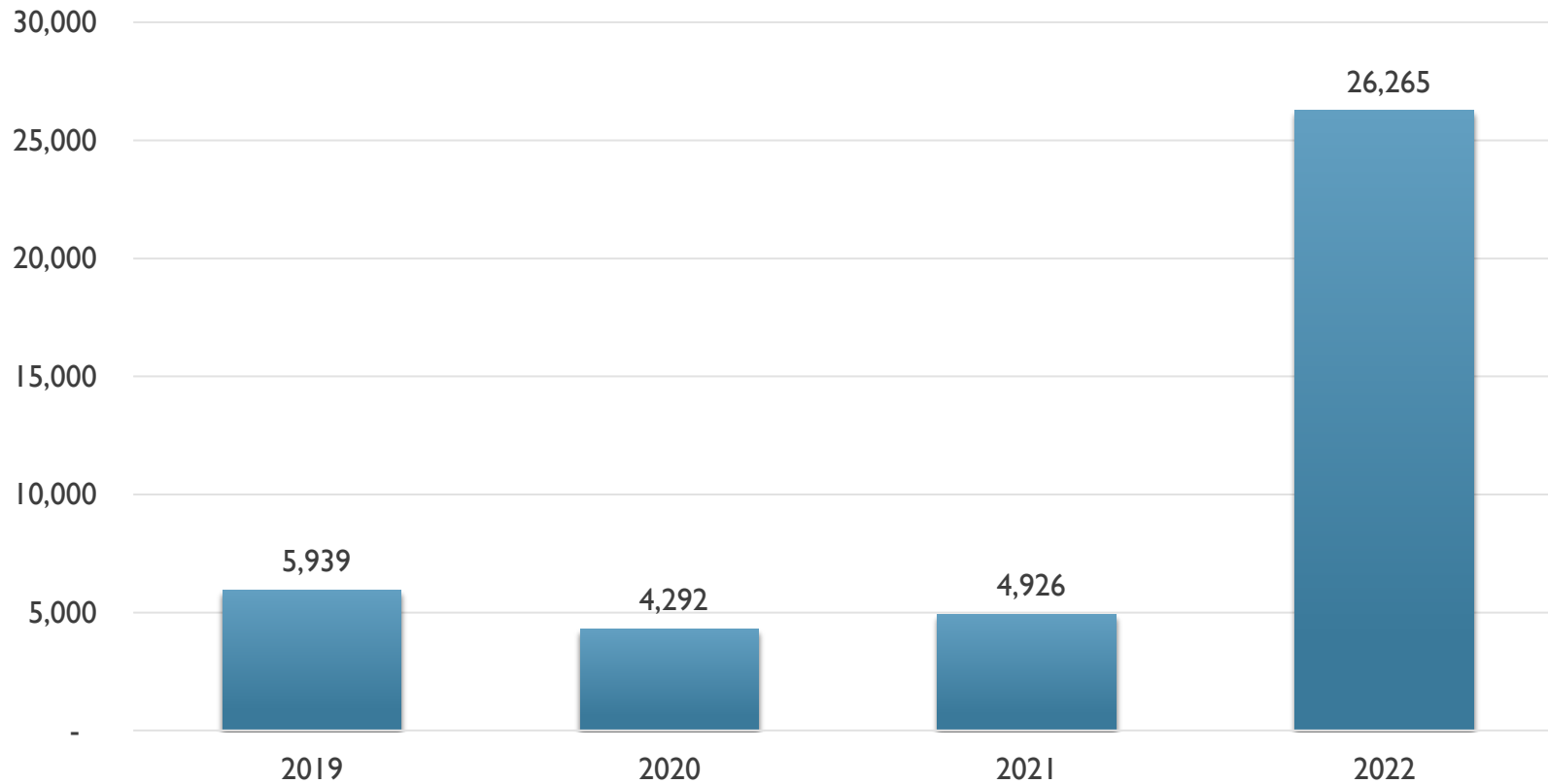
Set-aside and expungement are legal proceedings available to eligible individuals

- ❖ Adult criminal records may be **set-aside**
- ❖ Juvenile records may be **expunged**
- When **set-aside**, the record of arrest, dismissal, or conviction is deemed not to have occurred. The court orders the sealing of official records in the case. ORS 137.225(2022)
- An **expunged** record is destroyed or sealed. Every agency involved in the youth's case is required to destroy or seal the record. ORS 419A.260, ORS 419A.262(2022).



Set-Aside Filings Spiked in 2022

Motions to Set-Aside a Criminal Conviction

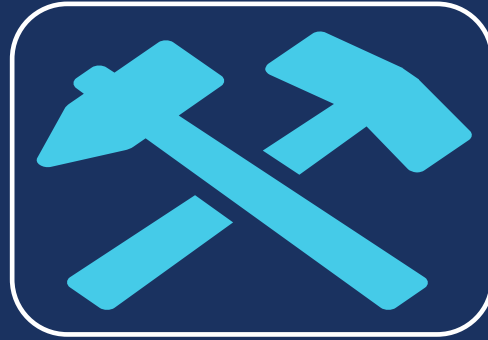


Revenue, Collections, and Budget

General Principles



Courts do not keep most of the revenue they collect



Legislature restructured fines and fees in 2011



Courts primarily funded by General Fund to maintain impartiality



Ability to pay is considered where statutorily authorized

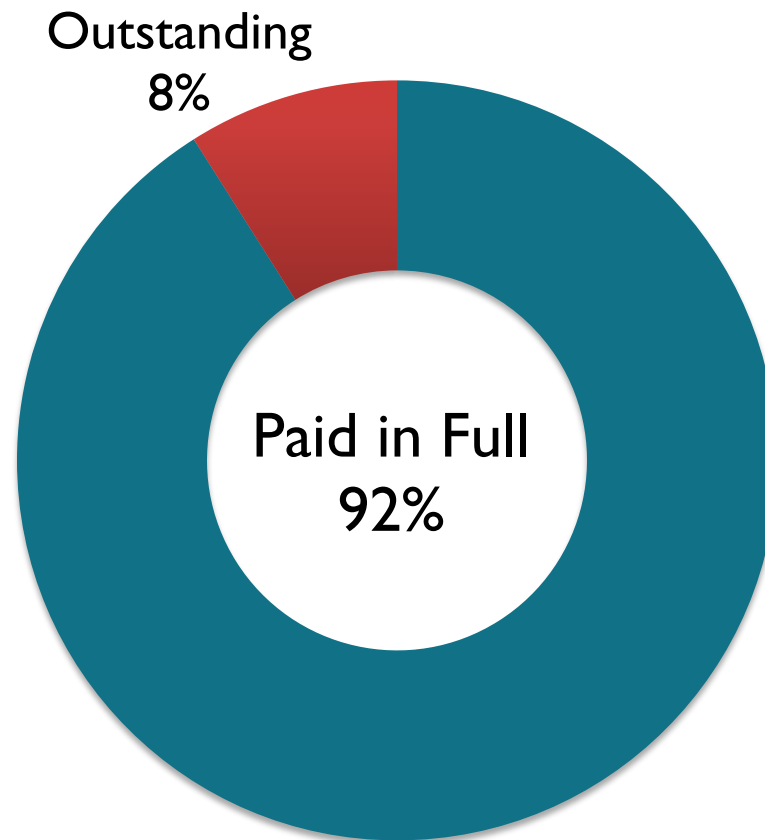


Fees are waived for litigants who are financially eligible



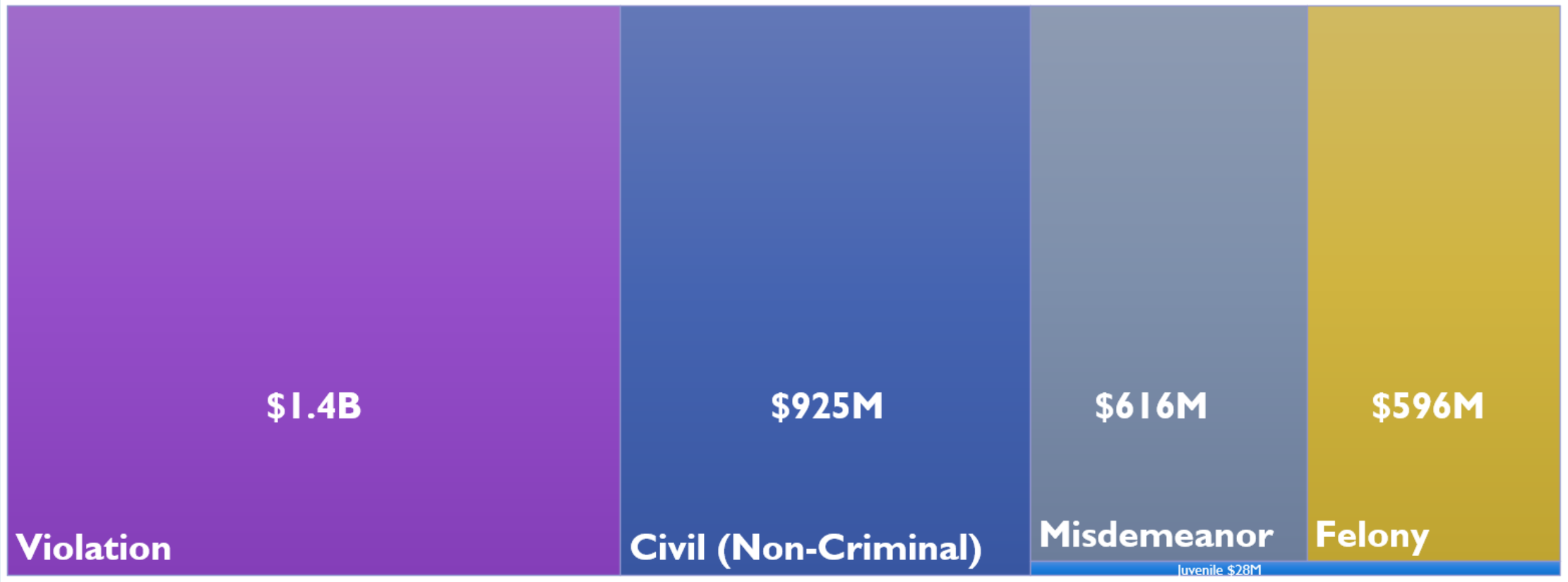
Fees and costs are continually evaluated and adjusted

In Most Cases, Fines and Fees are Paid in Full



Revenue Collected Since 1988

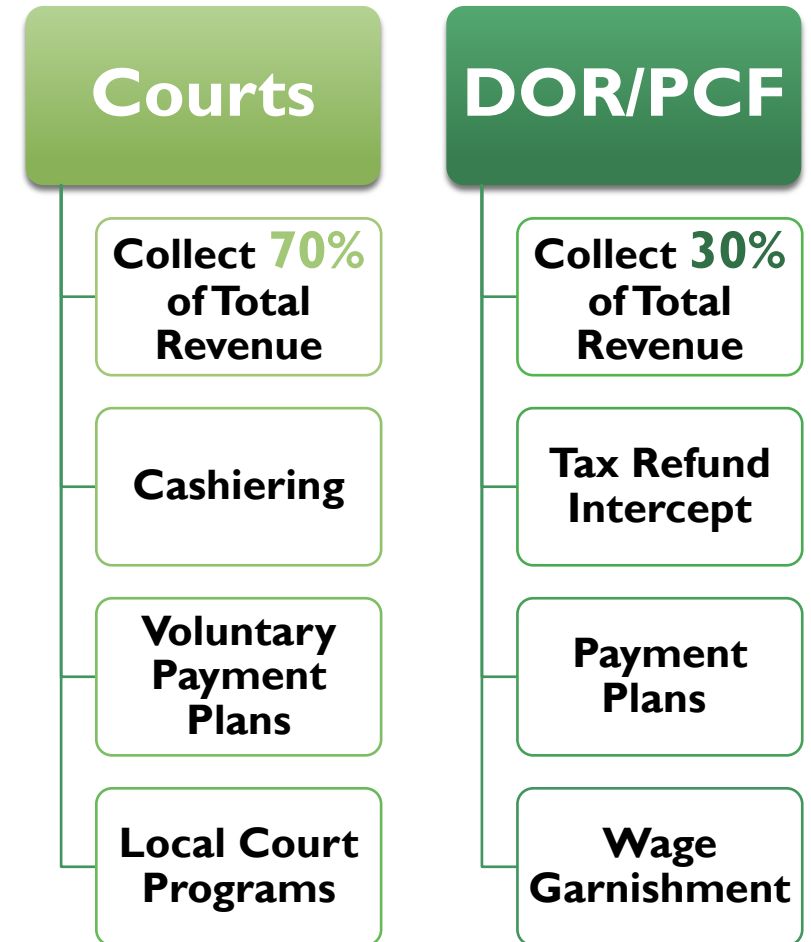
\$3.5 Billion Collected in Fines and Fees



How Courts & Third Parties Collect

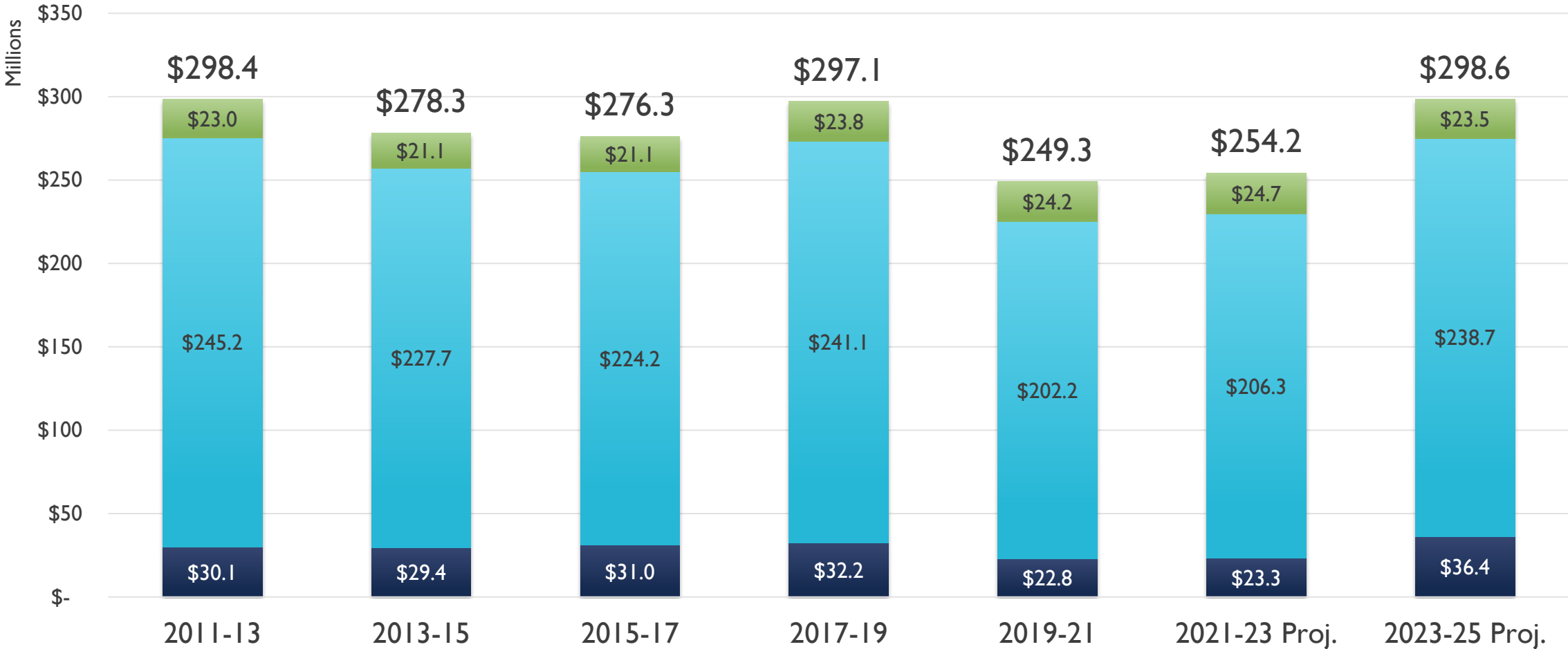
OJD Actions to Resume Collection Activity

- ❖ OJD authorized new garnishments to resume in limited circumstances where ability to pay could be established.
- ❖ In response to statutory changes and the additional flexibility provided by House Bill (HB) 2176, OJD lowered the payment plan fee to \$25 (Chief Justice Order 21-043).
- ❖ OJD restructured the statewide automated collections process, allowing people a full year to pay in full (rather than 60 days).
- ❖ The state only pays for revenue collected by third parties. For every \$1 spent on third party collection, the state collects more than \$4.



OJD Collections and Revenue History

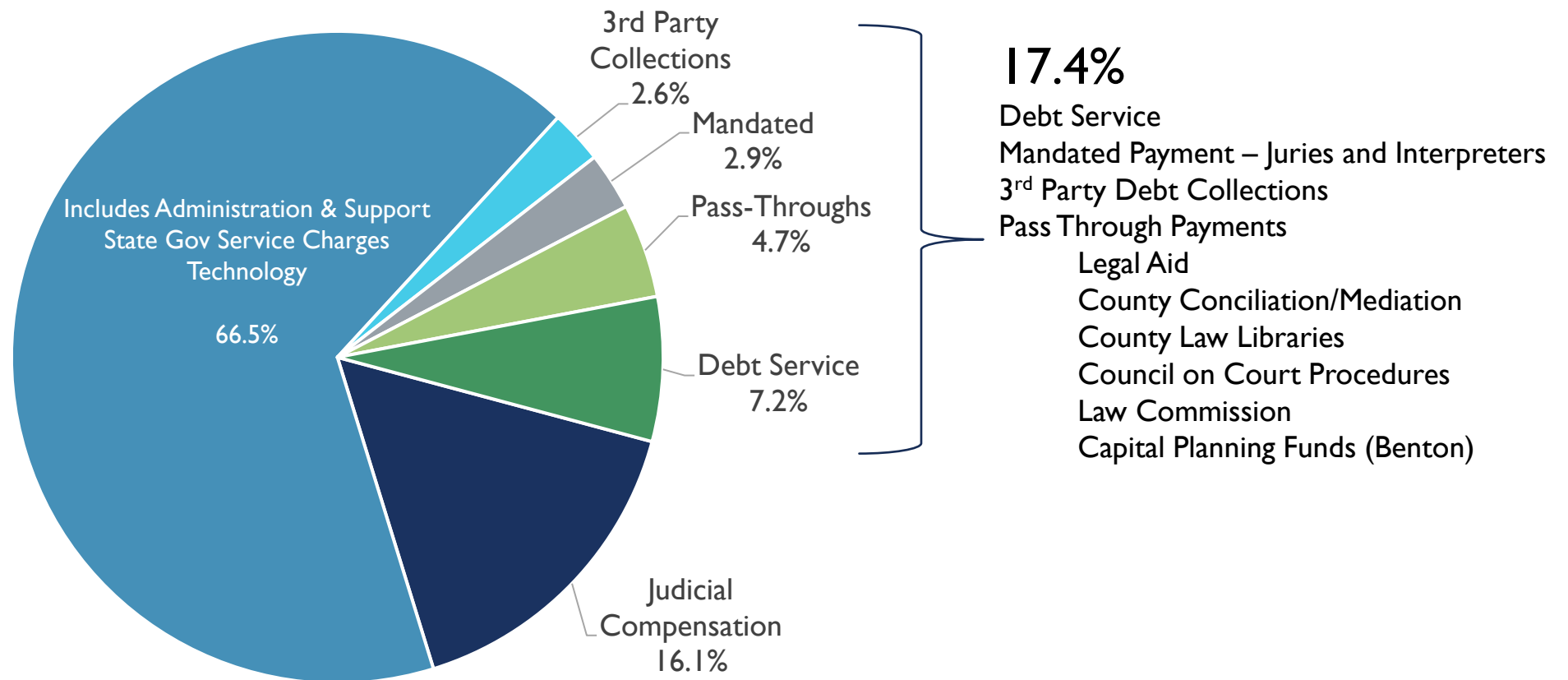
Local State Victims





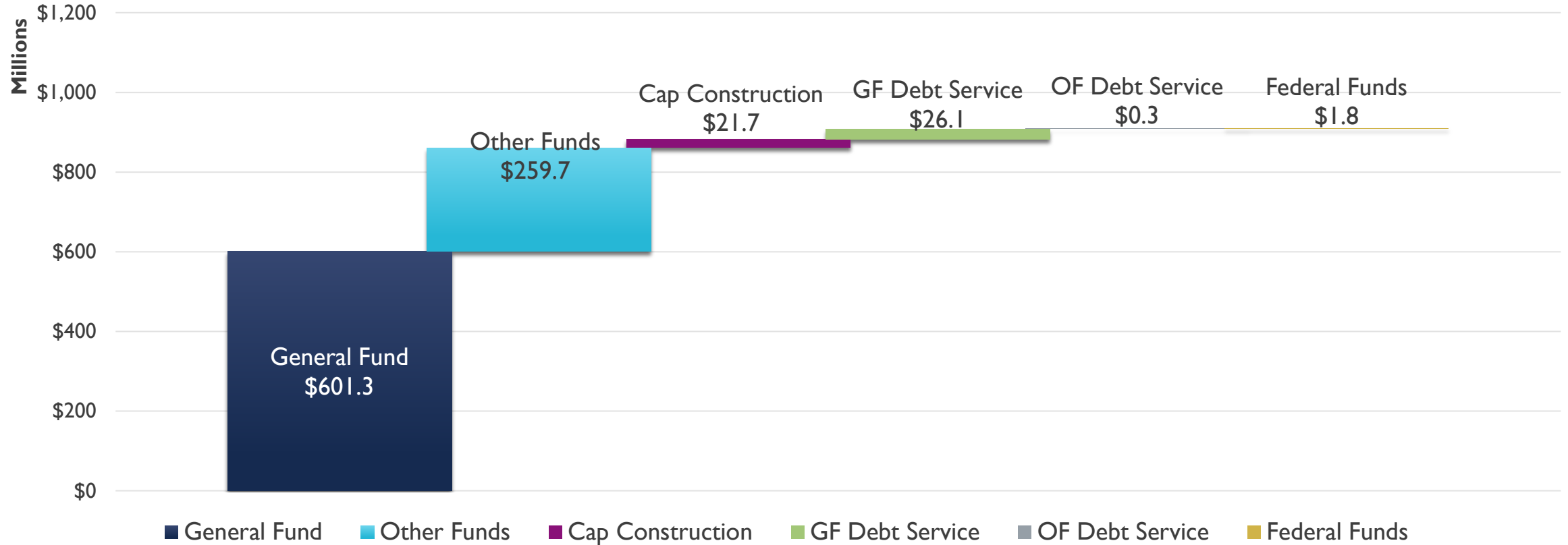
Budget Overview

OJD General Fund Components



2021-23 Legislatively Approved Budget - \$910.9M

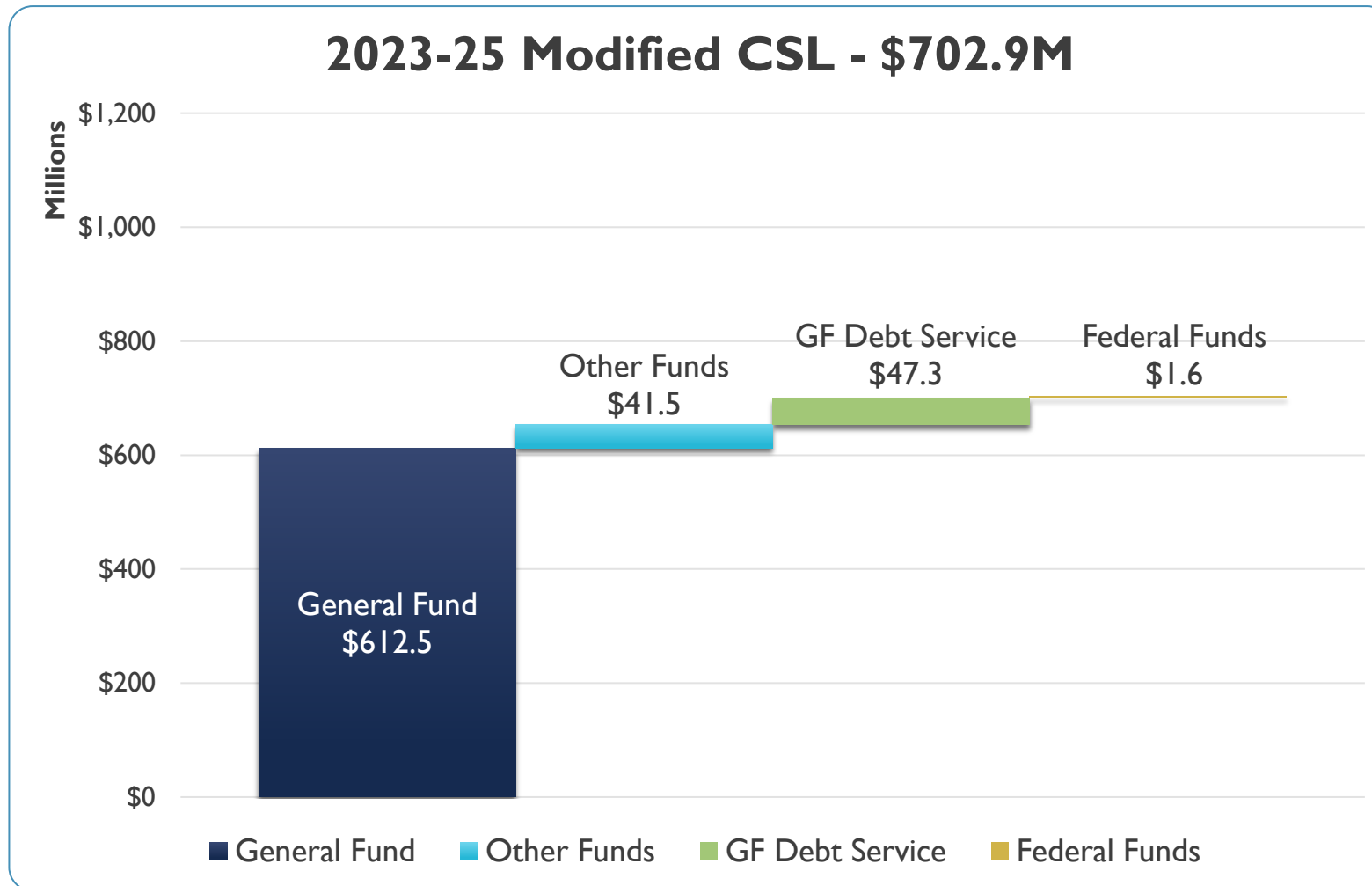
2021-23 LAB - \$910.9M



Budget Drivers

-
- **Personnel Costs**
 - **Workload Increases**
 - **Technology Innovations & Security**
 - **County Courthouse Projects**
 - **Debt Service**
 - **Inflation**
 - **Changes in Law**

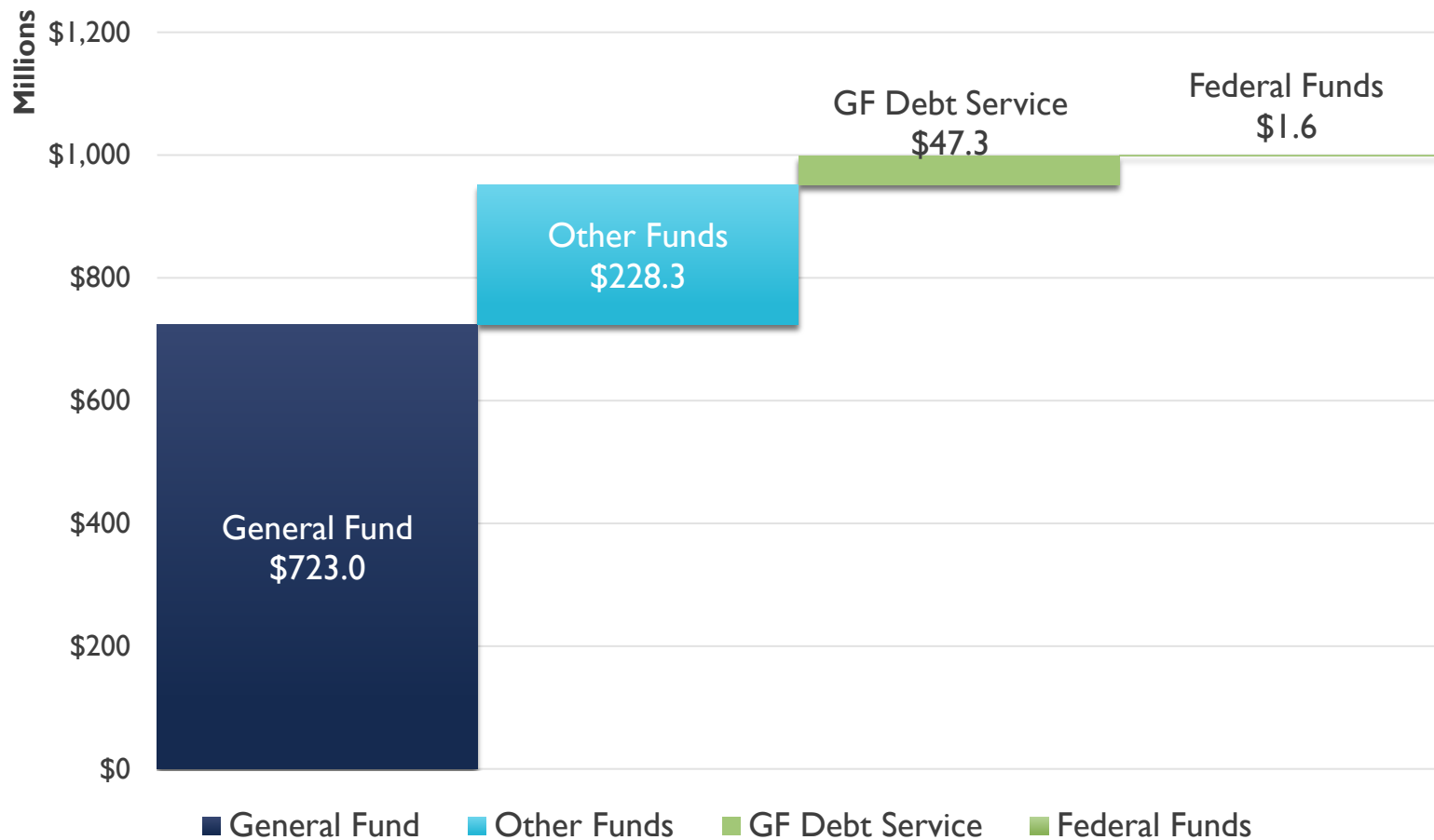
2023-25 Current Service Level - \$702.9M (All Funds)



CSL does not include critical policy option packages needed to advance access to justice and equitable outcomes in Oregon's court system

2023-25 Chief Justice's Recommended Budget - \$1.0B

2023-25 CJRB - \$1.0B



The CJRB **includes** critical policy option packages needed to advance access to justice and ensure equitable outcomes in Oregon's court system

- Statewide pretrial release
- Judicial compensation
- Safety in circuit courts for Oregonians
- Secure IT systems and up to date technology
- Judicial and appellate workload demands
- Funding for Specialty Courts and Family Treatment Courts
- Access to court facilitation and expungement services for our most vulnerable citizens
- Juror Compensation

Presentation Overview

Day 1

- The Judicial Branch
- The Strategic Campaign
- Access to Justice
- Statewide Caseload Data
- Key Performance Measures
- Dive into Case Types

Day 2

- Continued Dive into Case Types
- Revenue, Collections, and Budget

Day 3

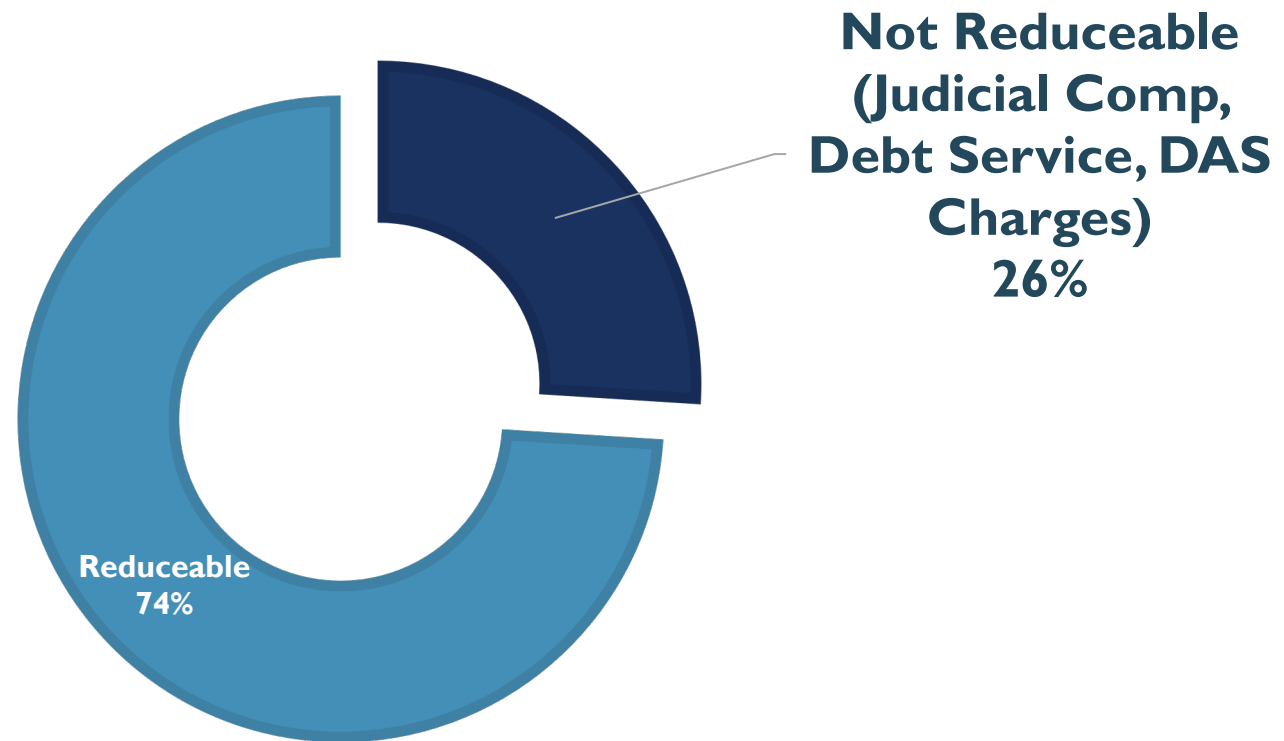
- **10% Reductions – Devastating**
- **Critical gaps, opportunities, and prioritized policy options**

Day 4

- Public Testimony

General Fund Reduction Considerations

OJD GENERAL FUND BUDGET



**10% Reduction
Would Be
Devastating**

Court Operations cut of
\$59.2M

- Layoffs: **259+** people (**15%** of staff) or
- Courts closed: **100+** days during biennium

10% Reduction Would Harm Communities

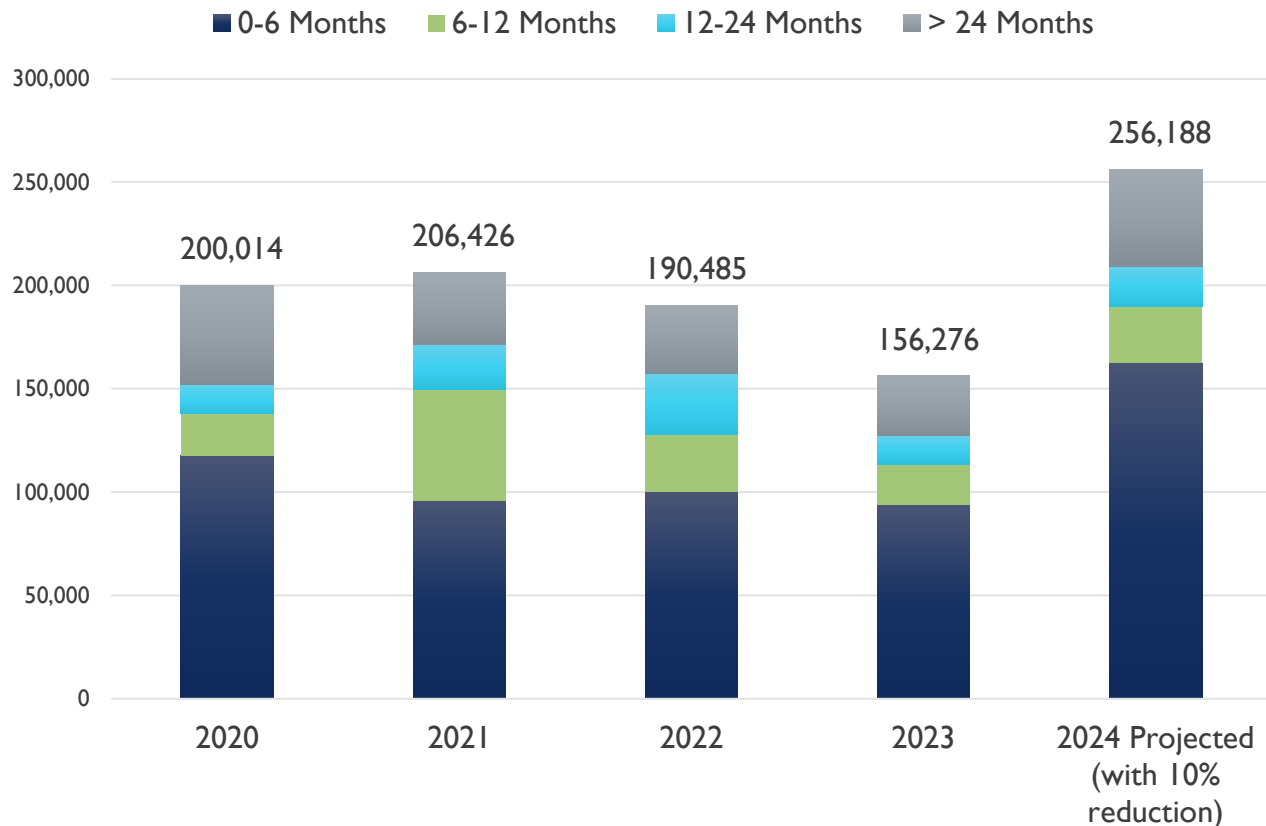
- Significant Court Backlogs
- Delay Justice for Victims
- Increase Public Defender Caseloads
- Stall Civil Case Resolution
- Limit Services to Limit English Proficient Individuals
- Reduced Funding for ADA Accommodations
- Reduced Funding for Juror Compensation

Reductions to “Pass-Through” Services

- Court Security, Mediation, and Law Libraries: \$1.6M
- Legal Aid: \$1.4 Million
- Third Party Debt Collection: \$1.7 Million
 - Possible \$8.5 million in lost revenues for the General Fund and Criminal Fines Account
 - Department of Revenue and private collection firms
 - \$1 spent = \$4+ in revenues

Backlog Skyrockets After 10% Budget Reduction

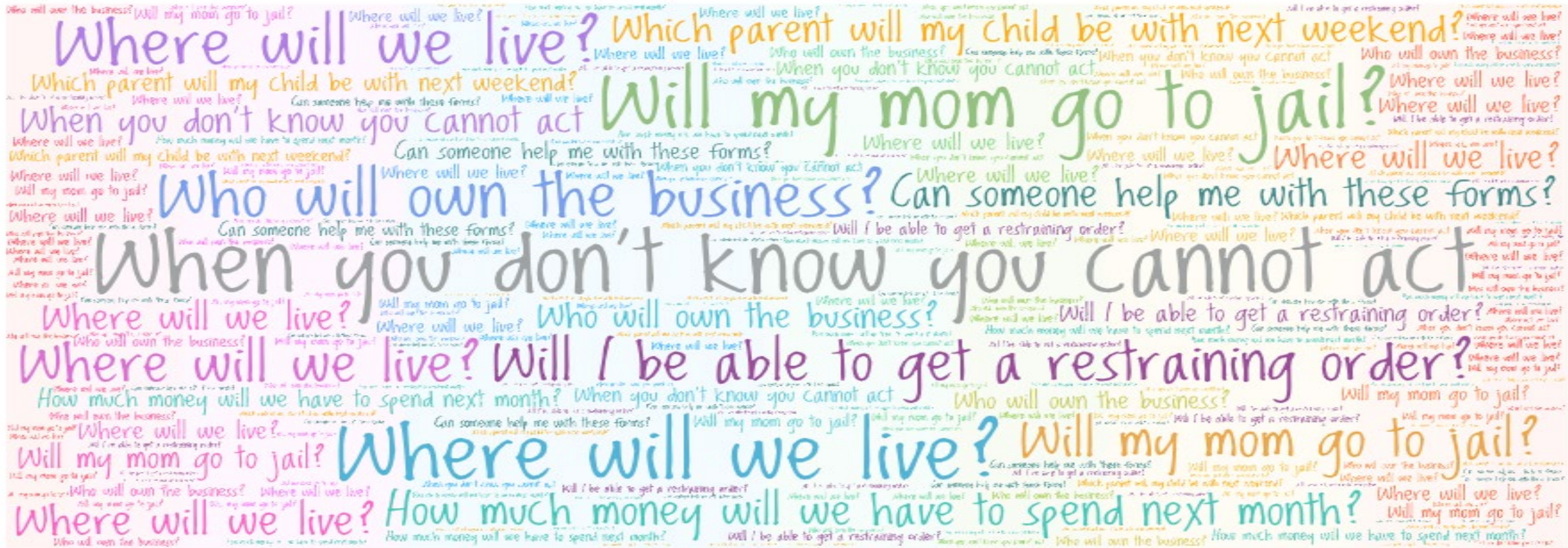
Active Pending Caseload by Case Age



Reductions to court budgets will have long term impacts to children and families, victims, tenants, homeowners, individuals, businesses, state agencies, and local governments

In addition to existing delays

- 8,055+ more people waiting longer than 6 months
- 5,583+ more people waiting longer than 1 year
- 17,855+ more people waiting longer than 2 years



Justice Delayed is Justice Denied

People need certainty to take their next step - to make their next decision

Legislation & Policy Option Packages

OJD Bills - 2023 Legislative Session

Senate Bills

- **SB 233** – Adequate **judicial compensation** to increase equity and fairness and improve retention and recruitment.
- **SB 234** – Expand opportunities to **evaluate impacts of the justice system through data and demographic information-gathering**, while maintaining privacy and security of sensitive information of court users.
- **SB 235** – **Additional judicial positions** in Jackson, Washington, Lane, Josephine, Douglas, and Clackamas counties (listed in order of need).

House Bills

- **HB 2224** – Increase **juror compensation** and mileage reimbursement to reduce barriers to participating in jury service.
- **HB 2225** – **OJD Omnibus Bill**: increase transcriber rates to improve quality and remain competitive with neighboring states, simplify procedure for appointment of senior judges, protect court users' privacy, and additional nonsubstantive technical and housekeeping fixes.

Highest Priority OJD Policy Option Packages

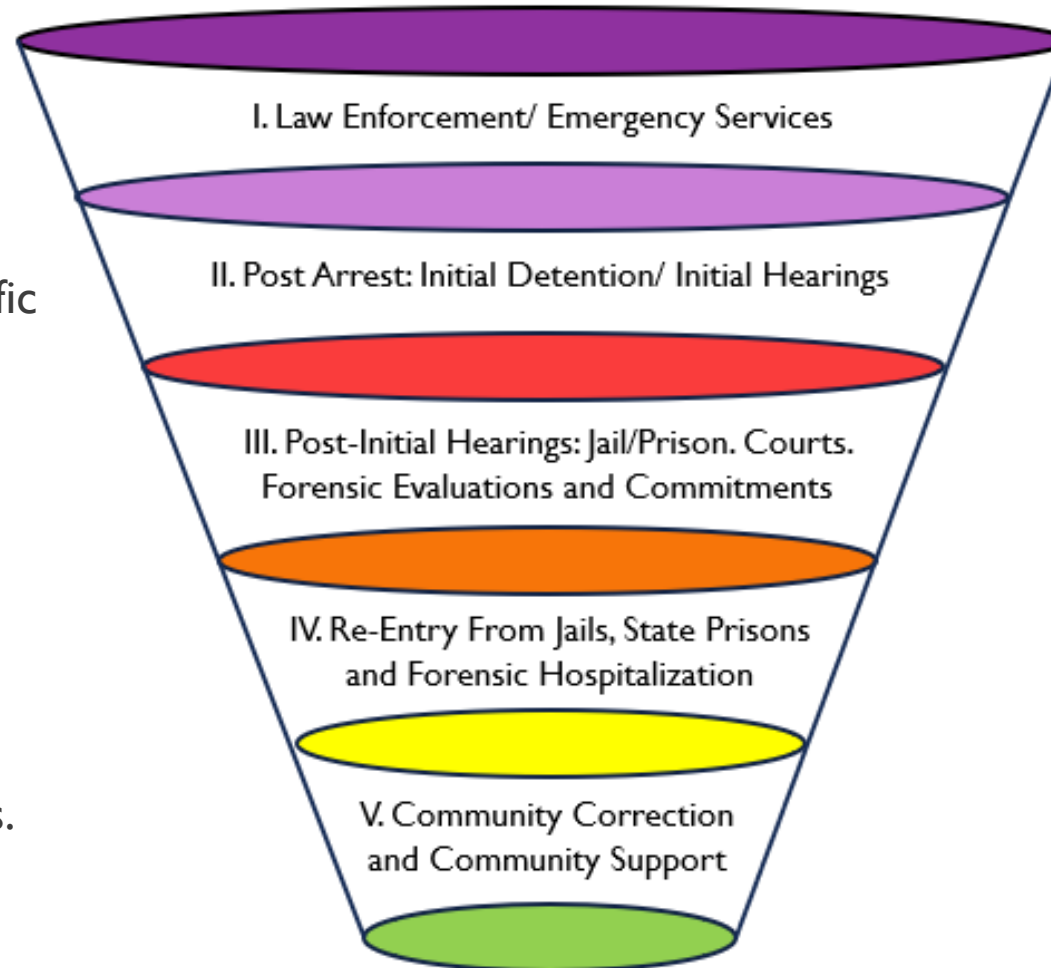
Essential to Stability of the Judicial Branch and Community Safety

- POP 101 – Continued Investments in Statewide Pretrial Program
- POP 106 – Remote Proceedings & Data Interfaces
- POP 110 – Classification and Compensation Changes
- POP 111 – Judicial Compensation

POP 101 - Statewide Pretrial Programs

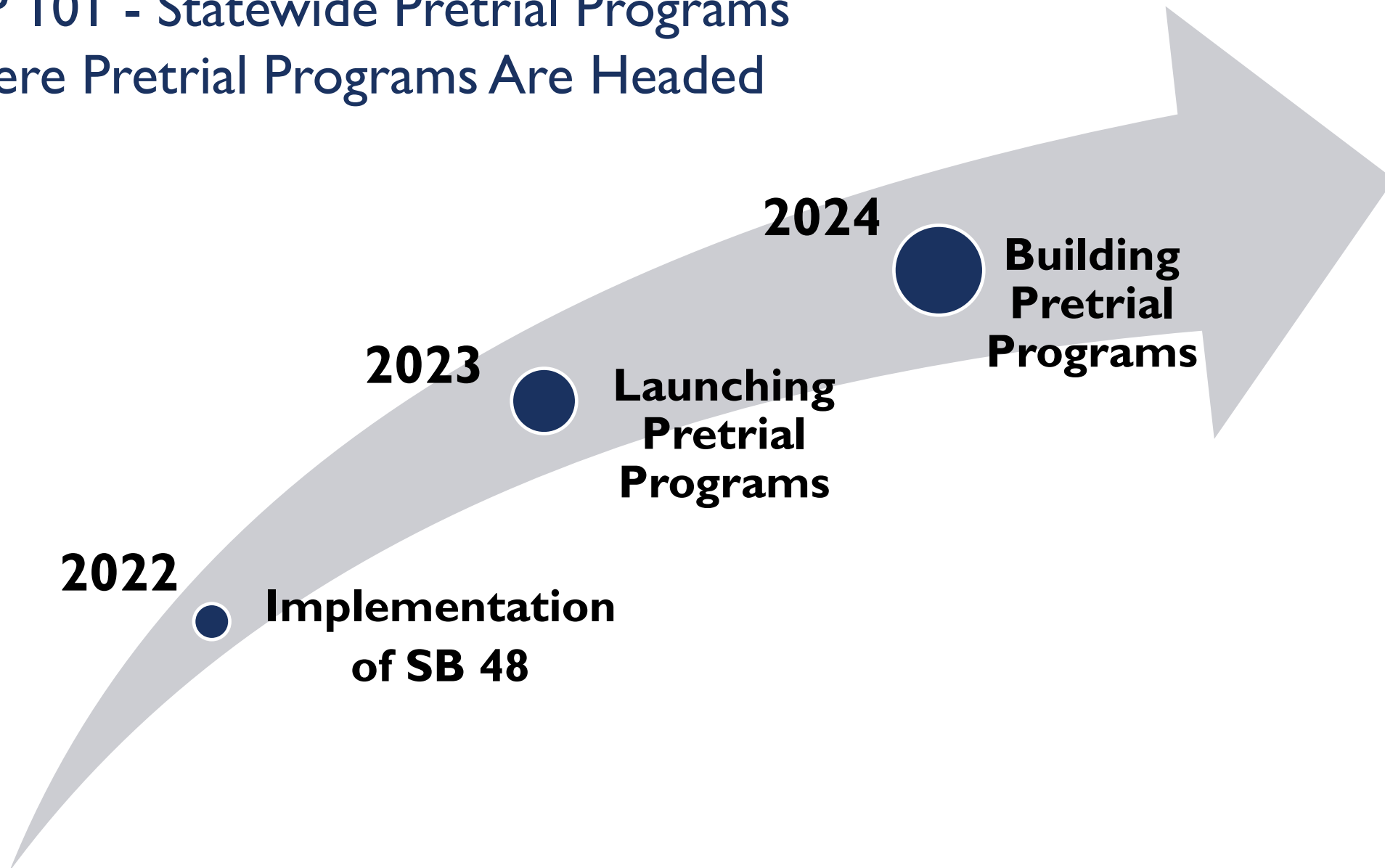
39.6 FTE, \$9.6M GF

- One-time investment in deployment of an Oregon-specific risk tool
- Support and maintenance of Pretrial Case Management System
- Phases in 39.6 FTE for 43 positions beginning Oct 1, 2023, to ensure proper oversight in currently understaffed programs.



Intercept 2:
Initial Court Hearings/Initial Detention
Involves diversion to community-based treatment by jail clinicians, social workers, or court officials during jail intake, booking, or initial hearing.

POP 101 - Statewide Pretrial Programs Where Pretrial Programs Are Headed



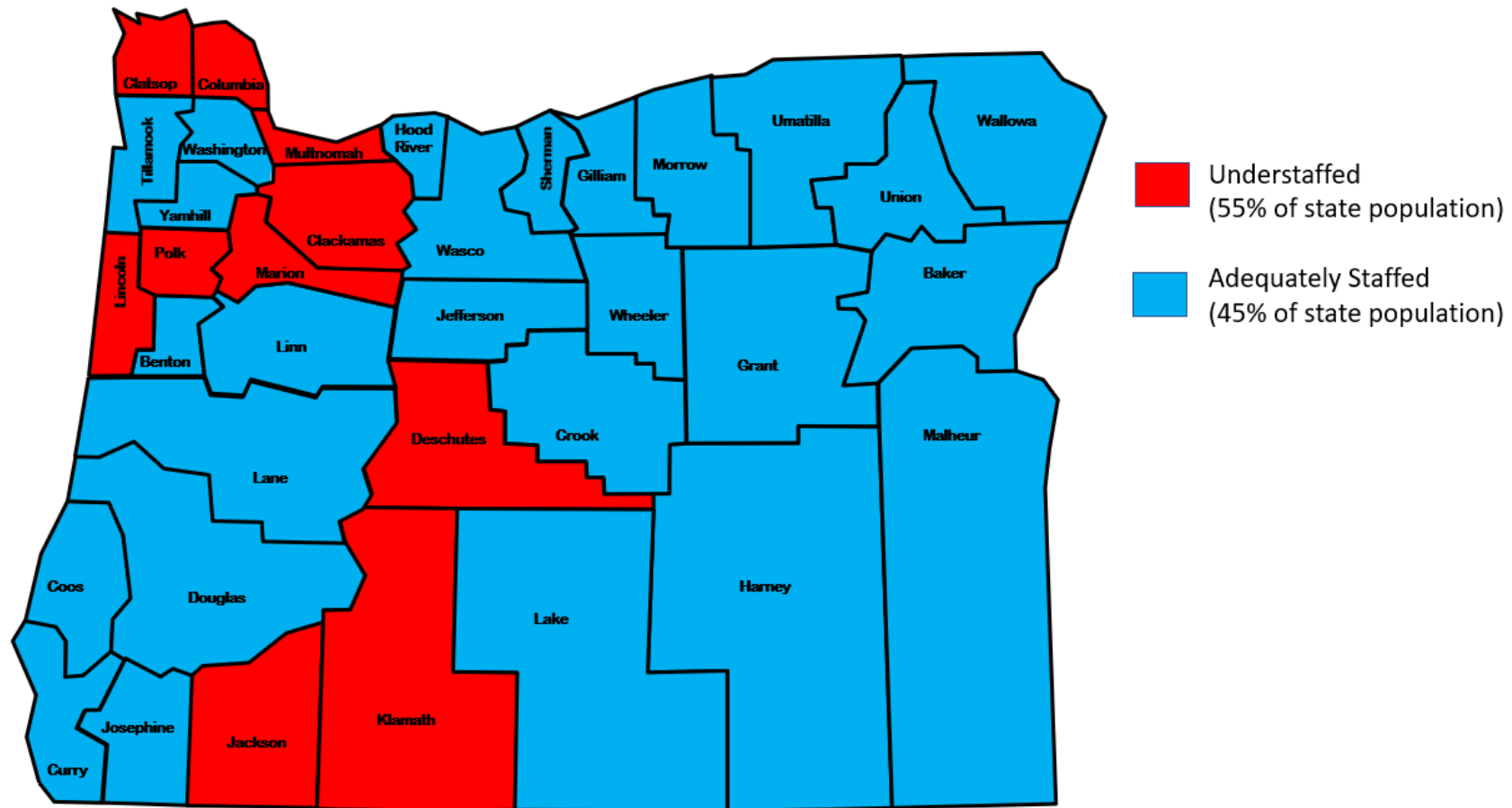
POP 101 - Statewide Pretrial Programs

Benefits of OJD Release Assistance Officers (RAOs)

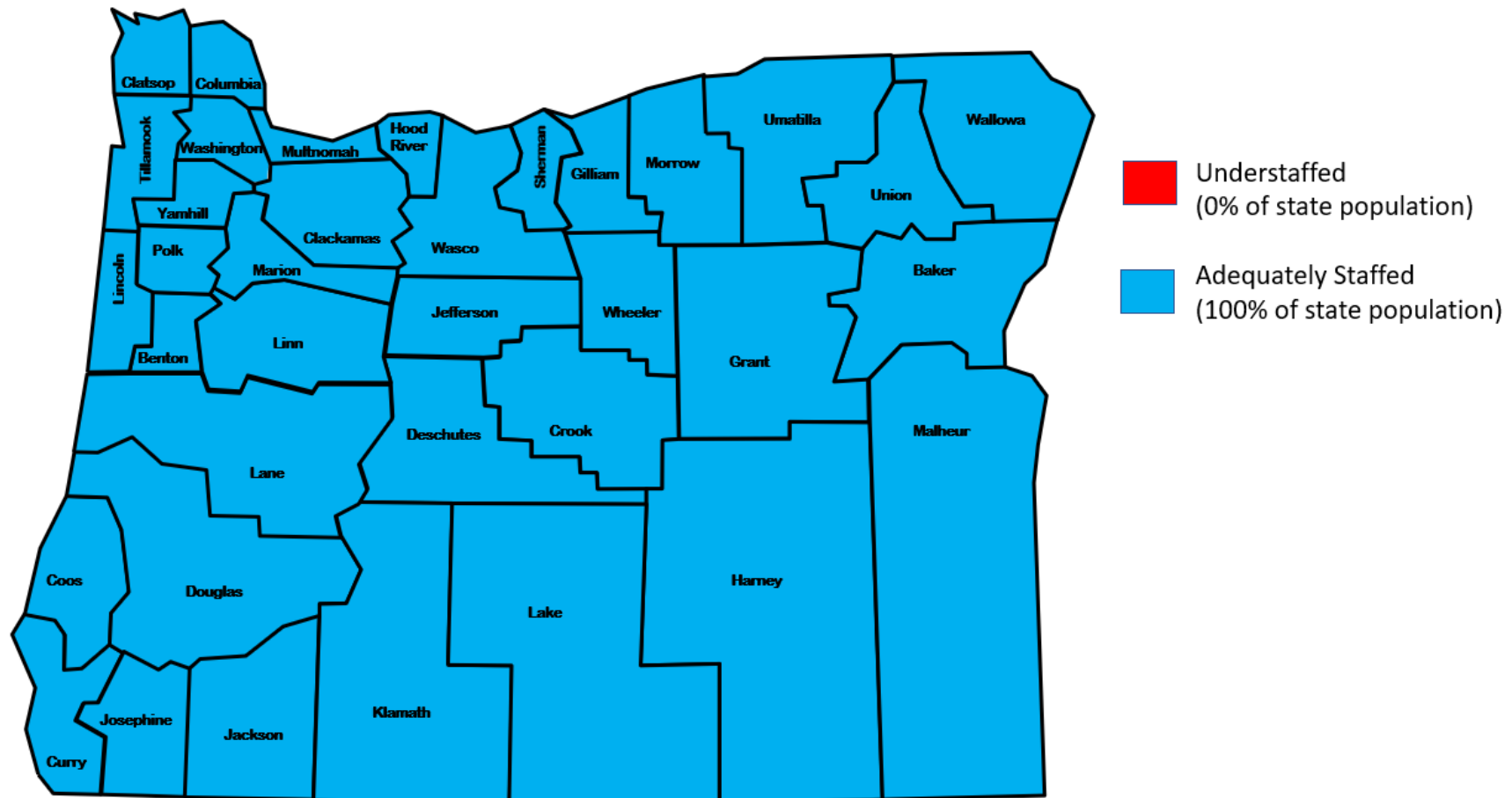
- Notification and contact to victims regarding position on release
- Early diversion and deflection out of criminal justice system
- Detailed and accurate pretrial release report recommendations for the court
- Consistent business processes for better outcomes statewide



Without POP 101 RAO Staffing is Inadequate



POP 101- Funds Critical RAO Positions



POP 101 - Statewide Pretrial Programs

“Our court gaining a release assistance officer (RAO) has made a marked improvement in our pretrial processes. The information gathered by the RAO provides the court with verified, reliable information on the defendant’s status and circumstances as it relates to primary and secondary criteria. This information helps to make better and more fair release decisions, allowing for individuals who meet release criteria to be identified at arraignment and released at the earliest possible stage of the proceeding.

As a judge, I also now have access to better information related to public safety issues and the individual’s likelihood to return to court. This also helps to more consistent and equitable release decisions.”

-Honorable Matthew Shirtcliff, Presiding Judge, Baker County

POP 106 – Remote Proceeding & Data Interfaces

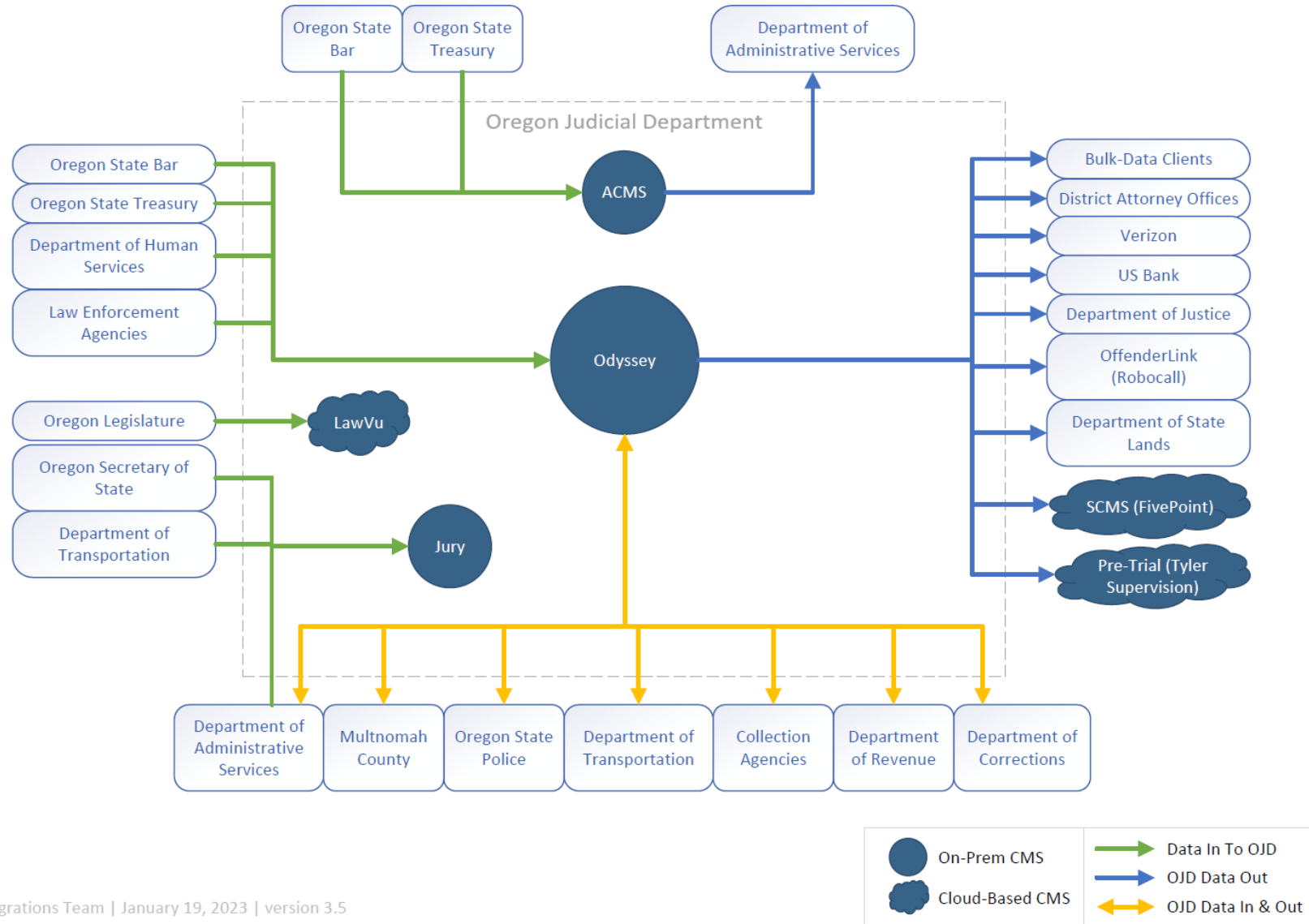
11.44 FTE, \$3M GF

- OJD Data Interfaces across state government help public safety partners, additional staff is required to support future expansion
- During the pandemic, remote proceedings were greatly expanded and now are a value-added service for Oregonians that allow greater access – additional staff is needed to continue these services



OJD Integrations

Serving Justice Partners Across The State

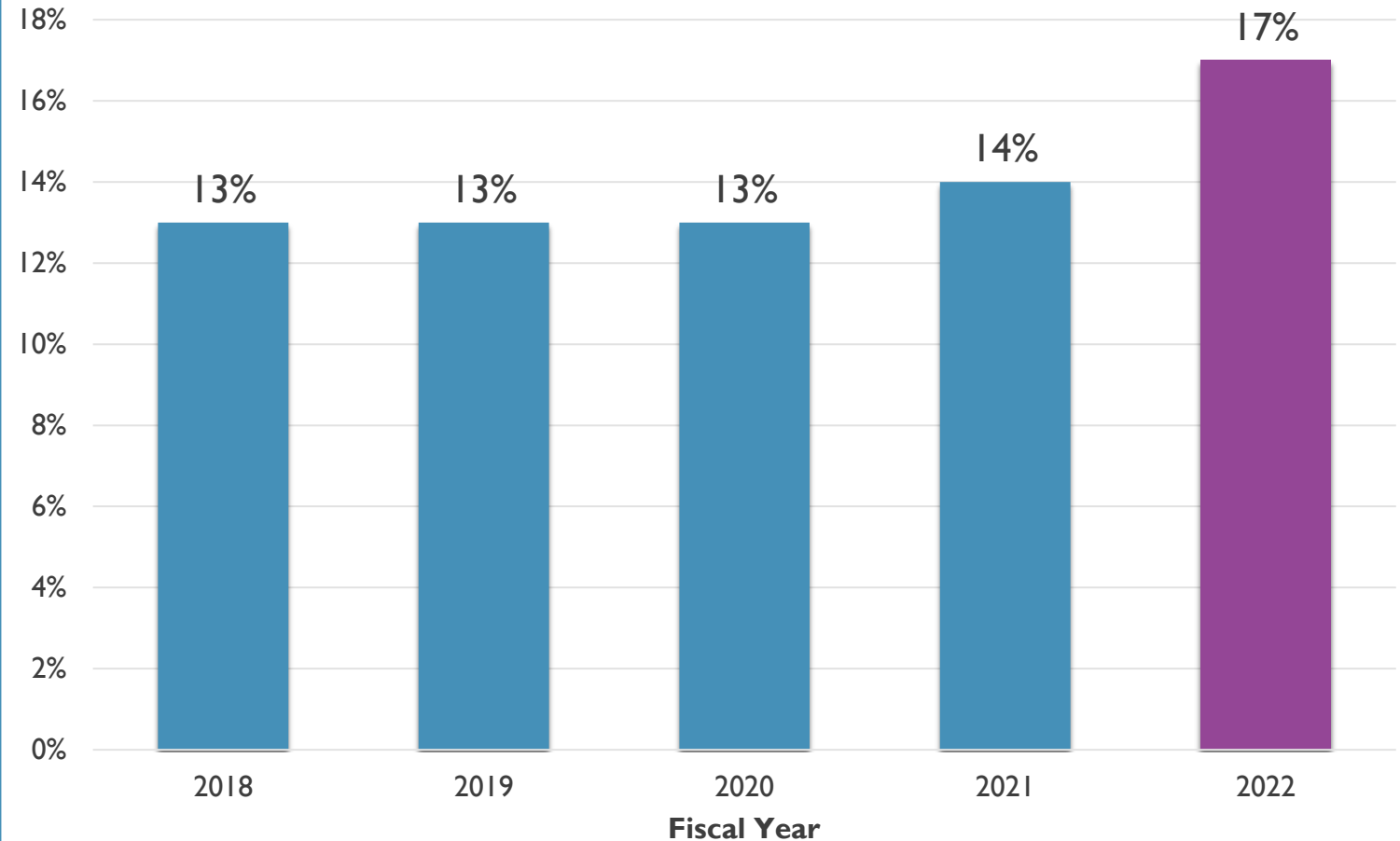


POP 110 – Classification & Compensation Changes

\$13.8M GF

- Staff turnover rates reach all-time high, stressing court system.
- OJD needs a competitive and market-based compensation structure for both new hires and long-term employees to ensure we stay competitive to retain and recruit our employees.
- First comprehensive review for all staff positions in 20 years.
- OJD has 1,762 budgeted positions and 200 Judges – 5th largest FTE in state government.

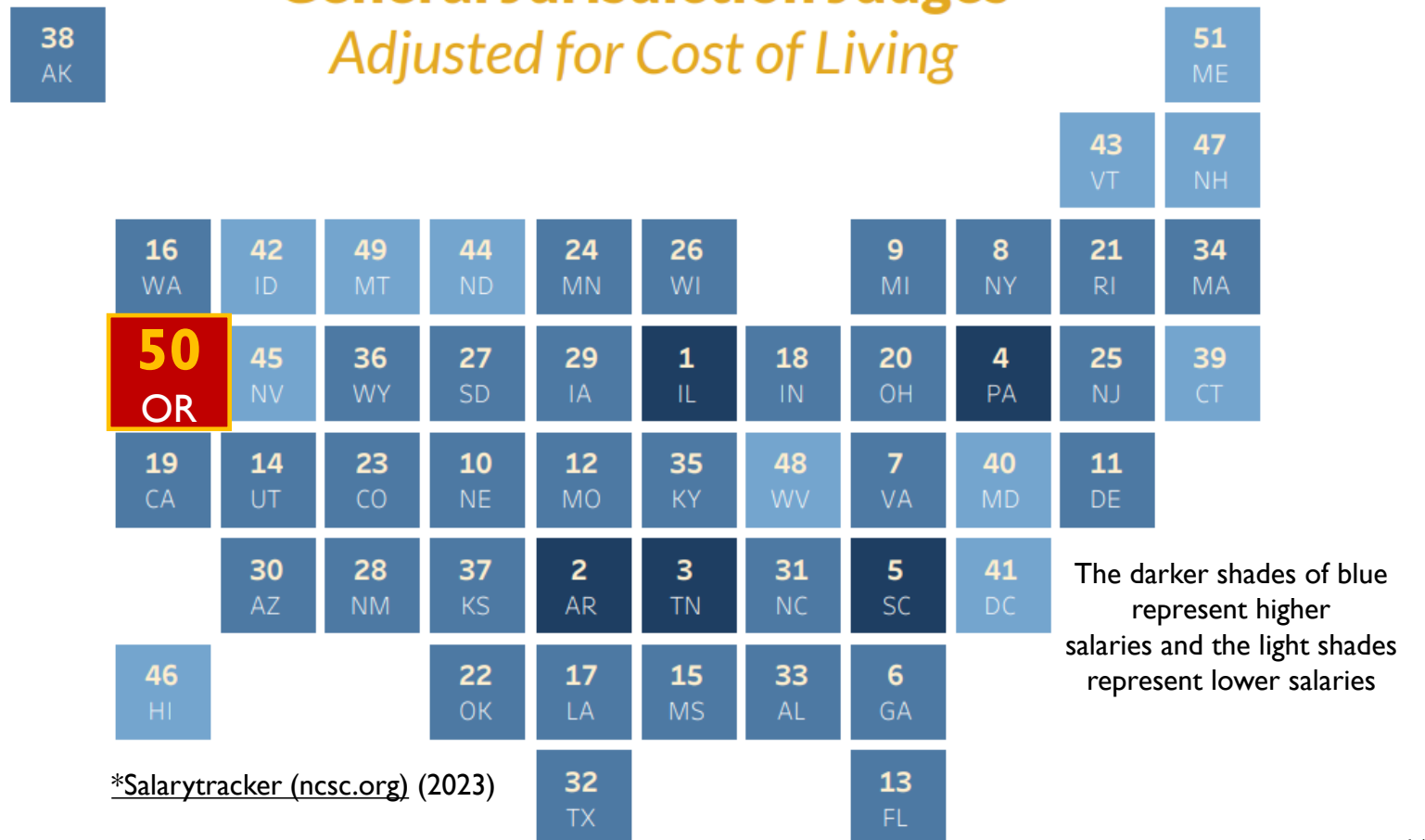
Statewide Turnover Rates Reaching Unsustainable Levels



POP III – Judicial Compensation

General Jurisdiction Judges Adjusted for Cost of Living

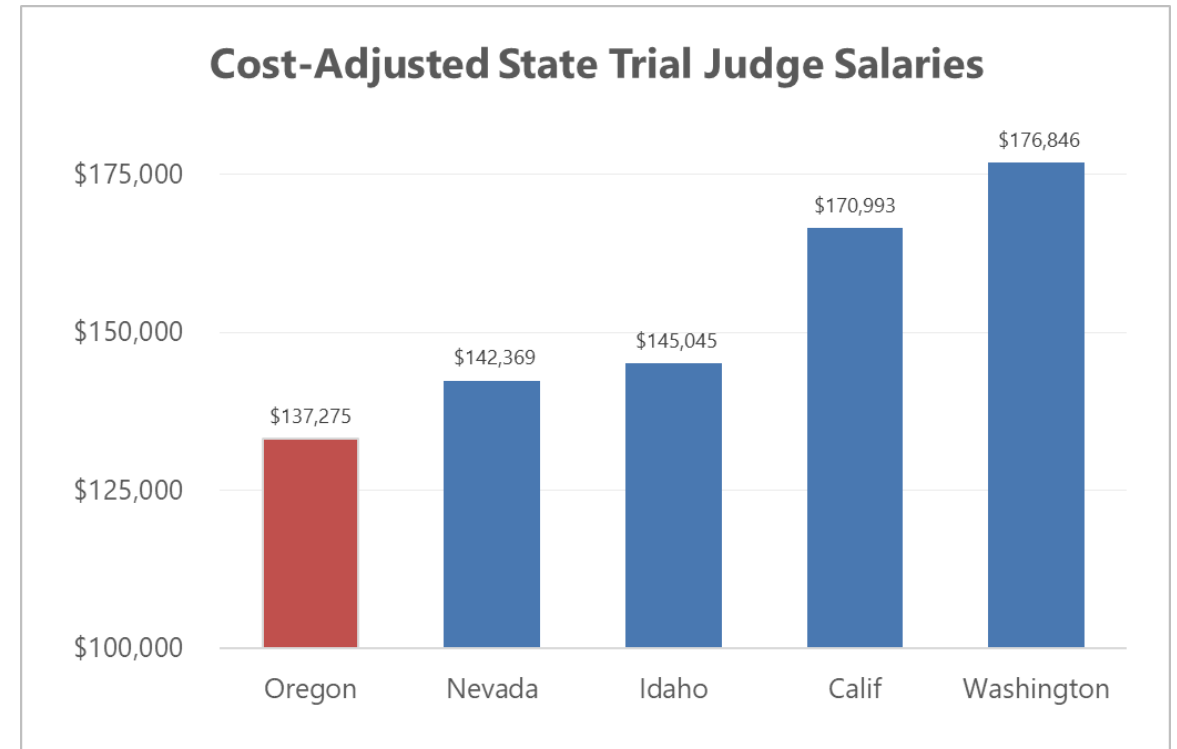
- Oregon circuit judges continue to have among the lowest cost-adjusted salary of any state's trial judges



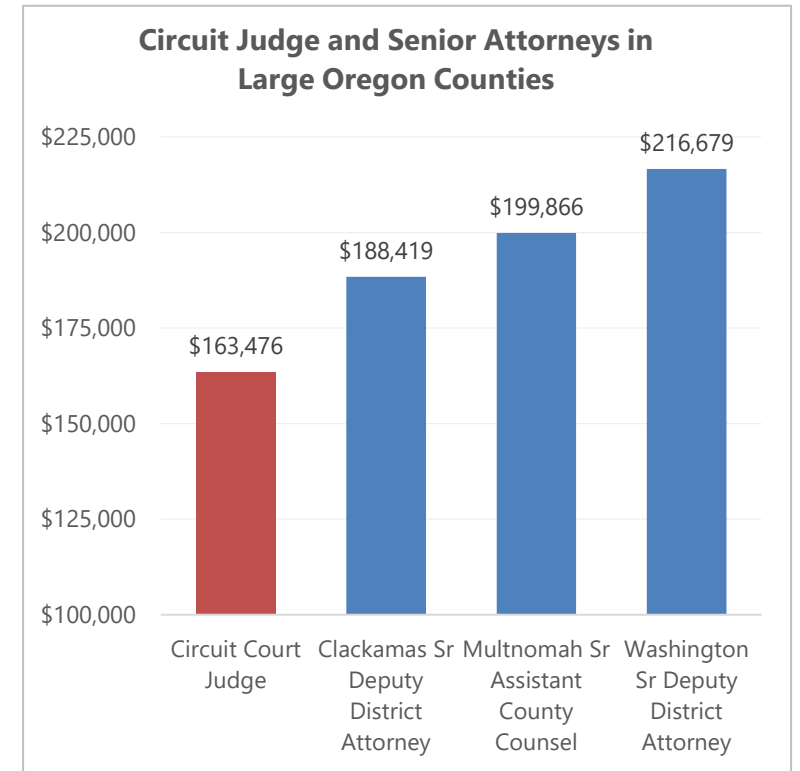
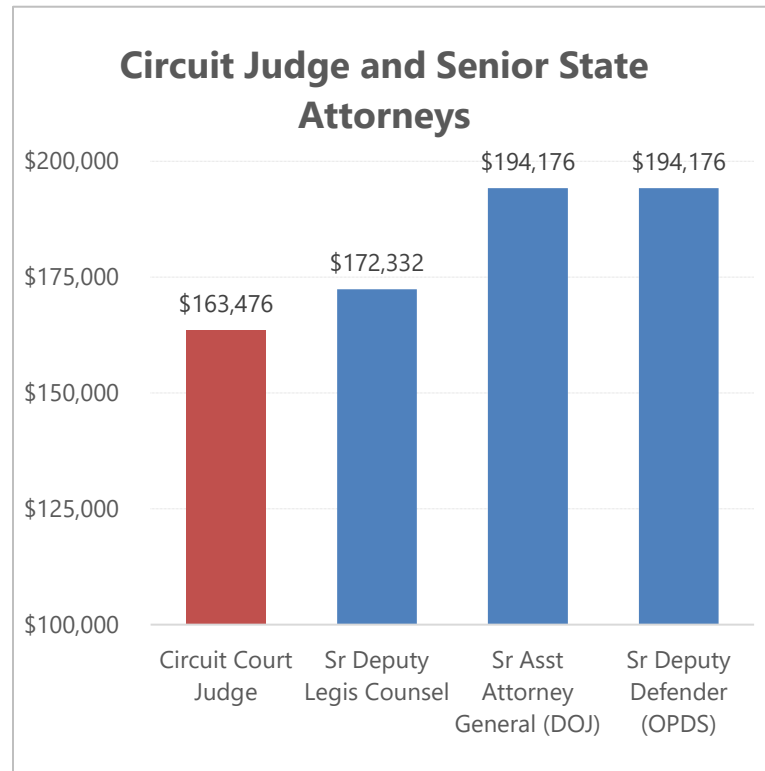
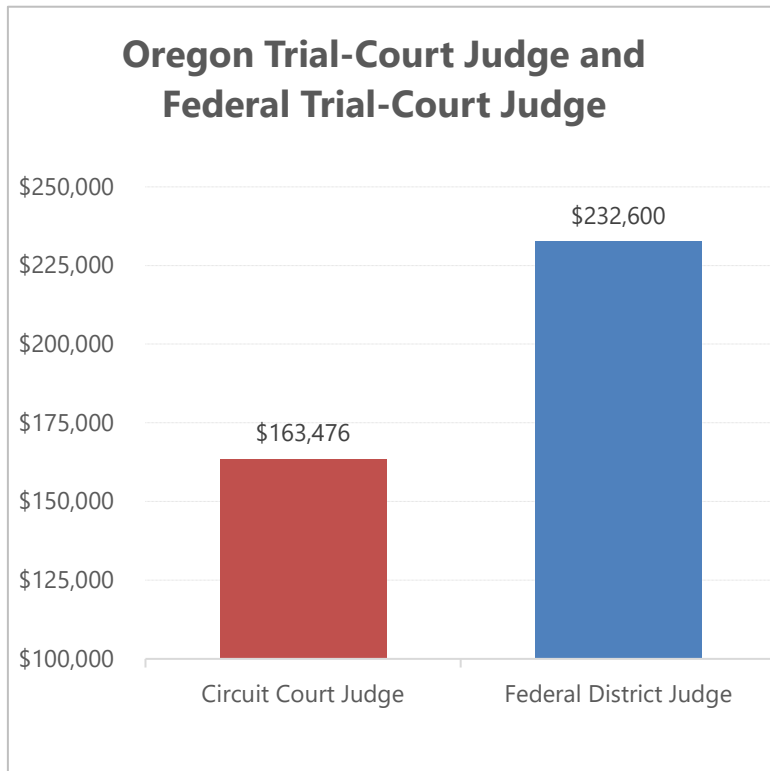
POP III – Judicial Compensation

\$17.3M GF

- Two proposed Judicial salaries increases:
 - 10% increase July 1, 2023
 - 10% increase January 1, 2024



POP III – Judicial Compensation



Additional Critical OJD Policy Option Packages

Court Services for Vulnerable Oregonians

- POP 102 – Protective Proceedings Court Oversight Program
- POP 103 – Fresh Start Expungement Program
- POP 104 – Court Access & Assistance for Self-Represented Litigants
- POP 105 – Promoting Justice through Technology & Training
- POP 107 – Appellate Court Improvements
- POP 108 – New Judges and Support Staff
- POP 109 – Equipment Lifecycle Replacement
- POP 112 – Juror Compensation

POP 102 – Protective Proceedings Court Oversight Program

3.1 FTE, \$800K GF

- Court protections and oversight for individuals who are at risk of physical neglect or financial fraud
- Phases in 3.1 FTE for 4 positions beginning October 1, 2023 (after expiration of federal grant)



Courts Monitor More Than \$1.2 Billion in Assets

POP 102 – Protective Proceedings Court Oversight Program



Every Protective Proceeding Requires Unique and Specialized Attention

- A grandparent with dementia may need help finding a skilled-care living facility and assistance with finances to make sure bills are paid.
- An orphaned child may need someone to apply for benefits on their behalf and make sure they are registered for school and going to the dentist.
- A young adult with a developmental disability may need help to enter a work training program and coach them on basic money management.
- With over \$1.2 billion in assets, protected individuals rely upon adequate court oversight.

POP 103 – Fresh Start Expungement

4.88 FTE, 1.24M GF

- Responds to quadrupling of set-aside filings
- Building capacity to respond to law changes past, present, and future
- Develops centralized process for efficient processing
- Increases timeliness
- Uses automation wherever possible
- Phases in 4.89 FTE for 8 positions beginning Jan 1, 2024 (after expiration of federal grant funding)



Successful Test Case: Automating Clemency

- Governor issued an executive order on Nov 21, 2022, to pardon people in simple cases involving single charge marijuana possession charges.
- OJD developed an automated process to seal the records, recall from collections, and remit the fines and fees, where applicable.
- Without automation, each record would take a circuit court 30 minutes to process.
- Project serves as proof of concept of a centralized, automated process in set aside cases.
(Funding Request POP #103)

Cases

47.14K

With Financial
Balance

16.14K

Total Financial
Balances

14.44M

Individuals

43.57K

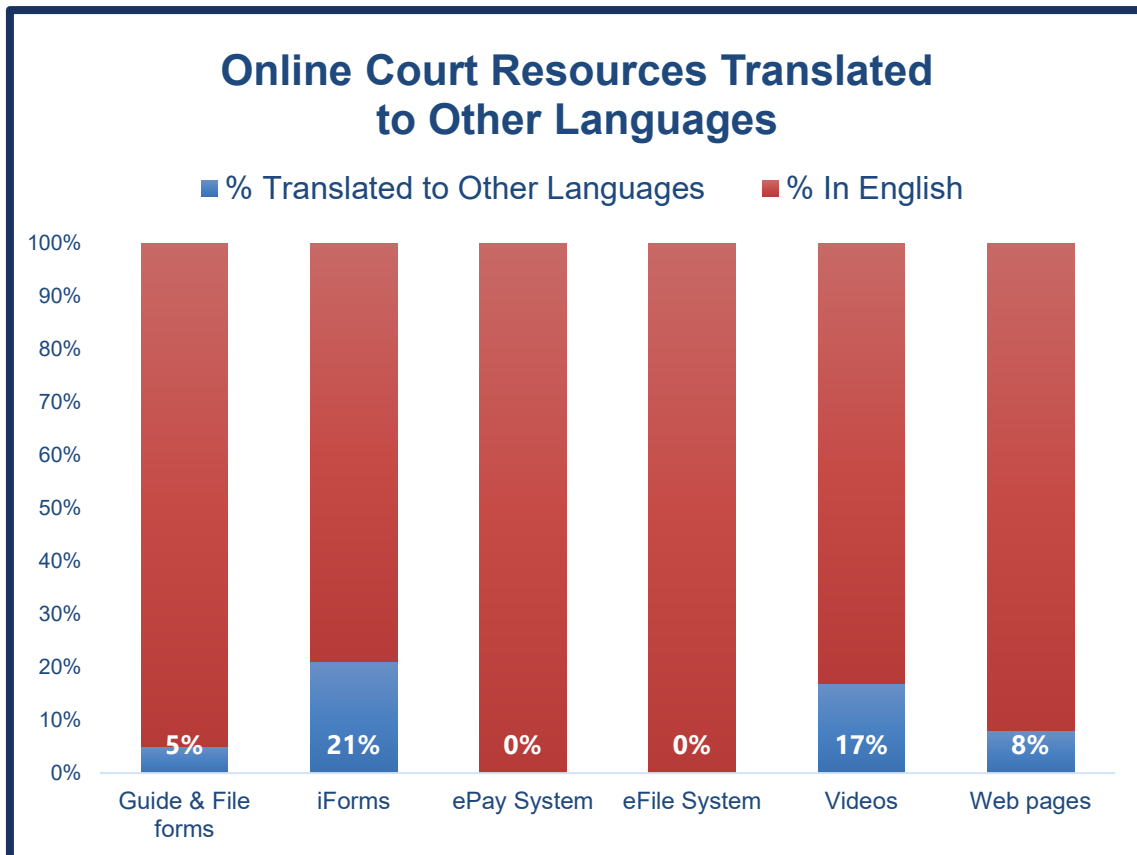
POP 104 – Court Access & Assistance for Self-Represented Litigants

11.44 FTE, \$2.6M GF

- Facilitation and customer service
- One-time investment to translate OJD's website and online resources
- Phases in 11.44 FTE for 13 positions beginning October 1, 2023



POP 104 – Court Access & Assistance for Self-Represented and Limited English Proficient Litigants



- 97% of landlord-tenant disputes have at least one self-represented party
- 86% of domestic relations cases have at least one self-represented party
- 90% of Oregon’s online forms need to be translated

POP 105 – Promoting Justice for Communities Through Technology and Training

9 FTE, \$2.3M GF

- Training for court staff to ensure consistent and reliable services amidst rapid changes in technology, legislation, and new program development.
- Engage with the community to learn and build awareness about how to access courts
- Phases in 9 FTE for 12 positions beginning January 1, 2024



POP 105 – Promoting Justice for Communities Through Technology and Training

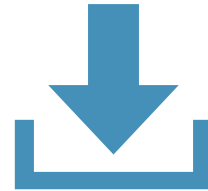
Technology Solutions to Improve Access



**Oregon Court
Case
Information
Online**



**Online ePay &
Violations
Bureau**

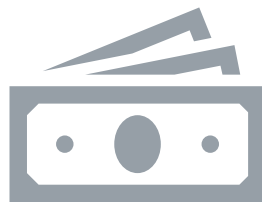


**Guide & File
Intelligent
Forms**

OJD has great tools for those who need court services, but these tools aren't useful if people don't know they exist.



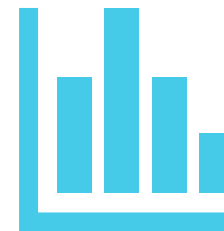
**Remote
Hearing
Technology**



**Text-to-Debt
Payment Plan
Reminders**



**Text Message
Hearing
Reminders**



Data Analytics



eFile & Serve

POP 107 – Appellate Court Improvements



6.88 FTE, \$1.9M GF

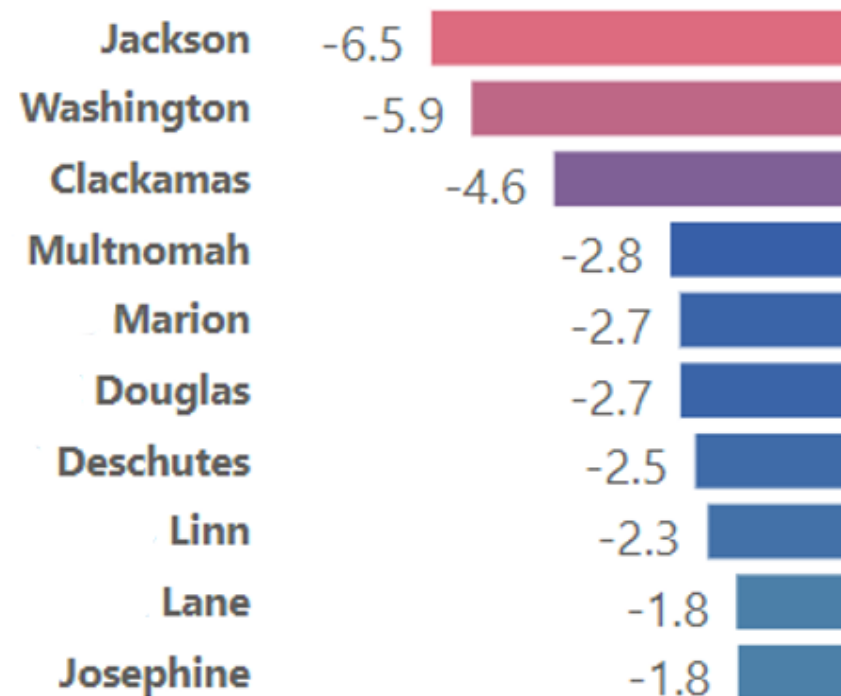
- Changing workflow and adding staff will allow the court to
 - Expedite decisions
 - Increase transparency
 - Write more opinions

POP 108 – New Judges and Support Staff

24.64 FTE, \$6.6M GF

- Adequately resourced courts are critical to providing access to justice for all Oregonians

Difference Between Judicial FTE Available and Judicial FTE Demand



POP 109 – Equipment Lifecycle Replacement

\$2.5M GF

- OJD has over 21,000 inventoried assets under \$3,500 in value, totaling \$16 million in replacement costs
- This equipment needs to be replaced on a defined timeline for each type of equipment



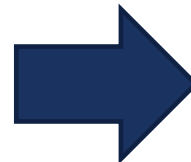
POP 112 – Juror Compensation

\$21M GF

- Increasing the rate of pay and mileage reimbursement will help ensure our juries more fairly reflect the communities they represent, increase access to justice for the community, and increase trust in government

Current Law

First two days of service: \$10 a day
Third day of service and beyond: \$25 a day
Mileage reimbursement: 20 cents a mile



Policy Option Package and Legislative Proposal

First two days of service: \$50 a day
Third day of service and beyond: \$60 a day
Mileage reimbursement: federal GSA rate

POP 112 – Juror Compensation

Oregon jurors are paid less for a day of service (\$10) than the lowest hourly minimum wage (\$12)

“I’m a single mom of 4 kids, I work 2 jobs 7 days a week. I work a double on Friday, and I can’t afford to lose out on \$300.00 that day, I wouldn’t be able to pay my bills. I don’t really call out because I can’t afford to, but they would cover me. I need all the hours I can get to pay my bills. I’m struggling to make ends meet and I can’t afford to miss work, please.”

“Missing out on four to six days of pay would absolutely financially devastate them.”

“...She indicated what an extreme hardship this was going to be as she doesn’t own a car. She researched Uber and it was going to cost her \$35 one way to serve as a juror, \$70 round trip and she currently just doesn’t have the funds to make this happen at this time.”

Specialty Court Policy Option Packages

- POP 113 – Family Treatment Courts
- POP 114 – Specialty Court Enhancements
- POP 120 – Continue OF Grant Positions

POP 113 – Family Treatment Courts

Rooted in Research, Creating Results for Families

1.76 FTE, \$828K GF

- Maintains existing family treatment courts
- Continues statewide coordination to promote best practices
- Continues ongoing training and technical assistance to local teams



POP 114 – Coordinators in All Specialty Courts

10.13 FTE, \$2.5M GF

- 23 specialty courts are understaffed; lacking the coordinator resources to support teams, participants, and quality assurance.
- Phases in 10.13 FTE for 14 positions beginning January 1, 2024.



POP 120 – Continue Grant-Funded Coordinator Positions

\$11M OF

- OJD receives a number of grants through CJC and other entities that support LD positions in specialty courts across the state
- 32 FTE (local specialty court coordinators)



OREGON SPECIALTY COURT STANDARDS

Adult Drug, Mental Health, Family,
Veterans, Juvenile, and DUII

Critical Pass-Through Policy Option Packages

Funding for Legal Aid; Courthouse Security and Construction

- POP 116 – Court Security Entrance Screening
- POP 118 – Legal Aid for Vulnerable Oregonians
- POP 119 – Circuit Court Replacement Planning
- POP 121 – Circuit Court Capital Improvement Projects
- POP 122 – Circuit Court Capital Replacement Bonds

POP 116 – Court Security Entrance Screening

\$12.5M GF

- Security Screening helps provide safe court facilities for our court users, court staff, and judges; 22 courts currently lack screening.
- This package would make partial funding available for screening in all courts.



POP 118 – Legal Aid for Low-Income Oregonians

\$14M GF

- Oregon State Bar's Legal Services Program oversees high-quality civil legal services for low-income Oregonians
- Strengthens core legal aid services, provides stable funding for immigration representation

POP 119 – Circuit Court Replacement Planning

\$4.7M GF

- Planning funds to begin work on replacing of seismically unsafe county courthouses

Project	2023-25 GF Request
Harney**	\$3,000,000
Hood River	\$42,549
Lincoln	\$56,250
Polk	\$225,000
Washington	\$1,250,000
Umatilla	\$100,000
Total	\$4,673,799



** Harney County's project could be funded in POP 119 or POP 122

POP 121 – Circuit Court Capital Improvements

\$8.7M OF

- Projects for 10 counties including life/safety, roof replacements, and to address access issues.



County	Project	2023-25 CFA Request
Benton	Roof and Boiler	\$555,000
Clatsop	Security Improvements	\$301,020
Columbia*	Remodel to expand court space	\$2,000,000
Coos**	Carpet, Windows, Paint	\$800,000
Douglas	Elevator and Exterior Refurbish	\$2,025,000
Josephine*	Second phase of courthouse remodel	\$750,000
Lake	Elevator	\$84,656
Tillamook**	County Annex	\$1,000,000
Umatilla	Security Improvements	\$465,000
Wasco	Elevator and Remodel	\$705,000
Total		8,685,676

*Continued projects

** These projects are new, however in the 2021-23 biennium other courthouse improvement projects were completed in these counties.

POP 122 – Circuit Court Capital Replacement Bonds



Approves state construction bonds for replacement of unsafe courthouses in Benton, Curry, Clackamas, and Morrow counties.

Project	2023-25 Bond Request
Clackamas*	\$61,740,000
Benton*	\$5,095,000
Curry*	\$10,730,000
Harney**	\$3,000,000
Morrow	\$6,505,000
Total	\$87,070,000

* Continued projects

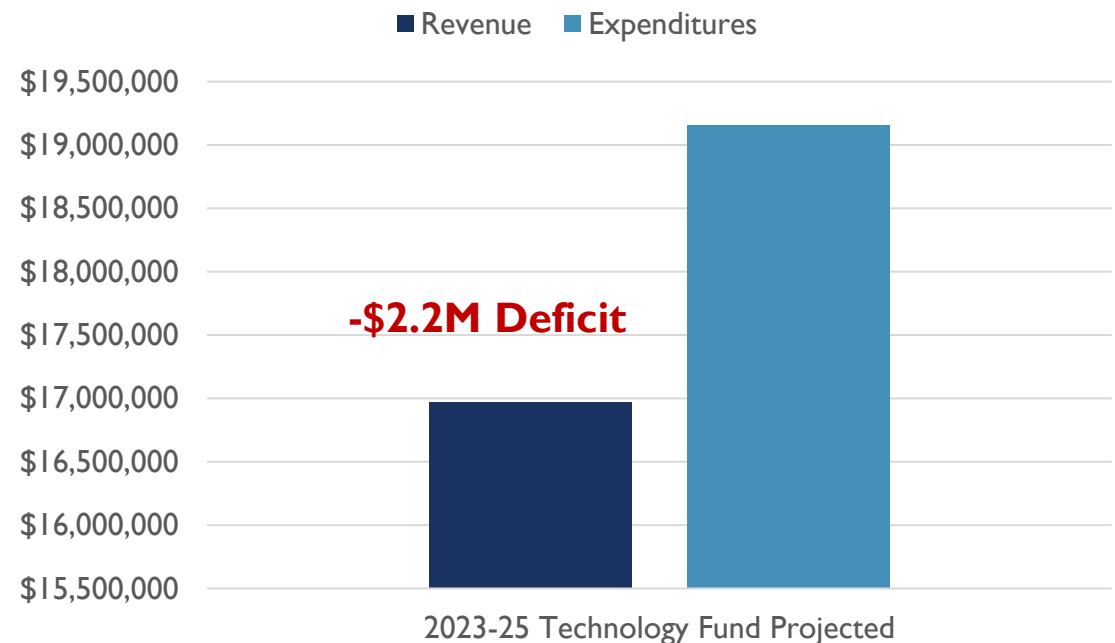
** Harney County's project could be funded in POP 119 or POP 122

POP 123 – Technology Fund Replacement

\$2.2M GF

- Technology is the backbone of our court system
- Inadequate funding could lead to interruptions of services for Oregonians
- Technology Fund revenues which are generated through a % of filing fees, access fees for non-government entities and an allocation from the CFA are not meeting CSL expenditures
- OJD is requesting additional GF to backfill the shortfall

2023-25 Technology Fund



Pending 2023 Bills with Potential Court Impact

- **SB 233** OJD – Appropriate Judicial Compensation
- **SB 235** OJD – Add Judicial Positions
- **SB 627** Pass-through Immigration Defense Funds
- **SB 697/698** Modify Process for Set-Asides
- **SB 1029** Kayden’s Law – Training and Qualifications in Family Law Cases
- **HB 2224/2414** Increase Juror Compensation
- **HB 2467** Public Defense Student Loan Repayment Program Pass-through
- **HB 2497** Assess Rural Courthouses

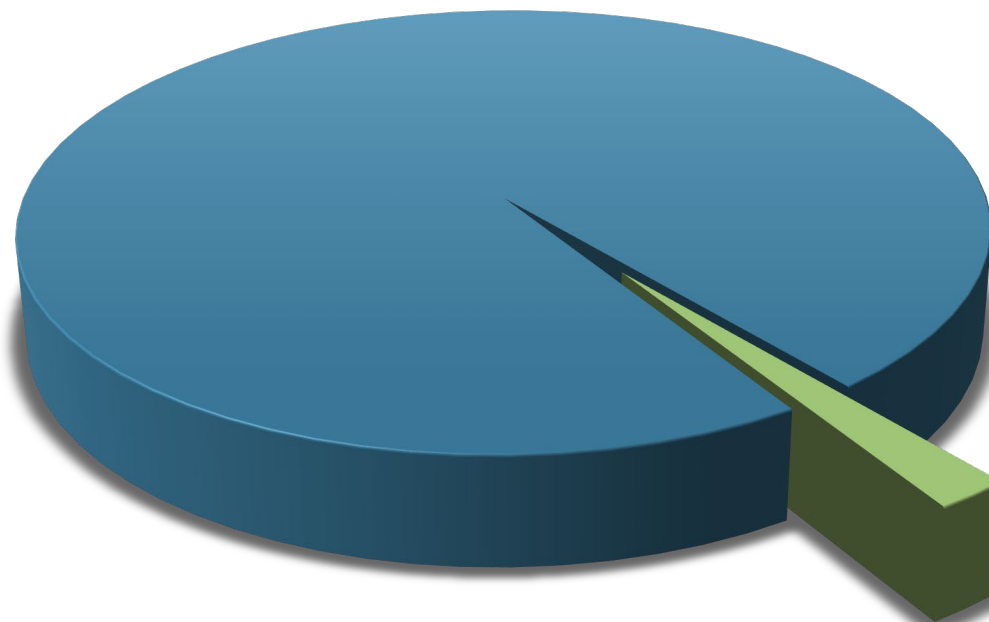
Judicial Department

Key Takeaways

-
- People, businesses, and communities rely on the judicial branch in all aspects of their lives.
 - Our work is critical to addressing issues of greatest importance to Oregonians and the Legislature.
 - During the pandemic, courts remained open and creatively adapted to ensure access to justice.
 - Ensuring access to justice, fairness and equity in Oregon's courts – for all Oregonians – requires adequate and stable funding.

OJD's Budget is Less than 2.15% of Total State Budget

2023-25 Gov Recommended Budget



Judicial Department
2.15% 2023-25 CSL Budget

Impacts of Budget Reduction

Reducing court budgets impact Oregonians in all aspects of their lives

Workplaces, Businesses

Debtor/Creditor and Small Claims

Treatment Courts & Mental Health

Family Law, Protective Orders & Child Welfare

Juvenile Dependency and Delinquency

Criminal Justice

Housing

Public Benefits

Tax Disputes

Election and Ballot Measure Disputes

Claims of Wrongful Injury

Objections to Government Action



Treatment Court Graduates



Serving Families in Crisis

Justice Delayed

Every Day We Make a Difference in Someone's Life

“We give them hope when all seems lost.”



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Thank You

QUESTIONS?

