

Oregon Judicial Department Supplemental Information
Joint Committee on Public Safety HB 5512
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www.courts.oregon.gov/about/Documents/2023-25CJBudget.pdf

OREGON JUDICIAL BRANCH

Strategic Campaign 2020-2021

Commitment 1

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

Initiatives

- 1.1 We will participate in statewide efforts to examine how to best meet the needs of Oregonians with **mental and behavioral health challenges** and develop best practices for courts to use in cases where those challenges must be addressed.
- 1.2 We will continue to examine the impacts of **finances and fees**, develop best practices for their imposition, and take affirmative steps to ensure that they do not create unnecessary barriers or disproportionate outcomes.
- 1.3 We will seek funding to launch a **conservatorship pilot project** to audit court-ordered conservatorships and ensure that the assets of people who are unable to manage their financial affairs are protected from waste or fraud.
- 1.4 We will launch a **juvenile delinquency** improvement program.
- 1.5 We will continue efforts to expand **problem-solving courts**, such as veteran, family, and mental health treatment courts.
- 1.6 We will work with stakeholders to ensure that Oregon has an effective and consistent statewide **pretrial release** system.

Commitment 2

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

Initiatives:

- 2.1 We will launch and participate in collaborative initiatives to better serve **self-represented litigants** throughout the state.
- 2.2 We will explore the use of **technology** to improve our communications with, and services for, all court users, including those with challenges due to limited time, location, or capacity.
- 2.3 We will launch initiatives to improve OJD's ability to recruit, retain, and engage **interpreters**, and increase multi-language services across the state.
- 2.4 We will examine, assess, and advocate for **adequate resources** to keep courts open, safe, secure, and responsive to the needs of Oregonians.



OREGON JUDICIAL BRANCH Strategic Campaign 2020-2021

Commitment 3

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

Initiatives:

- 3.1. We will launch community **outreach and engagement** initiatives in all judicial districts, with the goal of listening and responding to the needs of those who rely on our courts.
- 3.2. We will expand **transparency and public education** by communicating the work of our courts.
- 3.3. We will develop data-driven **performance measures** and analyze our effectiveness.
- 3.4. We will assist the **Office of Public Defense Services** in its efforts to monitor attorney caseloads and performance.
- 3.5. We will pursue the resources necessary to ensure that our judicial branch is on **sound financial footing** for the next generation of Oregonians.

Commitment 4

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

Initiatives:

- 4.1. We will provide judges and staff with ongoing education and training in the areas of **diversity, equity, and inclusion**.
- 4.2. We will offer OJD-led education and training to all **court security personnel** in the areas of diversity, equity and inclusion.
- 4.3. We will launch initiatives to enhance workplace **collaboration**, peer-to-peer engagement, and wellness among staff and judges.
- 4.4. We will begin to develop a **statewide core curriculum** for OJD staff and judges that includes education and training on the role of courts in our democracy, the mission of OJD, and how to provide procedural justice, increase civility, and best serve those who use our courts.

For more information, contact Nancy J. Cozine, State Court Administrator (nancy.cozine@ojd.state.or.us) or Erin M. Pettigrew, Access to Justice Counsel (erin.m.pettigrew@ojd.state.or.us); or call 503-986-5500.

To read the full Strategic Campaign go to: <https://www.courts.oregon.gov/about/Pages/reports-measures.aspx>



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OREGON JUDICIAL BRANCH Strategic Campaign 2020–2022





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

On behalf of Oregon’s judicial branch, it is my pleasure to introduce our strategic campaign for 2020-2022. This campaign recognizes our constitutional obligation to provide justice for all Oregonians, makes four commitments to advance that cause, and sets out nineteen initiatives that we will undertake over the next two years. I hope that you will study the elements of this campaign with interest and enthusiasm and determine how best to contribute your time and talents.

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

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

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

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

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

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

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

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

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

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

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

Martha L. Walters, Chief Justice



Commitment 1

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

Commitment 1 — Initiatives

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



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

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

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



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

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

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



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

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

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



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

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

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

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

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



Commitment 2

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

Commitment 2 — Initiatives

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

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

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

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



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

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



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

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

OJD will develop new resources to recruit language-

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



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

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

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

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



Commitment 3

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

Commitment 3 — Initiatives

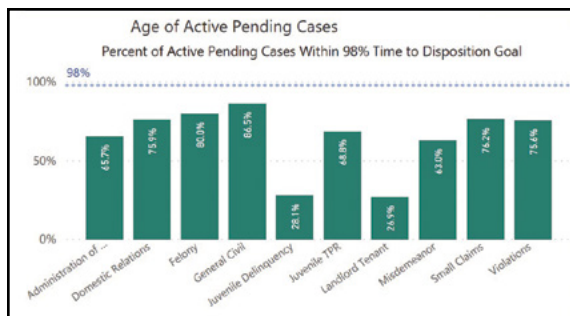
3.1 We will launch community **outreach and engagement** initiatives in all judicial districts, with the goal of listening and responding to the needs of those who rely on our courts.

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



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

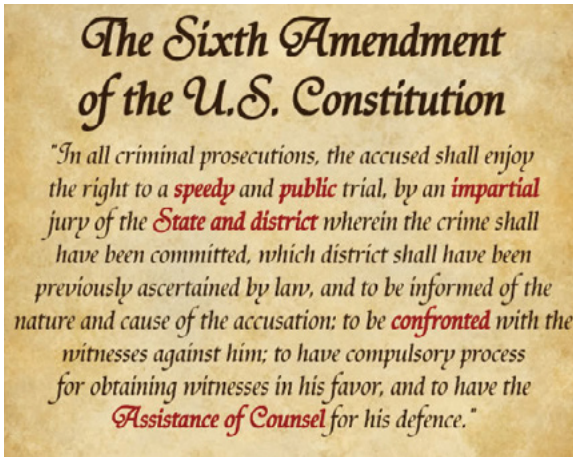
The Chief Justice has established a statewide communications committee that will provide information and devise tools that judicial districts can use to inform the public about the services that our courts provide, initiatives that our courts are undertaking, and the role that our courts play in our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



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

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

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



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

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



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

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

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



Commitment 4

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

Commitment 4 — Initiatives



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

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

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



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

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

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



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

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

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

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

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

Acknowledgements

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

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

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

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For more information on **OJD's Strategic Campaign 2020-2022**

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The **OJD Strategic Campaign 2020-2022** is also available online:

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

Notes...

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2023-25 Possible Third-Party Collections Appropriation Shortfall

For the 2023-25 biennium, the CSL Budget for the Third-Party Collections appropriation is \$17.4 million, which was adequate during the pandemic, however OJD is projecting a return to normal expenditure levels post-pandemic for the 2023-25 biennium, which could potentially result in a \$3.4 million shortfall.

Third-Party Collections Background and History

State courts collect revenue from a variety of sources, such as statutory filing and other fees in civil cases and fines and restitution in criminal and violation cases. In civil cases, state law requires payment of filing fees and other fees for jury trials, settlement conferences, filing some motions, and other activities. If the court cannot collect fees, fines, and restitution the judgment is sent to a third party – the Department of Revenue (DOR) or a private collection firm (PCF) – for collection.

Civil fees comprise a small part of the Oregon Judicial Department's (OJD) liquidated and delinquent debt (debt resulting from a judgment that is not paid on time). These fees are collected at the time of filing or the activity. However, judges have the authority to waive (not impose) or defer (allow payment at a later date or over time). Where these actions are taken, fee waivers are more likely to be granted than deferrals.

Courts also impose and collect fines for offenses (crimes and noncriminal violations) that are sent to state-level funds and accounts and to local governments. Courts also can impose and collect restitution and compensatory fines that go to individual crime victims. Monetary obligations in offense cases can remain valid for up to 50 years.

Any time a fee or fine must be referred to a third party for collection, ORS 1.202(2) requires courts to assess a fee to the debtor to pay for the costs of collection. The system reference for this fee is called the Collection Referral Assessment Fee (CRAS). OJD sets the CRAS rate to cover expected collection costs. The current CRAS rate is 28 percent of the outstanding balance referred to DOR or PCF. These collection activities occur continuously as long as the judgment remains valid.

The 2011 Legislature modified how collections activities were funded. Prior to the 2011-13 biennium, OJD received the revenue from collections, deducted the third-party costs and paid them directly, and forwarded the net revenue to the appropriate fund, account, or local government entity. As long as the CRAS rate was set properly, OJD's collections costs were in balance with CRAS revenues, and no legislative appropriation was required.

During the 2011-13 biennium, however, the Legislature directed the CRAS fee revenue to the General Fund and established a new General Fund appropriation (Third-Party Collections) to pay the fees associated with the collection of fees, fines, and restitution. The types of expenditures that are included in this appropriation are as follows:

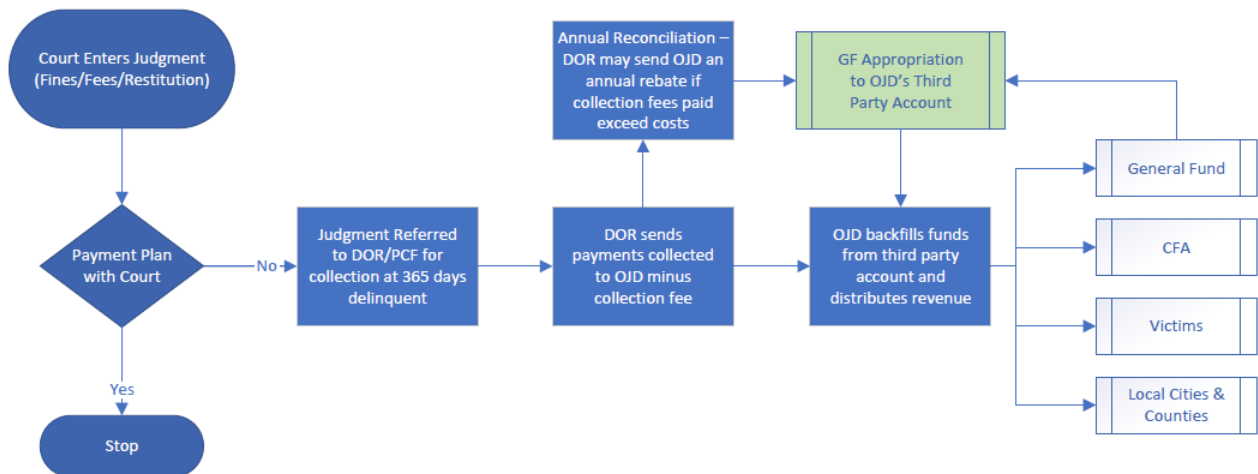
- Credit Card Fees – Payments to US Bank for credit card payments made directly to OJD or through the File and Serve system

- State Treasury Fees – Charges for banking services
- Other State Agency Fees – Charges for Department of Justice services for foreclosure complaints and garnishments, charges for Department of Administrative Services printing services for collection notices
- Department of Revenue – Fees related to the tax offset program (DORR) and collection activities (DOR)
- Private Collection Firms – Fees related to collection activities

Collection Cost rates that are expensed against the Third-Party General Funds Appropriation

Agency	2016	2017	2018	2019	2020	2021	2022
DOR	17%	17%	19.8%	19.8%	19.8%	19.8%	19.8%
DORR	13%	13%	13%	13%	13%	13%	13%
PCF	20%	20%	20%	20%	20%	20%	20%

For PCF, expenses for collection activities are billed directly, but for DOR activities the process is different. The flowchart below illustrates the flow of collections between DOR and OJD.



The new structure illustrated in the flowchart above creates two complications. First, the CRAS fee revenue is no longer provided directly to OJD to ensure that actual collection costs are covered. The second complication is that the amount of appropriation from the Legislature limits OJD's ability to respond if collections exceed projections or OJD costs increase because of DOR or PCF rate changes. In those circumstances, OJD must either restrict collection activities to remain within the allocated budget for those activities (and thereby reducing revenue to the State), seek an additional legislative appropriation, or use OJD court operations funds to compensate for the shortfall (reducing funding for OJD's core functions).

Appropriation History and 2023-25 Biennium Forecast

The appropriation for collection activities was created in 2011 Legislative Session and initially funded at \$9.3 million. Since then, the expenditures for this General Funds appropriation have been:

- **2011-13** \$12.3 million
- **2013-15** \$10.7 million
- **2015-17** \$13.8 million
- **2017-19** \$10.2 million
- **2019-21** \$16.1 million
- **2021-23 Forecasted** \$15.9 million

Spending is driven by successful collection activities and the rates from DOR and the mix between tax-intercept (at 13% rate) and other collection work. Since establishing a collection program, DOR has continued to improve, refine and expand their collection activities for the State. During the 2017-19 biennium, DOR experienced challenges which impacted collection work. A strong economy can also result in increased collections.

Also, during the 2020 Pandemic, referrals of newly delinquent debt was suspended in March of that year. New referrals did not resume under a new policy until November of 2021, which resulted in less successful collections and expenditures for fiscal years 2021 and 2022. Since normal activities have resumed OJD is seeing increased Third-Party costs.

For the 2023-25 biennium, the CSL Budget for the Third-Party Collections appropriation is \$17.4 million. In the 2020 fiscal year, expenditures in this appropriation were \$10.4 million for a 12-month timeframe. OJD is projecting a return to those normal expenditure levels post-pandemic for the 2023-25 biennium, which could potentially result in a **\$3.4 million shortfall**.

Mandated Payments Forecasted Shortfall for 2023-25

The 2023-25 Mandated Payments CSL budget is \$18.9 million, which is less than the 2021-23 forecasted expenditure level. Based upon fiscal year 2023, expenditures for 2023-25 are expected to exceed \$21.6 million, which would result in an approximate \$2.7 million deficit in the Mandated Payments account.

Mandated Payments Background and History

The Mandated Payments Appropriation includes expenditures for all costs associated with the administration of the trial and grand jury systems as governed by chapter 10 of the Oregon Revised Statutes, and federally mandated and other legislatively mandated costs found in ORS chapters 21, 36, 40, 45, 132, 133, and 135.

Costs associated with the Mandated Payments program generally include, but are not limited to, the following:

- Creation of master jury lists and other jury lists and the summoning and qualifying jurors;
- Providing juror orientation programs and materials;
- Per diem and mileage reimbursements paid to jurors at the statutory rate;
- Payment, when needed, of juror meals, lodging, and commercial transportation at the actual cost;
- Payment of fees and costs for arbitrators related to court-annexed mandatory arbitration in civil actions, when waived by the court;
- Payment of appellate transcript costs for a civil proceeding when a party is indigent and when waived by the court;
- State-paid sign language interpreters or real-time reporters for hearing-impaired jurors or other persons participating in court proceedings, and department activities or programs as mandated by the Americans with Disabilities Act (ADA);
- Providing assistive devices and other equipment or supplies required to provide reasonable accommodation to disabled persons as mandated by the ADA; and,
- State-paid foreign language interpreters for court proceedings or department activities where the court or department is required by statute to provide an interpreter to uphold a non-English speaking person's constitutional rights and to provide access to basic court services.

Expenditures for Mandated Payments since the 2013-15:

- 2013-15 \$15.2 million
- 2015-17 \$15.9 million
- 2017-19 \$16.9 million
- 2019-21 \$14.9 million

- 2021-23 Forecast \$19.5 million

Expenditures for Mandated Payments have historically exceeded the initial Legislatively Adopted appropriation levels, except during 2019-21 when there were reductions in court activities due to the pandemic. Expenditures for 2021-23 have increased as court activities have returned to normal.

The 2023-25 Mandated Payments CSL budget is \$18.9 million, which is less than the 2021-23 forecasted expenditure level. Based upon fiscal year 2023, expenditures for 2023-25 are expected to exceed \$21.6 million, which would result in an approximate \$2.7 million deficit in the Mandated Payments account.

A portion of the Mandated Payments account provides for interpreter services. There is a planned increase to interpreter rates in July 2023 to offset high inflation levels that have been experienced since the last increase in 2021.

		12.88%				
	2022 Rate	CPI increase	Increased amount	Rounded Increase	Recommended 2023 Rate	Final % increase
OJD Certified American Sign Language	\$ 65.00	\$8.37	\$73.37	\$ 9.00	\$ 74.00	13.85%
OJD Certified spoken languages	\$ 50.00	\$6.44	\$56.44	\$ 7.00	\$ 57.00	14.00%
OJD Registered spoken languages	\$ 37.00	\$4.77	\$41.77	\$ 5.00	\$ 42.00	13.51%
Non-Certified, conditionally approved	\$ 30.00	\$3.86	\$33.86	\$ 4.00	\$ 34.00	13.33%

This scheduled increase to interpreter rates is expected to add an additional \$1 million per biennium to Mandated Payments expenditures.



Oregon State Courts – 2023 Legislative Agenda

Oregon Chief Justice 2023-25 Budget Request and Legislative Proposals

The Chief Justice's Recommended 2023-2025 Budget includes current service level funding and adds targeted resources to better serve Oregonians. The budget request and legislative concepts connect tools and resources with OJD's Strategic Campaign commitments. With these requested investments and changes in law, OJD seeks a measurable, positive return on investment to improve the public's experience in our courts. A copy of the Strategic Campaign and OJD's commitments to Oregonians can be found [here](#).

Strategic Campaign Commitments

1. **Improve services and outcomes** for people who are underserved, vulnerable, or marginalized.
2. **Eliminate barriers to access to justice** by simplifying and streamlining processes and forms, enhancing service options, leveraging technology, improving interpreter services, and keeping courts open, safe, and secure.
3. **Enhance the public's trust and confidence in Oregon's state courts** by listening and responding to the needs of those we serve, holding ourselves to high standards, and communicating the role of our courts in providing justice for all.
4. Create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming, that embraces diversity, and where **all people can thrive and are treated with respect and dignity**.

Legislative Proposals

1. **SB 233** – Adequate **judicial compensation** to increase equity and fairness and improve retention and recruitment.
2. **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.
3. **SB 235** – **Additional judicial positions** in Jackson, Washington, Lane, Josephine, Douglas, and Clackamas counties (listed in order of need).
4. **HB 2224** – Increase **juror compensation** and mileage reimbursement to reduce barriers to participating in jury service.
5. **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.

OJD's Policy Option packages listed below are organized by initiatives set out in the [Strategic Campaign](#).

Initiative 1.6 Statewide Pretrial Release System

POP 101 – Continued Investments in Statewide Pretrial Program (39.6 FTE, \$9.6M GF)

Support the development of robust pretrial programs in counties statewide and continue the work of SB 48 (2021). Includes \$1.7M for a statewide case management system and statewide risk assessment tool, central IT staff, and release assistance officers in Clackamas, Clatsop, Columbia, Deschutes, Jackson, Klamath, Lane, Lincoln, Marion, Multnomah, and Polk counties.

Initiative 1.3 Conservatorship Pilot Project

POP 102 – Protective Proceedings Court Oversight Improvement Program (3.1 FTE, \$0.8M GF)

Permanent central support to improve and standardize circuit court monitoring of guardianship and conservatorships. The program improves data collection processes, provides training and tools to probate judges and staff, and delivers financial auditing oversight of conservatorship activity. This investment would continue and expand efforts launched under a federal grant, which will expire in September 2023.

Initiative 2.1 Improve Services to Self-Represented Litigants

POP 103 – Fresh Start Expungement Program (4.89 FTE, \$1.24M)

Permanent resources for courts to ensure timely, equitable, and efficient processing of expungement for qualified individuals. Creates a centralized petition-based process that seals public case records associated with a past criminal incident, giving Oregonians the fresh start they may be entitled to under Oregon law. Continues and expands on efforts launched under SB 397 (2021) to reduce collateral consequences and improve efficiency of set-aside processing. Permanently funds central staff currently funded by one-time American Rescue Plan Act (ARPA) funds, which expire in January 2024.

POP 104 – Court Access & Assistance for Self-Represented Litigants (11.44 FTE, \$2.6 GF)

Over the past five years, 83% of all parties in landlord-tenant disputes have been self-represented. In addition, 71% of parties in divorce cases are self-represented. Provides central staff to support expanded translation services for documents, forms, and online resources, and a one-time investment to translate online content. Ensures access to court services for self-represented litigants by expanding court resources for facilitation and customer service in Clackamas, Klamath, Multnomah, and Umatilla counties.

Initiatives 4.4 Statewide Core Curriculum & 3.1 Community Outreach and Engagement

POP 105 – Promoting Justice for Communities through Technology & Training (9 FTE, \$2.3M GF)

Central training staff to develop core curriculum for court staff to ensure consistent and reliable services amidst rapid changes in technology, legislation, and new program development. Regional training staff to deliver education to court staff will leverage collective resources and utilize technology to maximize efficiency. Central staff to inform and engage court users and the community on OJD resources, services, and the administration of justice through community relations, communications, content development, and online presence.

Initiative 2.2 Use of Technology to Improve Services

POP 106 – Remote Proceedings & Data Interfaces (11.44 FTE, \$3M GF)

Adds audio/video and IT staff in central IT office as well as Josephine, Multnomah, and Washington counties for expanded use of remote proceedings and new data interfaces with public safety partners.

POP 109 – Equipment Lifecycle Replacement (\$2.5M GF)

Additional funds to keep up with increasing costs for software licensing and equipment lifecycle replacement.

POP 123 – Technology Fund Replacement (\$2.2M GF)

Additional funds for state court technology services. Current revenues do not cover all expenditures.

Initiative 2.4 Adequate Resources for Responsive Courts

POP 107 – Appellate Court Improvements (6.88 FTE, \$1.9M GF)

Additional Court of Appeals staff resources to support managed workflow to expedite decision-making using a weighted caseload model and differentiated case management. Additional Senior Staff Counsel to support the Supreme Court.

POP 108 – New Judges and Support Staff (24.64 FTE, \$6.6M GF)

New judges and support staff to keep up with growing populations and growing caseloads. Additional resources will improve timely resolution of cases in the following counties: Jackson, Washington (2 judges), Lane, Josephine, Douglas, and Clackamas.

POP 110 – Classification and Compensation Changes (TBD)

Classification and compensation changes based on comprehensive organization-wide study to be completed in Spring 2023. The total costs depend on completion of labor market research and implementation approach.

POP 111 – Judicial Compensation (\$17.3M GF)

Ten-percent salary increases for judges; one in July 2023 and another in January 2024 to improve recruitment and retention and provide salaries equitable to public attorneys. The Chief Justice will introduce companion legislation.

Initiative 2.4 Adequate Resources *continued*

POP 112 – Juror Compensation (\$21M GF)

Increased daily compensation and mileage rates for jury service. A bill to increase juror compensation and mileage rates will also be introduced by the Chief Justice.

POP 118 – Legal Aid for Vulnerable Oregonians (\$14M GF)

Increase passthrough funds to Legal Aid for direct and systemic legal advocacy to help Oregonians keep families together, maintain safe and stable housing, and navigate pressing legal problems.

POP 120 – Continue OF Grant Positions (\$11M OF)

Authority to accept specialty court and other grant funds.

Initiative 1.5 Problem-Solving Courts

POP 113 – Family Treatment Courts (1.76 FTE, \$0.8K GF)

Continues investments in Family Treatment Courts (FTCs) received from September 2022 Emergency Board. FTCs are a multidisciplinary, evidence-based, problem-solving model serving child-welfare involved families where parental substance use is a factor contributing to abuse or neglect. Funds also would continue support for central program staff after federal grant funding expires in 2023, and provide dedicated and trained pro tem judicial resources for four new family treatment courts in Benton, Polk, Clackamas, and Josephine.

POP 114 – Specialty Court Enhancements (10.13 FTE, \$2.5M GF)

Additional staff to support new, understaffed, or unstaffed specialty courts in Baker, Clackamas, Clatsop, Columbia, Coos, Crook, Douglas, Hood River, Josephine, Lane, Lincoln, Malheur, Tillamook, and Yamhill counties. Specialty courts prove that providing supervision, structure and evidence-based treatment is a far more successful approach to substance use and mental health disorders than punishment or incarceration alone.

POP 115 – Stable Specialty Court Funding for Existing Specialty Court Coordinators (22.45 FTE, \$6.3M GF)

Stable funding for existing CJC-grant funded specialty court coordinators. The coordinator is the conduit between the court and community partners, ensuring access to treatment and connection with services in the community. Coordinators provide ongoing training and technical assistance and support consistent data collection and reporting. Limited-duration positions through grant funding creates barriers to recruitment and retention for these critical positions.

Initiative 3.5 Sound Financial Footing

POP 116 – Court Security Entrance Screening (\$12.5M GF)

Passthrough funding to counties for equipment and contract personnel services for entrance screening in 22 jurisdictions that currently have none.

POP 119 – Circuit Court Replacement Planning (\$1.7M GF)

Passthrough funding to counties for courthouse replacement planning projects in Hood River, Lincoln, Polk, Washington, and Umatilla counties. These projects are prioritized in conjunction with the Association of Oregon Counties (AOC).

POP 121 – Circuit Court Capital Improvement Projects (\$8.7M OF)

Courthouse improvement projects in Benton, Clatsop, Columbia, Coos, Douglas, Josephine, Lake, Tillamook, Umatilla, and Wasco counties.

POP 122 – Circuit Court Capital Replacement Bonds (\$167.2M OF)

Approve state construction bonds for courthouse replacement projects in Benton, Clackamas, Curry, and Morrow counties.

Questions? Please contact Nancy Cozine, State Court Administrator, at Nancy.Cozine@ojd.state.or.us, or Phil Lemman, Deputy State Court Administrator, at Phillip.Lemman@ojd.state.or.us.



POP 101

Improving Outcomes for Community Well-Being, Safety, and Fairness: Statewide Pretrial Release Program

Key Points

- ✓ Release assistance officers across the state will ensure adequate staffing for consistent and safe pretrial release programs.
- ✓ An Oregon risk tool will continue to move courts toward a risk-based approach that reduces the reliance on security.
- ✓ A statewide pretrial case management system will improve program management, data collection, and evaluation of program effectiveness.
- ✓ For more information about Pretrial Release and SB 48 <https://www.courts.oregon.gov/programs/pretrial/Documents/PretrialInfo-Media.docx>

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Statewide Pretrial Release Program

The Oregon Judicial Department (OJD) successfully implemented Senate Bill 48 (2021) which requires courts to establish criteria to determine whether individuals are initially released on recognizance, conditionally released, or held for a release decision at arraignment. The release criteria, adopted by the Chief Justice and set forth in presiding judge orders, serve as the first step in achieving SB 48's goals of establishing a consistent pretrial release decision-making framework, reducing the reliance on security (bail), and ensuring victim and public safety.

Current Programs & Release Assistance Officers

OJD is developing policies and procedures to incorporate best practices and operational recommendations and continuing to hire release assistance officers (RAO) across the state to expand the work and impact of these programs. RAOs serve a critical role in the state's efforts at effective pretrial release. These positions interview in-custody defendants, research individual defendant circumstances, complete a risk assessment, contact crime victims, and recommend whether a defendant should be released pending case resolution. They can also play a critical part in the effort to divert people with serious mental illness out of the criminal justice system. RAOs may also develop and implement release agreements, monitor defendants while on release and manage release violations, and recommend an appropriate response to the court. This work directly supports victim input and involvement at an early stage of the criminal proceeding, ensuring that release decisions balance the right to release with victim and community safety.

Pretrial Case Management System & Risk Assessment Tool

Oregon is now in the process of developing a statewide pretrial case management system, risk assessment tools, and comprehensive education and training programs to ensure a consistent approach to pretrial across the state.

In partnership with the Criminal Justice Commission, OJD is working to develop an Oregon-specific risk tool that will rely on state data representative of every county in Oregon to support the work of pretrial release. This tool will help identify individuals who may be at higher risk for failing to appear or reoffending while on pretrial release.

OJD has procured a new pretrial case management system and anticipates statewide rollout in 2023. The system will support the work of pretrial across the state, ensuring that all jurisdictions will be able to effectively monitor their pretrial population, further advancing both public and victim safety.

Approving this package will add two central positions phased in for support of the pretrial case management system, 39 release assistance officers phased in for Multnomah, Clackamas, Clatsop, Columbia, Deschutes, Kamath, Jackson, Lane, Lincoln, Marion, and Polk Counties. It also includes \$1.7 million for the pretrial case management system maintenance costs and development of a risk assessment tool. In total, the package funds 39.6 FTE (45 positions), \$9.6 million GF.



Oregon Judicial Department

POP 102

Improving Safety and Autonomy: Protective Proceedings Court Oversight Program

Key Points

- ✓ Improves court protections and oversight for individuals who are at risk of physical neglect or financial fraud.
- ✓ Standardizes review procedures to promote fiduciary accountability and ensure consistency in case outcomes.
- ✓ Provides subject matter experts to ensure that judges have accounting reviews and technical information needed to reach informed decisions.

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Protective Proceedings Court Oversight Improvement Program

In 2021, OJD received a two-year grant to pilot a guardianship and conservatorship improvement program. The program provides courts with central resources to help standardize local circuit court monitoring of protective proceedings. The program also improves data collection processes, provides training and tools to probate judges and staff, and delivers financial auditing oversight of conservatorship activity. Continuing the program will require a long-term general fund investment.

Community Impact

High caseloads and resource constraints often limit courts' ability to provide routine review of guardian and conservator actions in cases involving protected persons. Oregon is adding over 2,000 new protective proceeding cases per year, which will likely remain open for more than 5 years. Courts currently monitor over \$1.2 billion in assets. Continuation and expansion of this program will build and implement reliable processes for case review and assist with the examination of conservators' management of funds.

The financial auditing component is critical to holding fiduciaries accountable to their statutory responsibilities. Better financial oversight should reduce the risk of mismanagement, misappropriation, and abuse.

Court System Impact

Oregon law requires judges to supervise protective proceedings and the fiduciaries they appoint. This program educates, trains, and offers subject matter expertise to courts for efficiency and confidence to fulfill these obligations.

Approving this package will add four central positions phased in to provide continued program support after the ACL grant funding expires. In total, the package funds 3.1 FTE (4 positions), \$800K GF.



Oregon Judicial Department

POP 103

Removing Barriers & Enhancing Service Options: Fresh Start Expungement Program

Key Points

- ✓ The program is a central petition-based process that seals public records associated with a past criminal incident.
- ✓ Expungement includes any record of the arrest/citation, charge(s), and court disposition.
- ✓ Leverages technology to streamline process, remove administrative barriers, and reduce collateral consequences by speeding up the process of expungement for qualifying individuals.
- ✓ Enhances access to justice by providing a transparent and user-friendly process that is consistent, efficient, and allows for instant access to high quality performance and outcome data.

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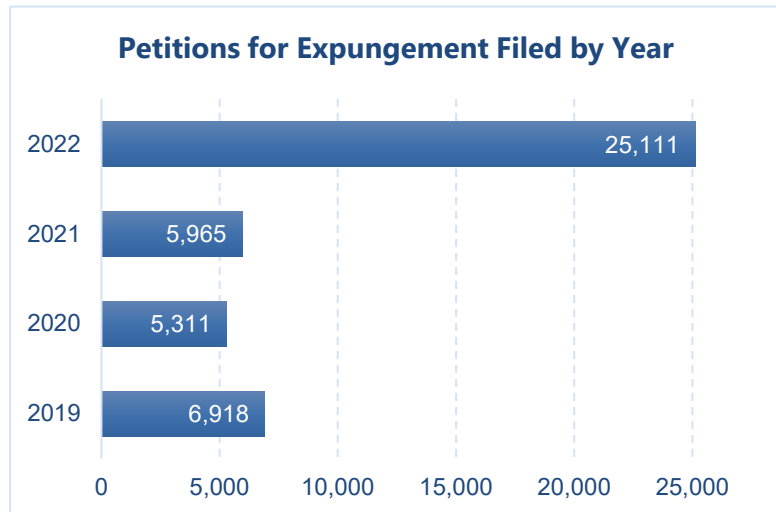
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Fresh Start Expungement Program

Too frequently, people who have made significant positive change in their lives face barriers that make complete reformation difficult. Advocates and legislatures are increasingly calling on courts to ensure that individuals have an opportunity to clear their records once they have taken appropriate steps to become productive members of their communities. Courts have responded by using one-time federal ARPA funds to develop innovative pilot solutions and “proof of concepts” to address the growing number of expungement filings, but there is more work to be done.

Removing Barriers and Enhancing Service Options

Annual petitions for expungement have increased fourfold in the last year and we expect that trend to continue. The only way to keep up with this type of volume and ensure that individuals get their record cleared quickly is to innovate and leverage technology through automation and process improvements.



Adding central resources to develop a central “Fresh Start” program will ensure equitable and efficient processing of expungement for qualified individuals and address the increased volume of motions for relief by automating processes (where possible) and prioritizing expedited processing when motions for relief are granted.

This investment will add dedicated central staff and judicial authority to monitor the petitions, case documents, and objections that will allow petitions and orders to be quickly resolved. This investment will also provide resources to work with public safety partners to streamline and automate processes (when possible) to expedite relief and enhance access to justice, working to equalize opportunities for deserving members of our communities.

Approving this package will add eight central positions phased in for program staff and pro tem judicial authority. In total, the package funds 4.88 FTE (8 positions), \$1.2436 million GF.



Oregon Judicial Department

POP 104

Removing Barriers & Enhancing Service Options: Court Access & Assistance for Self-Represented Litigants

Key Points

- ✓ Expands facilitation and customer service support available to the growing number of self-represented litigants.
- ✓ Ensures on-line court access for Limited English Proficient (LEP) Oregonians.
- ✓ Begins to address the 85% of OJD’s online resources that are not translated.
- ✓ Establishes an in-house translation team and provides a one-time investment to translate OJD’s website.

Questions?

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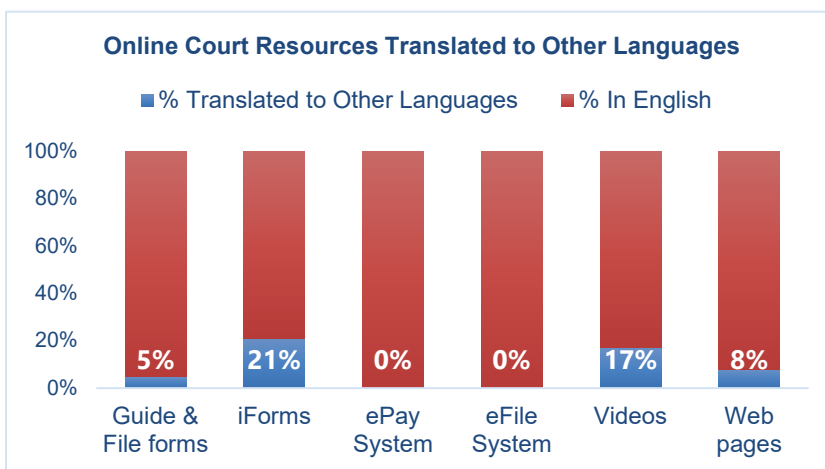
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Court Access & Assistance for Self-Represented Litigants

Over the past five years, 83% of all parties in landlord-tenant disputes have been self-represented. Another 71% are self-represented in divorce cases. Courts are expanding online technology to address barriers, streamline processes and simplify form completion and filing, but more work needs to be done to address the needs of our diverse communities. Several courts need to expand in-person services offered to self-represented litigants for facilitation and customer service, but existing resources are inadequate given the growing needs in other areas such as behavioral health, treatment courts, and increases in criminal caseloads.

Removing Language Barriers

Most online court resources are available in English only. Translations of online services and information will address the top five non-English languages encountered in Oregon’s state courts (Spanish, Russian, ASL, Chuukese, Vietnamese).



Ensuring Access to Court Services for Self-Represented Litigants

Court facilitators and customer service staff inform self-represented litigants of court processes and available court forms, review state or county approved documents, and provide information about legal services and other resources available in the community. Clackamas, Klamath, Multnomah, and Umatilla counties need additional staff to maintain and expand services for the growing number of self-represented litigants.

Approving this package will add three central positions phased in to support expanded translation services and ten trial court positions phased in to ensure access to court services for self-represented litigants. It will also fund a one-time investment (\$250K) to translate OJD’s website. In total, the package funds 11.44 FTE (13 positions), \$2.6 million GF.



Oregon Judicial Department

POP 105

Community Outreach & Staff Development: Promoting Justice for Communities through Technology and Training

Key Points

- ✓ Enhanced access to justice through an informed and engaged community and a stable workforce.
- ✓ Improved customer service through statewide consistency.
- ✓ Centralized content development paired with a regional approach to training leverages collective resources, utilizes technology, supports data accuracy, and drives continuity.
- ✓ Transparency and accountability through improved data quality and staff development.

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Promoting Justice for Communities through Technology and Training

Community education about court services is critical. Not only is it a necessary step to ensure that people can access court services, it is fundamental to public trust and confidence in the administration of justice. Courts offer online tools and in-person and virtual court services, but people need to know they exist! And staff need to be prepared to meet the needs of those seeking court services.

Community Outreach

Adding communications staff will ensure our communities are aware of court programs, services, and resources the courts offer to protect citizens and provide access to justice. This investment will enhance the administration of justice through improved community relations, communications, content development, and an expanded online presence.

Staff Development

Access to justice also requires a stable and well-trained workforce. Our court staff form the cornerstone of a well-functioning judicial system. OJD currently has a turnover rate of 17%. With each new hire, there is a need for initial training, with professional development and certification opportunities over time to increase the skill and expertise available within the organization.

Adding training resources to develop and deliver a "Clerk College" core curriculum for court staff will ensure consistent and reliable services across courts amidst rapid changes in technology, legislation, and demands for efficient and virtual court services. This investment will allow OJD to maintain a talented and committed workforce that is well-equipped to serve the people in our communities.

Approving this package will add two central communications staff, three central training staff, and seven trainers for trial courts to cover the regions listed below.

- Central Valley
- Eastern Courts
- North Coast
- Northeast
- Southwest
- Tri-County

In total, the package funds 9 FTE (12 positions), \$2.3 million GF.



Oregon Judicial Department

POPs 106 & 109

Building the Courthouse of the Future: Remote Proceedings, Data Interfaces, & Equipment Lifecycle Replacement

Key Points

- ✓ The courthouse of the future should include expanded use of remote proceedings and data interfaces but will require continued investments in technology, equipment, and specialized staff.
- ✓ Participants in NCSC's 2021 State of the Courts Survey identified the following barriers to physically attending court: distance to court (49%), time off work or school (41%), transportation (30%), disability access (23%), and childcare (22%).
- ✓ Demand for online web services and data interfaces is growing but OJD will need additional specialized staff to meet the need.

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POP 106 – Remote Proceedings and Data Interfaces

Courts are reimagining how they serve their communities, and their vision requires investments in new technology and highly specialized staff to build and support the infrastructure for the courthouse of the future. Courts, litigants, advocates, and other system stakeholders are expanding their use of technology. In the last two years we have witnessed a marked increase in remote proceedings, electronic filing, electronic data transfers, and automation, which results in more efficient and accurate filings and faster adjudication.

Removing Barriers to Appearing in Court

Remote proceedings reduce barriers to appearing in court and allow courts to be responsive to the diverse needs and preferences of our communities. Court users appreciate the convenience, equal access, fairness, and safety that remote participation provides.

However, continuing and expanding remote proceedings requires careful planning to decide which court proceedings to hold remotely, the technology and equipment that is needed, and must have dedicated staff to maintain, configure, program, and support the courtroom Audio/Video systems. A typical remote proceeding will involve both in-person and remote participants (jurors, case parties, witnesses, attorneys, and observers) with a variety of technical difficulties that must be handled quickly to ensure the proceeding runs smoothly.

Improving Access to Justice with Innovative Technologies

Courts are also expanding web services, application development, and data integrations to support more online services to court users and system stakeholders and form the cornerstone of our advanced data analytics capabilities.

Approving this package will add six central positions, one position in Josephine, four positions in Multnomah, and two positions in Washington counties for expanded use of remote proceedings and new data interfaces with public safety partners. In total, the package funds 11.44 FTE (13 positions), \$3 million GF.

POP 109 - Equipment Lifecycle Replacement

Restores regular lifecycle replacement for OJD hardware and additional funds to keep up with increasing costs for software licensing for critical court technology.

Approving this package will add \$2.5 million GF for equipment lifecycle replacement.



Oregon Judicial Department

POP 107

Maintain Public Trust and Confidence: Appellate Court Improvements and Adequately Staff Supreme Court

Key Points

- ✓ Weighted caseload model and differentiated case management will provide a durable solution to caseload management challenges in the Court of Appeals and create more transparent decision-making.
- ✓ Develops standards for expected time and staff resources required to resolve cases.
- ✓ Allows Supreme Court to adequately staff its workload and provide a more equitable staff allocation among justices.

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Appellate Court Improvements

In conjunction with a grant-funded study by the National Center for State Courts, the Court of Appeals (COA) is redesigning its workflow management processes to improve time to disposition and the transparency of its decision-making. The COA's benchmark for deciding most types of cases is 180 days from submission, and it meets that benchmark for approximately 80% of its cases. However, in order to do so, the court resorts to the practice of affirming without opinion (AWOP) in at least 40% of its decisions.

Procedural Fairness and Transparency in Appellate Decisions

The AWOP practice, which the COA has used almost since the court's inception, is inconsistent with best practices for procedurally fair opinions and risks undermining public confidence in the court's decisions.¹ Although the COA has worked to decrease its AWOP rate over the years, a redesigned workflow management system is necessary for the COA to simultaneously reduce its benchmarks, deliver timely decisions in an even higher percentage of cases, and do so in a way that comports with best practices for appellate courts by supplying a reasoned explanation to the parties.

Court of Appeals Workflow Management

The redesigned workflow model will involve screening, weighting, and equitable distribution of case assignments, as well as the work performed before cases are submitted for argument ("frontloading"). The changes will require an office manager to provide administrative support for workflow; a senior staff counsel to screen and weight cases and manage their distribution; five law clerks to equalize resources among judges to facilitate frontloading; and a limited duration senior staff counsel for the transition so cases already under advisement do not languish.

Supreme Court Staffing

The Supreme Court's central legal staff support the Court on opinions, motions, and case resolutions, and non-case related issues (e.g., bar and rules committees, and self-represented litigant process matters). The Court needs an additional senior staff counsel to support timely case dispositions and non-case related work, and to provide for equitable staff allocation among justices.

Approving this package will add seven permanent positions phased in and one limited duration position to support the new appellate court workflow and case management model and an additional senior staff counsel position to support existing workload in the Supreme Court. In total, the package funds 6.88 FTE, (9 positions) \$1.9M GF.

¹ Hon. Roy McLeese III, *Trying to Write Fair Opinions*, 27th Annual Brennan Lecture on State Courts and Social Justice (Institute of Judicial Administration at NYU School of Law, October 25, 2022).



Oregon Judicial Department

POP 108

Improving Outcomes for Communities: New Judges & Support Staff

Key Points

- ✓ Oregon communities need 36 additional circuit court judges; this package adds 7.
- ✓ Adequately resourced courts are critical to improving access to justice for all Oregonians.
- ✓ NCSC found that Oregon courts are "significantly under resourced..."
- ✓ OJD is requesting seven new judge positions, with staff, in six communities with the greatest need.
- ✓ Companion legislation introduced by the Chief Justice (see SB 235).

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New Judges and Support Staff

Oregon communities need more judicial resources, as demonstrated by a nationally developed, validated measure of judicial workload. The workload data show Oregon should have an additional 36 circuit court judges to serve our communities, manage caseloads effectively, and be able to meet timely disposition standards. These positions are critical to improving access to justice for all Oregonians.

OJD's judicial workload model measures the amount of time judicial officers have available to hear cases and the amount of time it takes to hear and decide each type of case. The model was developed by the National Center for State Courts (NCSC) and updated in 2015. The workload data is updated annually to reflect average annual case filings. NCSC found that Oregon courts were "significantly under resourced, even without accounting for 'best practices' . . . used to improve outcomes for parties."

Improving Outcomes for Communities

Adding judicial resources to communities with the greatest need will help improve outcomes for timely resolution, procedural fairness, and ensure courts have the resources to implement best practices in case management to improve court efficiency. To begin filling the gap, OJD proposes to add judicial positions (with accompanying staff) in the following six circuit courts (listed in order of need):

- Jackson
- Washington (2 judicial positions)
- Lane
- Josephine
- Douglas
- Clackamas

Approving this package will add seven judge positions with support staff. In total, the package funds 24.64 FTE (28 positions), \$6.6 million GF.



Oregon Judicial Department

POP 110

Classification & Compensation Changes

Key Points

- ✓ OJD's compensation structure should be competitive for both new hires and long-term employees.
- ✓ OJD job profiles must be updated on a regular schedule to ensure internal equity and provide an accurate foundation for external comparison (market).
- ✓ Market data should be reviewed on a regular schedule to maintain the OJD compensation plan and ensure we stay competitive to retain and recruit our employees.

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Classification & Compensation Changes

The Chief Justice of the Oregon Supreme Court is the administrative head of the Oregon Judicial Department, the state-funded unified court system. ORS 1.008 directs the Chief Justice to establish and maintain a personnel plan for OJD employees. The statewide OJD personnel plan includes the classification and compensation structure for exempt service OJD employees. Under ORS 240.245, the salary plan for exempt service employees must be in reasonable conformity with the general salary structure of the state.

The Oregon Judicial Department (OJD) provides a total compensation package (pay, benefits and retirement) that values the experience, education, and years of service of prospective and current employees. Our goal is to create a compensation structure that is competitive, based on the labor market, for both new hires and long-term employees.

In February 2021, the OJD commenced a two-year statewide classification and compensation study of all job classifications. The objectives of this study were to review all classification specifications and update them to more accurately reflect the work assigned, create classifications to address situations where work out of class or differentials were necessary due to lack of a classification, to consolidate classifications where feasible based on similar work, and to realign positions to the new classifications. The classification study included a detailed review of each OJD classification conducted by the National Center for State Courts (NCSC) and the OJD's Human Resource Services Division (HRSD). Numerous job profiles were out of date and had not been studied in many years.

In April 2022, the classification portion of the study was completed and OJD contracted with HR Answers, Inc. to conduct a comprehensive review of OJD's compensation structure, an internal pay equity review for each job profile, and labor market research to identify the competitive pay ranges for each job profile based on comparable market data. The market comparators used included public, private and not-for-profit sectors. Our compensation strategy is to consider pay levels relative to those in the existing marketplace. By matching the pay rates of our market comparators, or the types of organizations that OJD may gain employees from or lose employees to, we ensure our compensation structure remains competitive, therefore improving our ability to attract and retain talented employees.

The related salary range changes will be implemented effective 4/1/2023, on a "least cost implementation" basis. Approving this package will provide \$13.8 million GF and \$0.7K OF to cover the additional costs above 2023-25 CSL Budget to move all OJD staff into the new classification and compensation plan (salaries and OPE).

Though not a budgetary impact, the calculated current top-step to proposed top-step change for OJD staff (permanent financing), if all positions were filled at the top step (as opposed to the "least cost implementation basis"), is an increase of \$44.27 million in General Fund, an increase of \$2.25 million in Other Funds and an increase of \$38,616 in Federal Funds.



Oregon Judicial Department

POP 111

Comparable Pay for Judges: Improve Judicial Compensation

Key Points

- ✓ Oregon circuit judges continue to have the lowest cost-adjusted salary of any state's trial judges.
- ✓ Recruitment and retention are a challenge when judges are paid substantially less than similarly experienced public-sector attorneys.
- ✓ Almost 40% of OJD judges have served less than five years, and only 15% have served at least 15 years.
- ✓ Two 10% salary increases will bring Oregon out of the bottom range nationally and achieve parity with senior OPDS and ODOJ attorneys.
- ✓ Senate Bill 233 introduced to implement these increases.

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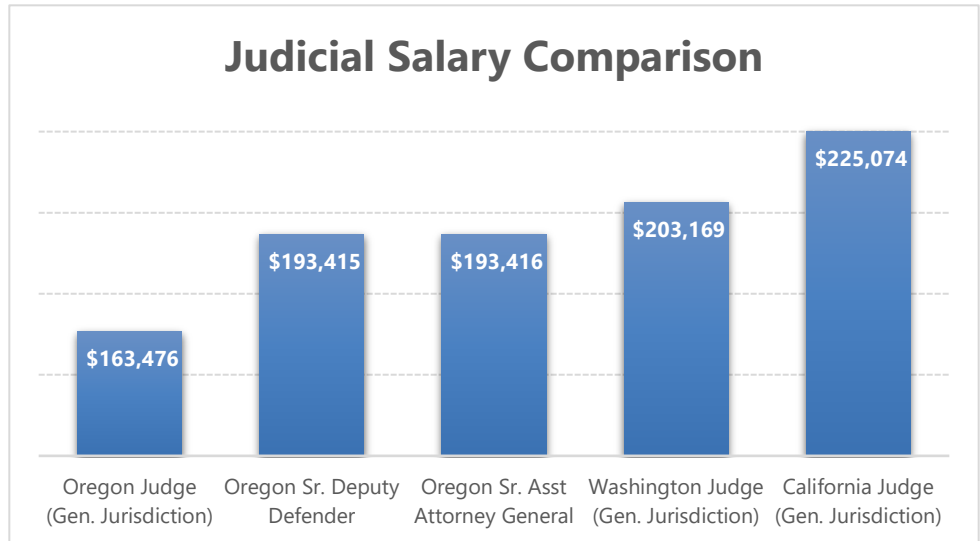
Improve Judicial Compensation

Oregon judges do not receive salaries that match their responsibilities or that compare well against their peers in other states or comparable public-sector attorneys in Oregon. Salaries are set in statute for elected judges in the Supreme Court, Court of Appeals, Tax Court, and circuit courts. Unlike staff, judicial salaries are not required to be based on market comparisons and judges do not receive merit or step increases according to a compensation plan. Although COLAs help keep up with inflation, they do not adjust salaries to address changing market conditions.

Despite much-appreciated increases in recent years, judicial salaries in Oregon continue to lag well behind salaries in other states, as noted in the latest survey conducted by the National Center for State Courts (NCSC). While Oregon's salary for circuit court judges now ranks 35th nationally in absolute dollars, Oregon's comparatively high cost of living means Oregon's cost-adjusted salary for circuit court judges is 50th in the country.

Diversity, Recruitment, and Retention

The following chart shows the difference in salaries in 2023. It demonstrates the significant and growing gap between judicial salaries in neighboring states and salaries for senior attorneys in Oregon's Department of Justice (DOJ) and Office of Public Defense Services (OPDS).



To retain our judges and to attract qualified individuals from diverse backgrounds, POP 111 establishes two 10% judicial salary increases: one on July 1, 202²³, and another on January 1, 202⁴³. These increases would provide compensation that is similar to the current salaries for senior attorneys in DOJ and OPDS, but still significantly less than attorneys in management roles in those agencies.

Approving this package will provide \$17.3 million GF to increase judicial compensation. The Chief Justice will introduce companion legislation.



Oregon Judicial Department

POP 112

Representative Juries: Increase Juror Pay & Mileage Rates to Improve Access to Justice

Key Points

- ✓ Addresses some of the economic barriers and inequities many people face when summoned to serve on juries in Oregon.
- ✓ Raises juror pay from \$10 dollars to \$50 a day for the first two days of service, and to \$60 a day thereafter. Authorizes cost of living adjustments.
- ✓ Brings Oregon to parity with the federal court system and several other states.
- ✓ Raises reimbursement rates from 20 cents a mile to current GSA rate (62.5 cents a mile as of 10/22).
- ✓ Companion legislation introduced by the Chief Justice (see HB 2224).

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Increase Juror Pay & Mileage Rates

OJD seeks to raise juror pay from one of the lowest rates in the nation. Jury pay and mileage is set by statute and has not been updated in many decades. Current rates do not begin to cover the costs of a day's loss of work, child-care, elder care, parking, transportation, food costs, and other financial losses incurred when individuals fulfill their required jury service duty.

To make sure all Oregonians can perform this important civic duty without serious economic hardship, we must raise the compensation and mileage reimbursement rates.

Representative Juries

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. We hope this change will also increase the response rate, bringing in more individuals who can make this important sacrifice, thus improving turnout, representation, and engagement.

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

This policy option package will not affect rates of compensation in justice or municipal courts which have distinct daily compensation and mileage rates in statute.

Approving this package would provide \$21 million GF in additional jury pay and increased mileage rates for Oregonians who do not receive employer-provided paid jury leave, currently optional under Oregon state law.



Oregon Judicial Department

POP 113

Improving Outcomes: Family Treatment Courts

Key Points

- ✓ Family Treatment Courts provide enhanced equity and access to justice.
- ✓ Continues pro tem funding for FTCs created by Special Purpose Appropriations made in Sept. 2022 (Benton, Polk, Clackamas, Josephine counties).
- ✓ Central program staff provide consistent implementation of best practices, improved data quality, and increased stakeholder collaboration.

Family Treatment Courts

Family Treatment Court (FTC) is a multidisciplinary, evidence-based, problem-solving model serving child-welfare-involved families where parental substance use is a factor contributing to abuse or neglect.

Central program staff provide statewide coordination to promote best practices supporting safe and stable family reunification within mandatory federal timelines. Program staff also establish resources to provide ongoing training and technical assistance to local Family Treatment Court Teams, as well as the development and implementation of structured program evaluation, outcome measurement, and data reporting protocols.

Collaboration with Local Partners

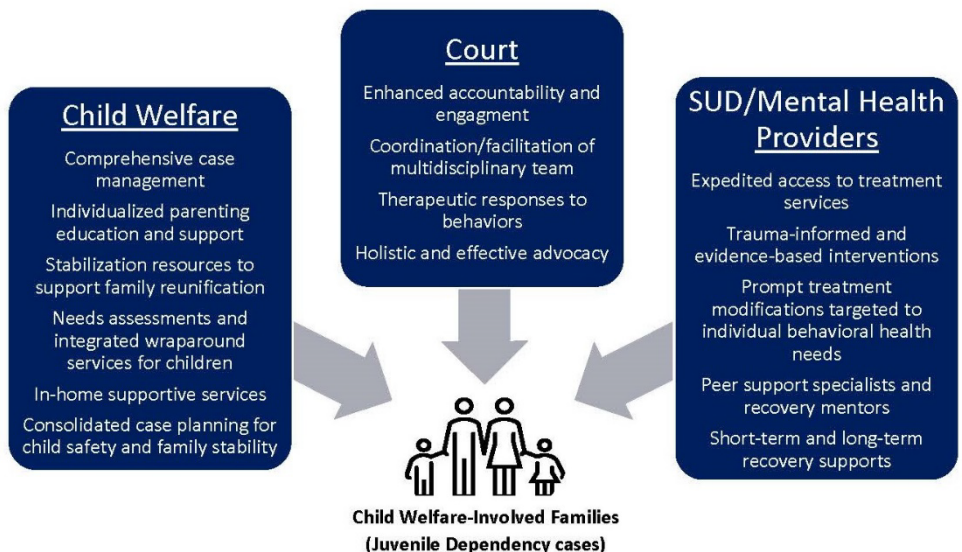
The Statewide Family Treatment Court Coordinator promotes consistency across Oregon’s FTCs to provide equal access to justice, ensures adherence to research-based best practice recommendations, and facilitates collaboration with system partners through the multi-agency Family Treatment Court Advisory Committee.

Approving this package will continue support for central program staff after federal grant funding expires in 2023 and provide dedicated and trained pro tem judicial resources for four new family treatment courts (Benton, Polk, Clackamas, and Josephine). In total, the package funds 1.76 FTE (2 positions), \$829K GF.

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Oregon Judicial Department

POP 114 & 115

Leading People Out of the Justice System: Specialty Courts Work!

Key Points

- ✓ Treatment 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.¹
- ✓ 93% of Oregon's 2021 treatment court graduates had zero justice system reinvolvement within a year of graduation.²
- ✓ Direct funding of OJD specialty court coordinators preserves grant funds for essential participant services to address the diverse needs of the communities we serve.

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Oregon's 66 specialty courts serve over 2,000 participants annually. Since 1991, these courts have been an integral part of the justice system, promoting public safety through court-directed supervision and intensive treatment for high-risk/high-need individuals with substance use or behavioral health issues. However, the current funding structure for specialty court coordinators – primarily through biennial CJC grants – creates instability, challenges quality assurance efforts, and has the unintended consequence of diverting funding from participant services.

POP 114 – Specialty Court Enhancements

Specialty courts prove that providing supervision, structure and evidence-based treatment is a far more successful approach to substance use and mental health disorders than punishment or incarceration alone. Specialty Court Coordinators are the conduit between the court, participants, and community partners, ensuring access to treatment and connection to services. Coordinators are necessary to comply with the research-based Oregon Specialty Court Standards by ensuring that each local team is adhering to best practices. They provide training and technical assistance to local teams, and implement consistent data collection and reporting, outcome measurement, and evaluation.

Approving this package will add fourteen specialty court coordinators phased in to support new, understaffed, or unstaffed specialty courts in Baker, Clackamas, Clatsop, Columbia, Coos, Crook, Douglas, Hood River, Josephine, Lane, Lincoln, Malheur, Tillamook, and Yamhill counties. In total, the package funds 10.13 FTE (14 positions), \$2.5 million GF.

POP 115 – Stable Funding for Existing Specialty Court Coordinators

Specialty Court Coordinators are OJD employees currently funded through biennial CJC grant funds. This funding process requires significant administrative work in applying for and managing the grant, contributes to instability and inconsistencies within specialty courts, and makes it difficult to recruit and retain coordinators. The current funding process diverts valuable resources to administrative tasks and away from the critical work of treatment court coordination and best practice implementation.

Direct funding of coordinator positions enables CJC to fund essential participant services like housing, uninsured treatment, and culturally specific services which have all increased in cost and complexity and decreased in availability and accessibility.

Approving this package would direct fund coordinator staff in the specialty courts that are supported through CJC grants. This would reduce paperwork and billings across agencies and provide stable funding to help retain staff. In total, the package funds 22.45 FTE (30 positions), \$6.3 million GF.

¹ See National Association of Drug Court Professionals, [Treatment courts are justice reform - NADCP](#), for studies and research.

² Justice system reinvolvement is a measure of whether new circuit court charges have been filed. In 2021, 443 participants graduated specialty court programs.



Oregon Judicial Department

Court Security Entrance Screening

POP 116

Safe Courthouses: Court Security Entrance Screening

Key Points

- ✓ Local Court Security Accounts have been chronically underfunded for years.
- ✓ Most court facilities have no entrance screening, and some courts may lose their entrance screening because of lack of funding.
- ✓ OJD is proposing a partnership with counties to provide safe court facilities for our court users, court staff, and judges.

OJD's mission is to provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence. To fulfill this mission and inspire public trust and confidence in those we serve, it is important for people to feel safe when they enter our courts. Of the 36 circuit courts in Oregon, only 14 counties have entrance screening to protect our court users, court staff, and judges. All state court facilities need security entrance screening, but local court security accounts have been chronically underfunded for years.

All State Court Facilities Need Security Entrance Screening

Local court security accounts authorized under ORS 1.178 and 1.182 supplement court security provided by local Sheriff's offices. Unfortunately, the funding stream has been insufficient for many years and court security needs have increased, putting additional pressure on local court security accounts. Courts like Benton and Jackson have either had to downgrade or consider closing screening stations due to declining revenues, while courts with no security screening remain vulnerable, without a viable remedy. Many other courts are not able to provide basic security improvements or upgrades, such as security cameras. Sadly, violence against judges has been increasing across the country.¹ Without additional court security funding to meet minimum security standards, all court occupants – including both users and staff – are at risk.

A Partnership with Courts and Counties

To establish a minimum-security standard for all court facilities, OJD is asking for a state investment to provide funding for security screening equipment in 22 counties that have no entrance screening and share the costs of screening personnel with counties for all court facilities statewide. Counties will also ensure there is only one public entrance into the court facility and continue to provide on-site law enforcement.

Counties With No Court Security Entrance Screening		
Clatsop	Hood River	Polk
Columbia	Jefferson	Sherman
Coos	Josephine (Juvenile)	Tillamook
Crook	Lake	Umatilla
Curry	Linn	Wallowa
Gilliam	Malheur	Wasco
Harney	Morrow	Wheeler

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Approving this package would provide \$12.5 million GF to implement the minimum-security standard for all court facilities established in Chief Justice Order (CJO) 17-072.

¹<https://www.nycbar.org/media-listing/media/detail/the-disturbing-trend-of-threats-and-violence-against-judges-and-the-vital-importance-of-judicial-security>



POP 118

Improve Access to High-Quality Civil Legal Services: Legal Aid for Low-Income Oregonians

Key Points

- ✓ The Oregon State Bar's Legal Services Program provides fiscal and regulatory oversight of statewide civil legal service providers and immigration legal service providers
- ✓ Increased state funding for civil legal services will:
 - Strengthen access to legal help and tools for low-income Oregonians to protect their homes, livelihood, and families
 - Support capacity and infrastructure for Oregon's integrated statewide civil legal aid providers
 - Stabilize funding for comprehensive immigration legal services

Questions?

Please contact Susan Grabe, Chief Communications and Public Affairs Officer, Oregon State Bar:
sgrabe@osbar.org

Legal Aid for Low-Income Oregonians

The state budgeting system requires OJD to distribute General Funds to the Oregon State Bar's Legal Services Program, an external pass-through partner charged with fiscal and regulatory oversight of civil and immigration legal services providers.

Improve Access to High-Quality Civil Legal Aid Services

Approval of this package would provide funding for two distinct civil legal services funding requests.

1. Enable Oregon's statewide civil legal service programs to deliver vital civil legal help to low-income Oregonians to protect families, promote health and safety, and prevent housing insecurity, \$9.6 million GF.

Oregon's civil legal aid programs' work to identify and meet the pressing legal needs facing low-income Oregonians statewide. These funds support the continued development of a responsive, innovative, and accessible delivery model to help low-income and underserved Oregonians resolve high-stakes problems: protecting their homes, income, health care, safety, and families. The package also strengthens and modernizes the internal infrastructure within the civil legal aid organizations through additional administrative capacity, facilities, and technological enhancements.

2. Establish stable funding for immigration legal service providers, \$4.4 million GF.

Continue and expand the development of immigration legal services for Oregonians, including the implementation of Standards and Guidelines, by creating a stable funding stream for immigration legal service programs.

Approving this package will provide \$14 million GF for the Oregon State Bar, civil legal service, and immigration legal service programs.



Oregon Judicial Department

POPs 119, 121 & 122

Safe and Efficient Courthouses: Planning, Construction, and Improvement Projects

Key Points

- ✓ Many counties cannot afford to replace unsafe courthouses without state assistance.
- ✓ The Legislature created the OCCCIF and the SCFSA to make funding available for courthouse repairs and replacements. Projects must meet specific criteria.
- ✓ Counties must provide matching funds for OCCCIF projects and work with circuit courts to develop and submit requests to the AOC Court Facilities Task Force which makes recommendations to the Chief Justice.
- ✓ The Chief Justice submits prioritized requests to the Legislature every two years.

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The Chief Justice works with the Association of Oregon Counties (AOC) to produce and submit a prioritized list of courthouse capital projects as part of the Chief Justice’s Recommended Budget (CJR). In addition to county and court submissions, priorities are informed by two reports:

1. In 2008, the Legislature funded a study to assess court facilities from “best-to-worst” (e.g., seismic, security, ADA, etc.).
2. In 2016, the Legislature requested the Oregon Judicial Department (OJD)/AOC to prioritize and estimate costs for projects likely to be requested in the next 12 years.

POP 119 - Planning for Future Oregon Courthouse Capital Construction and Improvement Fund (OCCCIF) Projects

Some courthouse replacement planning and feasibility costs cannot be funded using state bonds. The state has provided a General Fund match to cover these costs in the early stages of the project, prior to providing bond funding for the construction phases. The following planning project requests total \$4.7 million in general funds for the following counties:

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 122 – Construction Bonds for Future OCCCIF New Courthouses

The following construction project requests total \$87.1 million in bond funding for the construction phase of the replacement projects and \$167.1 million in OF limitation.

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 121 - State Court Facilities and Security Account (SCFSA)

The following repair/improvement project requests total \$8.7 million in Criminal Fine Account (CFA) funds or general funds for repairs and improvements to existing courthouses.

County	Project	2023-25 CFA/GF 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.



Oregon Judicial Department

POP 123

Continued Support for Access to Online Court Services: State Court Technology Fund Replacement

Key Points

- ✓ The Technology Fund provides support for public access and eFile services.
- ✓ Revenues for the Technology Fund are insufficient to cover expected costs.
- ✓ Increasing General Fund support can avoid increases to fees to access online court services and systems.

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State Court Technology Fund Replacement

The Technology Fund is statutorily dedicated to:

- Develop, maintain, and support state court electronic applications and systems
- Provide public access to those systems
- Provide access to court services and filings electronically

OJD has made it a priority to keep fees for access to court services minimal. As a result, technology fund revenues are relatively static while expenditures covered by the fund continue to rise. The Technology Fund is projected to have a \$2.2 million deficit for the 2023-25 budget cycle. OJD submitted a Modified Current Service Level Budget to account for this revenue shortfall.

Continued Support for Access to Online Court Services

The availability of tools to electronically file court documents, pay fines, submit on-line forms, and access court registers expands court access outside of the traditional in-person visit to a courthouse, reducing access barriers such as lost work time, childcare, transportation, parking costs, etc.

Most online court services are free to the public, and fee waivers and deferrals are available to those who qualify so that filing fees aren't a barrier to accessing justice. All government agencies and public safety entities receive free access to court registers, online documents, and eFile services. And Attorneys and litigants enjoy free eFile services. All of these free services ensure that court access is not a barrier, but increasing costs make these free services harder to support.

Increasing General Fund Support Provides an Alternative to Raising Fees for Court Services

In the past, revenue increases have required increases in filing fees or fines, transfers from the Criminal Fines Account, or increases in subscription fees for access to court registers and documents for attorneys and businesses. Increased General Fund support for the revenue shortfall in the Technology Fund would avoid these fee increases for access to court services.

Approving this package will add \$2.2 million GF to the State Court Technology Fund to cover the expected revenue shortfall in the 2023-25 biennium.

**Chief Justice’s Behavioral Health Advisory Committee
Progress Report for 2022 Judicial Conference
October 14, 2022**

SUMMARY OF BHAC PROGRESS

Chief Justice Walters established the Behavioral Health Advisory Committee (BHAC) in 2019 to better serve court users with behavioral health issues. BHAC is charged with developing and helping to implement best practices for courts “to efficiently, effectively, and humanely serve individuals who present with behavioral health challenges,” as well as providing direction to OJD on legislation regarding behavioral health issues. As envisioned, the BHAC is a gathering place where judges managing all types of cases involving people with behavioral health challenges can seek support, raise concerns, make recommendations to the Chief Justice, advocate for change, and learn from others.

In 2022, the BHAC continued its behavioral health work with the full committee and subcommittees meeting monthly. Current BHAC subcommittees include: Civil Commitment and Assisted Outpatient Treatment, Data Analysis, Performance Measures, Specialty Courts, and Procedural Fairness. Additionally, the Specialty Court Subcommittee has steering committees for adult drug courts, family drug courts, juvenile drug courts, mental health courts, and Veterans courts. If you would like more information about any of these subcommittees or would like to attend a meeting, please contact [Debra Maryanov](#).

BHAC 2022 ACCOMPLISHMENTS

- **Behavioral Health Data Dashboards:** With guidance from BHAC, OJD now has data dashboards for aid & assist, civil commitment, and specialty courts, all of which are updated daily.
 - *Aid & Assist Dashboard:* statistics on aid & assist defendants in Oregon’s circuit courts, including information on changes in the number of aid & assist defendants over time; most serious charge and most recent court-ordered placements for defendants currently unfit to proceed; time to filing evaluation reports; hearings held; time to exiting the aid & assist caseload; and disposition on defendants who have exited the aid & assist caseload
 - *Aid & Assist Coordinator Dashboard:* statistics on aid & assist defendant placements in ten circuit courts, including where aid & assist defendants are currently placement, what the most appropriate placement would be, and how many defendants are not currently in the most appropriate placement identified by the court
 - *Civil Commitment Dashboard:* statistics on civil commitment cases, including cases filed, cases pending, disposition of closed cases, commitments ordered, cases diverted, hearings held, trial visits, and certificates of recommitment
 - *Specialty Courts Dashboard:* statistics on specialty court referrals, acceptances, exit reasons, numbers of participants, and participant demographics
- **Behavioral Health Performance Measures:** BHAC continued to develop performance measures for OJD’s progress in meeting the needs of individuals with behavioral health issues. The BHAC Performance Measures Subcommittee is working on recommended performance measures and targets for veterans courts and mental health courts. In 2022, BHAC recommended the following performance measure targets for civil commitment, aid & assist, and adult drug court cases:

- *Civil Commitment*
 - Compliance with Statutory Timelines: 95% of ORS 426.130 commitment cases that go to a hearing have a hearing held or a certificate of diversion filed within 14 days of the case being filed
- *Aid & Assist*
 - Time in Jail Prior to Evaluation: 95% of defendants for whom the record receives a fitness evaluation are in jail for fewer than 60 days between their first appearance and the date the evaluation is filed
 - Time in Jail While Unfit to Proceed: 95% of defendant who are unfit to proceed are in jail for no more than 7 consecutive days after being found unfit
- *Adult Drug Court*
 - Graduation Rate: 59% of participant who exit drug courts graduate
 - Justice System Reinvolvement: 90% of drug court graduate do not have any new felony or misdemeanor charges filed in Oregon's circuit courts within a year of graduation
- ***Mink/Bowman Federal Litigation:*** BHAC offered ongoing input on the changing aid & assist landscape as necessary with *Mink/Bowman* orders and neutral expert reports concerning timely admission to the Oregon State Hospital of defendants found unable to aid & assist.
- ***Aid & Assist Coordinators:*** BHAC and OSCA behavioral health staff provided support to the growing number of local court aid & assist coordinators through guidance on data collection and entry for defendant placements and coordination with collaborating aid & assist entities. Aid & assist coordinators continued to meet monthly to share best practices and other behavioral health related information.
- ***Civil Commitment:*** The BHAC Civil Commitment/Assisted Outpatient Treatment Subcommittee continued to review and recommend improvements to court civil commitment processes. Topics for 2022 included service of citations, transport, trial visits, recertification, court appointed counsel, courtroom security, guardianships, and psychiatric advanced directives, among other topics. Chief Justice Walters established the Commitment to Change Workgroup to undertake a comprehensive review of Oregon's civil commitment laws and offer recommendations for reform to the legislature in 2025. The workgroup, which will meet from October 2022 to April 2024, consists of 21 members who represent a broad spectrum of stakeholders with an interest in Oregon's civil commitment system. BHAC co-chairs will serve on the workgroup as OJD representatives.
- ***BHAC Newsletter, The Intersect:*** BHAC continued to produce a quarterly newsletter dedicated to the unique topic of individuals at the intersection of behavioral health and the justice system. The newsletter archive is available on the [OJD Behavioral Health Sharepoint site](#).
- ***Procedural Fairness:*** The Procedural Fairness Subcommittee continued to review and recommend best practices for courts to ensure procedural fairness for individuals with behavioral health challenges. The subcommittee also assisted courts seeking staff and judge training, such as a Mental Health Awareness Training for all Washington County Circuit Court staff this month.

- **Collaboration with OJD’s Behavioral Health and Justice System Partners:** BHAC members and staff facilitated and represented OJD on several multi-stakeholder committees and workgroups to improve statewide systems at the intersection of Oregon’s behavioral health and justice systems.
 - The Aid & Assist Workgroup continued efforts to find consensus around statutory improvements to Oregon’s aid & assist statutes.
 - The legislature’s Behavioral Health Transformation Workgroup invited OJD to present on issues of importance to the justice system and to participate in workgroup subcommittees on state funding for populations that counties are required to serve, administrative burdens of community mental health programs, and the expansion of Certified Community Behavioral Health Clinics (CCBHCs).
 - Oregon’s workgroup for the GAINS Center Community of Practice on Competence to Stand Trial and Competence Restoration focused on three objectives for 2022: (1) development of a more coordinated statewide system for forensic evaluations; (2) dedicated housing for hard-to-place defendants with behavioral health issues; and (3) development of behavioral health justice hubs statewide to provide treatment and services that enable deflection from jail and emergency rooms.

- **Behavioral Health + Economics Network (BHECON):** OJD was invited to partner with the Oregon Council on Behavioral Health (OCBHI) in a community of practice of the National Council for Mental Well-Being to address the intersection of behavioral health and criminal justice. Based on that collaboration, OCBHI will be presenting concepts to its membership at its annual leadership conference this month for the state to fill the gap in residential placements for justice-involved individuals by constructing and operating one or more residential treatment facilities dedicated to short-term placements of defendants who have been found unable to aid & assist.

- **Behavioral Health Summit:** BHAC provided guidance to an OJD-hosted Behavioral Health Summit in December 2021 and January 2022 that brought together over 300 participants representing broad segments of the behavioral health and justice systems. The purpose of the Summit was to envision a more integrated behavioral health system that can better meet the needs of the adult justice-involved population.

- **Specialty Court Grants and Funding:** Specialty court funding was secured through several sources:
 - Criminal Justice Commission Specialty Court Grants provide funding through the first year and will be ending June 30, 2022. OCSA will seek a POP that requests general funding for Coordinators to increase program stability and sustainability.
 - OSCA applied for and was awarded two grants:
 - A four-year grant for Adult Drug Courts through the Bureau of Justice Assistance (BJA) that will focus on equity of access to specialty courts and the identification of qualifying candidates through validated screening tools.
 - A grant from BJA to receive technical assistance through the Center for Court Innovation (CCI) to enhance, support, and strengthen Veterans Treatment Courts (VTC) across Oregon.
 - Family Treatment Court (FTC) SPA Funding: With other stakeholder agencies, OJD secured funding to launch five new Family Treatment Courts and add personnel to existing

programs. Additionally, the funding enabled the creation of a dedicated statewide Analyst position to support use of the Specialty Court Case Management System.

- OJJDP Family Treatment Court Grant: Completed year 2 of the grant. The past year focused on providing training and technical assistance to guide the planning and implementation of five new Family Treatment courts in 2022 and multiple Coordinator and Team training opportunities, including the first FTC All-Teams meeting. The grant also facilitated contracts with local agencies to provide resources to promote family reunification for FTC participants.
- **Specialty Court Resources, Tools, Data, and Best Practices:** Data dashboards were created to track statewide and local program data. The OSCA Specialty Court Team hired a Specialty Court Analyst and SCMS Analyst to increase bandwidth for support to local programs and to manage various the various statewide initiatives. Additional staff will be hired to support the BJA grant work. OSCA was awarded a technical assistance grant with CCI to enhance, support and strengthen Veterans Treatment Courts across Oregon. Following a needs assessment by CCI, an action plan will be developed during a two-day strategic planning workshop.
- **Specialty Court Training and Support:** A statewide specialty court training was conducted for all specialty court team members. Monthly court specific steering committees continue to be available to all specialty court judges. Regular coordinator meetings continue to be available to all specialty court coordinators, in addition to chat groups for peer-to-peer information sharing.

STAFF CONTACTS

OSCA staff are available as a resource to courts on behavioral health issues. These tables will help you reach the best person to answer your behavioral health and specialty court questions.

Behavioral Health Team: Statewide legal, programmatic, and data services related to behavioral health

Staff	For Questions On:	Contact Info
<i>Debra Maryanov</i> Senior Assistant General Counsel for Behavioral Health	<ul style="list-style-type: none"> • BHAC membership & meetings • OJD Strategic Campaign Initiative 1.1 • Behavioral health legislation • Behavioral health legal Issues • GAINS Center project • OJD Behavioral Health SharePoint • Collaboration with OJD behavioral health and justice system partners 	Office of General Counsel debra.c.maryanov@ojd.state.or.us (971) 718-6628
<i>Christopher Hamilton</i> Behavioral Health Business Analyst	<ul style="list-style-type: none"> • Aid & assist placements • Business processes for aid & assist, civil commitment, GEI • BHAC Civil Commitment/AOT Subcommittee • OJD Behavioral Health Newsletter • Behavioral health funding, including Medicaid 	Civil and Criminal Court Programs Division christopher.j.hamilton@ojd.state.or.us (971) 900-7976

Staff	For Questions On:	Contact Info
<i>Conor Wall</i> Behavioral Health Data Analyst	<ul style="list-style-type: none"> • OJD behavioral health statistics and dashboards • Data entry and cleanup • OJD behavioral health performance measures 	Business & Financial Services Division conor.p.wall@ojd.state.or.us (503) 986-5418

OJD Specialty Court Team: Statewide support of Oregon’s specialty courts

Staff	For Questions On:	Contact Info
<i>Sam Dupree</i> Assistant General Counsel for Specialty Courts	<ul style="list-style-type: none"> • BHAC Specialty Court Subcommittee • OJD Strategic Campaign Initiative 1.5 • Specialty court legal issues • Specialty court policy and procedures 	Office of General Counsel l.s.dupree@ojd.state.or.us (971) 283-1133
<i>Danielle Hanson</i> Statewide Specialty Court Coordinator	<ul style="list-style-type: none"> • BHAC Specialty Court Subcommittee (Lead) <ul style="list-style-type: none"> ○ Steering Committees <ul style="list-style-type: none"> ▪ Adult Drug ▪ Mental Health ▪ Juvenile ▪ Veterans • Specialty court best practices • Specialty court coordinator support • SCMS best practices • New specialty court consultation • Specialty court trainings • OJD Specialty Court SharePoint 	Civil and Criminal Court Programs Division danielle.c.hanson@ojd.state.or.us (503) 983-5313
<i>Rachael Holley Mark</i> Specialty Court Analyst	<ul style="list-style-type: none"> • Specialty Courts 	Civil and Criminal Court Programs Division rachael.h.mark@ojd.state.or.us (971) 701-5287
<i>Mia Ruston</i> Family Dependency Treatment Court Analyst	<ul style="list-style-type: none"> • Family Treatment Courts • OJJDP Grant • Family Treatment Courts training, technical assistance, and evaluation 	Juvenile and Family Court Programs Division mia.e.ruston@ojd.state.or.us (503) 986-5733

Agency Name: Oregon Judicial Department (19800)	
2023 - 2025 Biennium	
OJD GF LAB Budget by Appropriation	
OJD General Funds ARB - Debt Service (Not Included)	\$ 47,235,780
OJD General Funds ARB - Judicial Comp	\$ 105,930,600
OJD General Funds ARB - Operations	\$ 430,801,145
OJD General Funds ARB - Mandated Payment	\$ 18,895,302
OJD General Funds ARB - Pass-through	\$ 16,780,386
OJD General Funds ARB - Legal Aid	\$ 13,957,733
OJD General Funds ARB - 3rd Party Collections	\$ 17,376,240
OJD General Funds ARB - E-Court Program	\$ 8,787,755
OJD General Funds CSL - Total	\$ 612,529,164
Total OJD ARB Funds for Reduction Plans	
5% Reduction Total	\$ 30,626,458
10% Reduction Total	\$ 61,252,916
15% Reduction Total	\$ 91,879,375

Detail of Reductions to 2023-25 Current Service Level Budget - Initial 5% Reduction																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Priority (ranked most to least preference)	Agency	SCR or Activity Initials	Program Unit/Activity Description			GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes/No	Impact of Reduction on Services and Outcomes
Dept	Prgr Div															
			400	Local Court Security Pass-through to Counties				(166,333)				\$ (166,333)				Local Court Security Accounts assist counties in providing security services and systems in county courthouses. The current funding level is already so low that most counties currently do not receive enough funding to meet minimum standards. Reductions in this area would impact counties and require increased local funds or a reduction in already stretched or insufficient safety programs.
			400	State Court Facilities and Security Programs				(224,699)				\$ (224,699)				A 5% reduction would impact security projects in county courthouses and replacement of required equipment.
			500	Technology Fund				(194,379)				\$ (194,379)				For the 2023-25 biennium, there is already a \$2.2 million revenue shortfall for the fund, and any additional reductions would most likely result in personnel layoffs of technical staff who support the system.
			210	Third-Party Collections - payments to support collections of required fees, fines and awards for the state of Oregon, Oregon Counties, crime victims and other award recipients as well as merchant fees when credit cards are used to pay for these items.				(\$868,812)				\$ (868,812)				A \$868,812 reduction below CSL would result in a projected \$5.7 million in reduced collection revenue and would most likely impact outside third-party collection activities including possible downstream impacts to DOJ-Other Agency Accounts staff who are funded by collection fees. The CSL budget for Third-Party Collections is \$17.4 million for 2023-25, which may be \$3 million less than the projected 2023-25 expenditures, post pandemic spending levels. For fees paid for successful collections, approximately 65% are paid to DOJ (and DOJ/treasurer) and approximately 20% (\$3.6 million) are paid to an outside collection company.
			220	External Pass-Through - was established for the 11-17 biennium for payments to outside entities which had been funded in the past from outside the OJD budget. The following are provided funding from this appropriation: • County law libraries • County mediation/arbitration programs • Biennial funding for Council on Court Procedures • Biennial funding for Oregon Law Commission				(\$330,019)				\$ (330,019)				Current mediation funds are not adequate to cover the need. Cuts to mediation funding will directly impact the number of parents who are able to participate in mediation. At this level, it's likely the court will have to reduce the number of hours available for mediation or reduce the number of cases referred to mediation. Case resolution of custody and parenting time will be delayed for all cases due to the increased numbers of cases for the court to hear. Over time, we would expect an increased number of parents to come back for modifications of custody and parenting time, as court mandated resolutions are not considered as durable as agreed upon terms in mediation. We would also expect child well-being and outcomes to suffer as parental conflict increases. Reductions to Law Libraries have in the past resulted in reduced hours of availability, which directly impact self-represented patrons who need these resources the most. Pass-through funding is dictated via statute and is not controlled by OJD. Based upon the proposed budgets, these reductions would result if the following levels of reduced payments County law libraries - \$468,952 County mediation/arbitration programs - \$408,952 Oregon Law Commission - \$16,248 Council on Court Procedures - \$2,867
			220	Legal Aid - Pass through funds supplied to Oregon Bar for their Legal Services Program. The Oregon State Bar Legal Services Program funds an integrated, statewide system of civil legal aid organizations enabling low-income Oregonians to address critical legal issues directly affecting their families, homes, income, job, and access to vital services such as education and health care.				(\$697,887)				\$ (697,887)				This reduction will decrease the client service capacity of Oregon's integrated and statewide legal services, compromising low-income and underserved Oregonians access to civil legal help. At an average of 70 closed cases per attorney/year, this could result in 300 fewer cases handled and denial of services to 700 persons each biennium in complex matters affecting housing preservation, family safety and stability, and access to essential life needs. Legal Aid will be passed through to the Oregon Bar in quarterly payments of \$1,744,716. This reduction would eliminate 40% of the final quarter payment.
			200	Mandated Payments - constitutional due process rights include statutorily required court payments to fund juror per diem, court interpretation, and ADA compliance				(\$944,765)				\$ (944,765)				Juries bring the voice of local communities to the administration of justice in criminal and civil cases, including those involving personal injury, discrimination, and medical malpractice. Mandated expenditures for 23-25 are expected to exceed \$22 million as Court Operations have returned, post pandemic. Additional reductions would most likely decrease the number of trials that OJD can operate during the biennium by at least one month of capacity, or approximately 180 jury trials, resulting in loss of capacity, case backlogs, and increased delays for injured litigants seeking justice.
			010	Judicial Compensation - constitutionally protected General Fund appropriation for judicial salaries, taxes and benefits.				(\$5,296,530)				\$ (5,296,530)	(24)	(24.00)		Judicial Compensation, due to it's constitutionally protected nature, cannot be reduced. If the Oregon Judicial Department is required to account for a reduction associated in this appropriation, OJD will be forced to reduce other GF appropriations. A \$5.3 million reduction would result in a further reduction of approximately 24 FTE in the State Court System Operations and cause reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations.
			500	Oregon eCourt Operations and Maintenance - payments for Oregon Judicial Information Systems Vendor Maintenance Agreements for software components				(\$439,388)				\$ (439,388)	(2)	(2.00)		Since contractual maintenance agreements must be maintained for operational systems - OJD would be required to provide funding from other GF appropriations to backfill reductions in this area which would require additional personnel reductions, resulting in reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations.
				State Court System Operations - provides fair and accessible justice services that protect the rights of individuals, preserve community welfare, and promote public safety				(\$21,540,657)								Due to interdependencies between State Courts operational components budget impacts are aggregated in this line as the overall state court system. Impacts and outcomes are also shown below by operational area. FTE impacts are based on the average cost per FTE for that area. Under ORS 1.002, the Chief Justice has administrative authority to reallocate resources and determine court closures and operating hours across the state court system. Personal Services costs represent 89% of the Operations Appropriation, with much of the Services and Supplies budget in non-reducible categories like State Government Service Charges making reductions a heavily weighted towards staffing resource reductions.
			101	Appellate Courts (Supreme Court, Court of Appeals) and Tax Court - appellate courts review decisions of lower courts and other tribunals and are final arbiters of state law; tax court has exclusive, statewide jurisdiction on cases that involve Oregon's tax law.				(\$1,464,096)				\$ (1,464,096)	(6)	(6.50)		Expected outcomes include delays in case processing in all three courts, undermining the ability for these courts provide timely decisions, and adequate maintenance of briefs and decisions for the court system. A reduction of approximately \$1.5 million associated with the first 5% cut could result in a reduction of 6.5 FTE, impacting support functions for the Supreme Court, Court of Appeals and Tax court.
			102	Office of the State Court Administrator and Central Support - core business and central support structure which maintains the statewide court system and is the Chief Justice's administrative entity for OJD				(\$4,714,374)				\$ (4,714,374)	(15)	(15.00)		Reductions would delay development of programs and services and decrease access to justice for self-represented litigants, as well as result in loss of consistency in business processes, and training & education for staff and judges. Specifically, this would slow the development of forms and accessibility tools for self-represented litigants, the provision of court protections and oversight for individuals who are at risk of physical neglect or financial fraud, and the implementation of a consistent statewide pretrial release program. Reductions would also negatively impact OJD's ability to provide support in all case types and program areas (landlord/tenant, guardianship and conservatorship, alternative dispute resolution, criminal, small claims, etc.), including child support and juvenile programs where OJD secures associated federal matching funds. It would also compromise OJD's ability to support Oregon's trial court operations and IT system, and could reduce appropriate maintenance, support, and security protections of the Oregon Judicial Information System. Reductions will also harm OJD's ability to aggregate, display, and analyze data in all case types. A \$4.7 million reduction for OSCA would require eliminating approximately 15 FTE, a 6% reduction of FTE for Administration. The OSCA operational budget contains the department's non-reducible statewide expenditures like state government service charges, and due to these charges, personal services must be reduced at a higher rate than other operational areas of OJD.
			100	Trial Courts (Circuit Courts) - 27 judicial districts in 36 counties statewide; general jurisdiction courts (e.g. handle cases involving criminal, civil, small claims, traffic, domestic relations, probate, guardianship, civil commitments, juvenile dependency, and delinquency, abuse and restraining orders, administrative agency, appeals from municipal courts and other matters).				(\$15,361,587)				\$ (15,361,587)	(74)	(73.40)		Impacts would include reduced reduced court operating hours/days, reduced phone and public service hours, reduced hearings and trials that can be held, reduced revenue collections and processing of violations, reduced court capacity including facilitation services to self-represented litigants and treatment court coordinators, and resulting increase in case backlogs. Reductions would also harm OJD's focus on accurate and timely data entry, hampering our ability to provide accurate and timely data reports. A \$15.4 million reduction for trial courts for the 23-25 biennium would result in the elimination of approximately 73.4 FTE in the Circuit Courts across the state.
							(\$30,626,458)					\$ (30,626,458)	(123)	(119.90)		

Target \$ (31,211,865)
Difference \$ -

Agency Name: Oregon Judicial Department (19800)

2023 - 2025 Biennium

Detail of Reductions to 2023-25 Current Service Level Budget - 10% Total Reduction Level

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority ranked most to least preferred	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
			Local Court Security Pass-through to Counties												
	400		In 2011, court security assessments that went directly to county security accounts were repealed and changed to direct deposits into the CFA, and an overall biennial allocation was created. Funding has remained relatively static since 2013-15 with the 2023-25 CSL allocation only 10.5% higher than the 13-15 amount.			(166,333)				\$ (166,333)					Local Court Security Accounts assist counties in providing security services and systems in county courthouses. The current funding level is already so low that most counties currently do not receive enough funding to meet minimum standards. Reductions of \$302,669 in this area would impact counties and require increased local funds or a reduction in already stretched or insufficient safety programs.
			State Court Facilities and Security Programs												
	400		The Marshall's Office provides physical security for the Oregon Supreme Court, Court of Appeals, Tax Court and the Administrative Division of OJD. In addition, security standards and assessments, business continuity and emergency preparedness, threat responsiveness, and security system updates.			(224,699)				\$ (224,699)					A 10% total reduction (\$449,398) would impact security projects in county courthouses and replacement of equipment.
			Technology Fund												
	500		In the 2017 Legislative Session, HB 2797 was passed increasing fine amounts to fund an allocation to the Technology Fund, which supports electronic access to court information for external users. This allocation has remained static since adoption. Expenditures in the Technology fund cover contractual obligations that provide electronic filing and payment services and support positions.			(194,375)				\$ (194,375)	1	1.00			For the 2023-25 biennium, there is already a \$2.2 million revenue shortfall for the fund, and a 10% reduction (\$388,750) would result in personnel layoffs of technical staff who support the system.
			Third-Party Collections - payments to support collections of required fees, fines and awards for the state of Oregon, Oregon Counties, crime victims and other award recipients as well as merchant fees when credit cards are used to pay for these items.	(868,812)						\$ (868,812)					An additional \$868,812 (\$17 million total) at the 10% reduction level below CSL would result in a projected \$11.3 million in reduced collection revenue and would likely result in OJD not sending debt for outside third-party collections including possible downstream impacts to OOR/Other Agency Accounts staff who are funded by collection fees.
			External Pass-Through - was established for the 11-17 biennium for payments to outside entities which had been funded in the past from outside the OJD budget. The following are provided funding from this appropriation: • County law libraries • County mediation/conciliation programs • Biennial funding for Council on Court Procedures • Biennial funding for Oregon Law Commission	(839,019)						\$ (839,019)					Current mediation funds are not adequate to cover the need. Additional cuts will result in fewer hours available for mediation or will reduce the number of cases referred to mediation. Fewer parents will be able to participate in mediation. We would expect the number of court trials to determine custody and parenting time to increase with each cut. Cases reduction of custody and parenting time will be delayed for all cases due to the increased numbers of cases for the court to hear. Over time, we would expect an increased number of parents to come back for modifications of custody and parenting time, as court mandated resolutions are not considered as durable as agreed upon terms in mediation. We would also expect child well-being and outcomes to suffer as parental conflict increases. Reductions to Law Libraries have in the past resulted in reduced hours of availability, which directly impact self-represented patrons who need these resources the most. Pass-through funding is dictated by statute and is not controlled by OJD. Based upon the proposed budgets, these reductions would result if the following levels of reduced payments at 10% reduction level County law libraries - \$817,894 County mediation/conciliation programs - \$817,504 Oregon Law Commission - \$36,498 Council on Court Procedures - \$5,734
			Legal Aid - Pass through funds supplied to Oregon Bar for their Legal Services Program. The Oregon State Bar Legal Services Program funds an integrated, statewide system of civil legal aid organizations enabling low-income Oregonians to address critical legal issues directly affecting their families, homes, income, job, and access to vital services such as education and health care.	(697,887)						\$ (697,887)					In addition to a reduction in service capacity, a reduction at this level could also create prolonged wait time for services, which is particularly problematic for survivors of domestic violence needing timely assistance to keep their families safe. Because roughly 60% of civil legal caseloads involve housing and family legal needs, this reduction could also result in an increased presence of self-represented litigants navigating family and landlord-tenant cases. Legal Aid will be passed through to the Oregon Bar in quarterly payments of \$1,744,716. This 10% total reduction would eliminate 80% of the final quarter payment.
			Mandated Payments - constitutional due process rights include statutorily required court payments to fund juror per diem, court interpretation, and ADA compliance.	(944,765)						\$ (944,765)					Reductions at the 10% level would mean less funding for jurors and most likely result in a reduction of at least two months of capacity, or 370 juror trials. A reduction to interpreter services will also cause delays in case resolution.
			Judicial Compensation - constitutionally protected General Fund appropriation for judicial salaries, taxes and benefits.	(5,296,530)						\$ (5,296,530)	(24)	(24.00)			Judicial Compensation, due to its constitutionally protected nature, cannot be reduced. If the Oregon Judicial Department is required to account for a reduction associated in this appropriation, OJD will be forced to reduce other GF appropriations. A further \$5.3 million reduction (\$10.4 total) would result in a further reduction of approximately 24 FTE (48 FTE) in the State Court System Operations and cause reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations.
			Oregon eCourt Operations and Maintenance - payments for Oregon Judicial Information Systems Vendor Maintenance Agreements for software components.	(439,388)						\$ (439,388)	(2)	(2.00)			Since contractual maintenance agreements must be maintained for operational systems - OJD would be required to provide funding from other GF appropriations to backfill reductions in this area which would require additional personnel reductions, reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations.
			State Court System Operations - provides fair and accessible justice services that protect the rights of individuals, preserve community welfare, and promote public safety.	(21,540,097)											Due to interdependencies between State Courts operational components budget impacts are aggregated in this line as the overall state court system. Impacts and outcomes are also shown below by operational area. FTE impacts are based on the average cost per FTE for that area. Under ORS 1.002, the Chief Justice has administrative authority to reallocate resources and determine court closures and operating hours across the state court system. Personal Services costs represent 89% of the Operations Appropriation, with much of the Services and Supplies budget in non-reducible categories like State Government Service Charges making reductions a heavily weighted towards staffing resource reductions. A second reduction of \$1.3 million (\$3 million total) would result in an additional reduction of 5.5 FTE, impacting support functions for the Supreme Court, Court of Appeals and Tax court. Expected outcomes include delays in case processing in all three courts, undermining the ability for these courts provide timely decisions, and administrative maintenance of trials and decisions for the entire system. Reductions would delay development of programs and services and decrease access to justice for self-represented litigants, as well as result in loss of consistency in business processes, and training & education for staff and judges. Specifically, this would slow the development of forms and accessibility tools for self-represented litigants, the provision of court protections and oversight for individuals who are at risk of physical neglect or financial fraud, and the implementation of a consistent statewide pretrial release program. Reductions would also negatively impact OJD's ability to provide support in all case types and program areas (landlord tenant, guardianship and conservatorship, alternative dispute resolution, criminal, small claims, etc.), including child support and juvenile programs where OJD secures associated federal matching funds. It would also compromise OJD's ability to support Oregon's trial court operations and IT system, and could reduce appropriate maintenance, support, and security protections of the Oregon Judicial Information System. Reductions will also harm OJD's ability to aggregate, display, and analyze data in all case types. Reducing an additional \$4.7 million (\$9.4 million total) for OSCA would require eliminating 15 FTE more personnel, a 16% reduction of FTE for Administration. The OSCA operational budget contains the department's non-reducible statewide expenditures like state government service charges, and due to these charges, personal services must be reduced at a higher rate than other operational areas of OJD. A further \$15.4 million reduction for trial courts for the 23-25 biennium would result in the elimination of an additional 73.4 FTE (144.8 total) in the Circuit Courts across the state.
	101		Appellate Courts (Supreme Court, Court of Appeals) and Tax Court - appellate courts review decisions of lower courts and other tribunals and are final arbiters of state law; tax court has exclusive, statewide jurisdiction on cases that involve Oregon's tax law.	(1,454,096)						\$ (1,454,096)	(6)	(5.50)			Reductions would delay development of programs and services and decrease access to justice for self-represented litigants, as well as result in loss of consistency in business processes, and training & education for staff and judges. Specifically, this would slow the development of forms and accessibility tools for self-represented litigants, the provision of court protections and oversight for individuals who are at risk of physical neglect or financial fraud, and the implementation of a consistent statewide pretrial release program. Reductions would also negatively impact OJD's ability to provide support in all case types and program areas (landlord tenant, guardianship and conservatorship, alternative dispute resolution, criminal, small claims, etc.), including child support and juvenile programs where OJD secures associated federal matching funds. It would also compromise OJD's ability to support Oregon's trial court operations and IT system, and could reduce appropriate maintenance, support, and security protections of the Oregon Judicial Information System. Reductions will also harm OJD's ability to aggregate, display, and analyze data in all case types.
			Office of the State Court Administrator and Central Support - core business and central support structure which maintains the statewide court system and is the Chief Justice's administrative entity for OJD	(4,714,374)						\$ (4,714,374)	(16)	(15.00)			Reducing an additional \$4.7 million (\$9.4 million total) for OSCA would require eliminating 15 FTE more personnel, a 16% reduction of FTE for Administration. The OSCA operational budget contains the department's non-reducible statewide expenditures like state government service charges, and due to these charges, personal services must be reduced at a higher rate than other operational areas of OJD. A further \$15.4 million reduction for trial courts for the 23-25 biennium would result in the elimination of an additional 73.4 FTE (144.8 total) in the Circuit Courts across the state.
			Trial Courts (Circuit Courts) - 27 judicial districts in 36 counties statewide; general jurisdiction courts (e.g. handle cases involving criminal, civil, small claims, traffic, domestic relations, probate, guardianships, civil commitments, juvenile dependency, and delinquency, abuse and restraining orders, administrative agency, appeals from municipal courts and other matters).	(15,361,587)							\$ (15,361,587)	(74)	(73.40)		Courts would have to prioritize proceedings where immediacy is necessary to protect public safety or timelines set by constitution or statute. In addition to the reduced court operating hours/days, reduced hearings and trials that can be held, reduced revenue collections, reduced court capacity including facilitation services to self-represented litigants and treatment court coordinators - processing of small claims, PCR's, and most violations would be suspended until resources could be restored. Revenues from filing fees and violations would decline to COVID-19 pandemic levels. Reductions would also harm OJD's focus on accurate and timely data entry, harming our ability to provide accurate and timely data reports.
				(30,629,458)		(985,407)				\$ (31,211,865)	(120)	(118.90)			

Target \$ (62,423,730)
 Differenc \$ -

Agency Name: Oregon Judicial Department (19800)
2023 - 2025 Biennium

Detail of Reductions to 2023-25 Current Service Level Budget - 15% Total Reduction Level																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used In Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes		
Dept	Prgrm Div															
			Local Court Security Pass-through to Counties													
		400	In 2011, court security assessments that went directly to county security accounts were repealed and changed to direct deposits into the CFA, and an overall biennial allocation was created. Funding has remained relatively static since 2013-15 with the 2023-25 CSL allocation only 10.5% higher than the 13-15 amount.			(166,333)				\$ (166,333)					Local Court Security Accounts assist counties in providing security services and systems in county courthouses. The current funding level is already so low that most counties currently do not receive enough funding to meet minimum standards. Reductions totaling \$468,999 in this area would impact counties and require increased local funds or a reduction in already stretched or insufficient safety programs.	
			State Court Facilities and Security Programs													
		400	The Marshall's Office provides physical security for the Oregon Supreme Court, Court of Appeals, Tax Court and the Administrative Division of OJD. In addition, security standards and assessments, business continuity and emergency preparedness, threat responsiveness and security system upgrades.			(224,699)				\$ (224,699)					A 15% total reduction (\$674,097) would impact security projects in county courthouses and replacement of equipment.	
			Technology Fund													
		500	In the 2017 Legislative Session, HB 2797 was passed increasing fine amounts to fund an allocation to the Technology Fund, which supports electronic access to court information for external users. This allocation has remained static since adoption. Expenditures in the Technology fund cover contractual obligations that provide electronic filing and payment services and support positions.			(194,375)				\$ (194,375)		2	1.50		For the 2023-25 biennium, there is already a \$2.2 million revenue shortfall for the fund, and a 15% reduction (\$83,125) would result in personnel layoffs of technical staff who support the system.	
										\$ -						
		210	Third-Party Collections - payments to support collections of required fees, fines and awards for the state of Oregon, Oregon Counties, crime victims and other award recipients as well as merchant fees when credit cards are used to pay for these items.	(868,812)						\$ (868,812)					An additional \$688,812 (\$2.6 million total) at the 15% reduction level below CSL would result in a projected \$17.3 million in reduced collection revenue and would most likely result in OJD not sending debt for outside third-party collections including possible downstream impacts in ODR Other Agency Accounts staff who are funded by collection fees.	
			External Pass-Through - was established for the 11-17 biennium for payments to outside entities which had been funded in the past from outside the OJD budget. The following are provided funding from this appropriation: • County law libraries • County mediation/conciliation programs • Biennial funding for Council on Court Procedures • Biennial funding for Oregon Law Commission	(839,019)						\$ (839,019)					Current mediation funds are not adequate to cover the need. Additional cuts will result in fewer hours available for mediation or will reduce the number of cases referred to mediation. Fewer parents will be able to participate in mediation. We would expect the number of court trials to determine custody and parenting time to increase with each cut. Case resolution of custody and parenting time will be delayed for all cases due to the increased numbers of cases for the court to hear. Over time, we would expect an increased number of parents to come back for modifications of custody and parenting time, as court mandated resolutions are not considered as durable as agreed upon terms in mediation. We would also expect child well-being and outcomes to suffer as parental conflict increases. Mediation programs and court backlogs would have a difficult time recovering from this level of cut as many mediators will likely leave the field and courts will not have the capacity to hear additional trials for custody and parenting time. Reductions to Law Libraries have in the past resulted in reduced hours of availability, which directly impact self-represented patrons who need these resources the most. Pass-through funding is dictated via statute and is not controlled by OJD. Based upon the proposed budgets, these reductions would result if the following levels of reduced payments at 10% reduction level County law libraries - \$1,226,856 County mediation/conciliation programs - \$1,226,856 Oregon Law Commission - \$54,744 Council on Court Procedures - \$8,601	
		220	Legal Aid - Pass through funds supplied to Oregon Bar for their Legal Services Program. The Oregon State Bar Legal Services Program funds an integrated, statewide system of civil legal aid organizations enabling low-income Oregonians to address critical legal issues directly affecting their families, homes, income, jobs, and access to vital services such as education and health care.	(607,887)						\$ (607,887)					Legal Aid will be passed through to the Oregon Bar in quarterly payments of \$1,744,716. A 15% total reduction would eliminate the final quarter payment, and 20% of another payment. In addition to decreased service capacity, prolonged wait times, and an increase in the presence of self-represented litigants navigating family and landlord-tenant cases, any further reduction would further threaten foundational access to civil legal assistance for low-income and underserved Oregonians. The current infrastructure is already operating below minimum standards of attorney eligible client ratios and only meeting 16% of the need.	
		200	Mandated Payments - constitutional due process rights include statutorily required court payments to fund juror per diem, court interpretation, and ADA compliance	(844,765)						\$ (844,765)					Juries bring the voice of local communities to the administration of justice in criminal and civil cases, including those involving personal injury, discrimination, and medical malpractice Reductions at the 15% level would most likely result in the elimination of all civil jury trials and delayed resolution in cases such as personal injury, discrimination, and medical malpractice. A reduction at this level would make it very difficult to continue to procure Spanish-language interpreters in the face of a significant shortage. Translation services will also be impacted, reducing OJD's ability to translate court documents, forms, signage, and website content. A reduction in interpreter and translation services funding has direct access to justice and equity implications, causing significant impact only to individuals with limited English proficiency.	
		010	Judicial Compensation - constitutionally protected General Fund appropriation for judicial salaries, taxes and benefits.	(5,296,530)						\$ (5,296,530)	(24)	(24.00)			Judicial Compensation, due to its constitutionally protected nature, cannot be reduced. If the Oregon Judicial Department is required to account for a reduction in salaries in this appropriation, OJD will be forced to reduce other GF appropriations. A further \$5.3 million reduction (\$15.9 total) would result in a further reduction of approximately 24 FTE (72 FTE in the State Court System Operations and cause reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations.	
		500	Oregon Court Operations and Maintenance - payments for Oregon Judicial Information Systems Vendor Maintenance Agreements for software components State Court System Operations - provides fair and accessible justice services that protect the rights of individuals, preserve community welfare, and promote public safety	(439,388) (821,540,697)							\$ (439,388)	(2)	(2.00)		Since contractual maintenance agreements must be maintained for operational systems - OJD would be required to provide funding from other GF appropriations to backfill reductions in this area which would require additional personnel reductions, reduced service and phone hours, and case backlogs in civil, small claims, and domestic relations. Due to interdependencies between State Courts operational components budget impacts are aggregated in this line as the overall state court system. Impacts and outcomes are also shown below by operational area. FTE impacts are based on the average cost per FTE for that area. Under ORS 1.002, the Chief Justice has administrative authority to reallocate resources and determine court closures and operating hours across the state court system. Personal Services costs represent 89% of the Operations Appropriation, with much of the Services and Supplies budget in non-reducible categories like State Government Service Charges making reductions is heavily weighted towards staffing resource reductions.	
		101	Appellate Courts (Supreme Court, Court of Appeals) and Tax Court - appellate courts review decisions of lower courts and other tribunals and are final arbiters of state law; tax court has exclusive, statewide jurisdiction on cases that involve Oregon's tax laws.	(1,464,096)						\$ (1,464,096)	(6)	(5.50)			A 15% reduction of approximately \$1.5 million would result in 17 FTE in personnel reductions, impacting support functions for the Supreme Court, Court of Appeals and Tax court. Expected outcomes include delays in case processing in all three courts, undermining the ability for these courts provide timely decisions, and adequate maintenance of briefs and decisions for the court system. Individuals who are underserved, vulnerable or marginalized will be most severely impacted by this reduction; we anticipate outcomes will worsen as a result of service reductions. Reductions would delay development of programs and services and decrease access to justice for self-represented litigants, as well as result in loss of consistency in business processes, and training & education for staff and judges. Specifically, this would slow the development of forms and accessibility tools for self-represented litigants, the provision of court protections and oversight for individuals who are at risk of physical neglect or financial fraud, and the implementation of a consistent statewide pretrial release program. Reductions would also negatively impact OJD's ability to provide support in all case types and program areas (landlord tenant, guardianship and conservatorship, alternative dispute resolution, criminal, small claims, etc.) including child support and juvenile programs where OJD secures associated federal matching funds. It would also compromise OJD's ability to support Oregon's trial court operations and IT system, and could reduce appropriate maintenance, support, and security protections of the Oregon Judicial Information System. Reductions will also harm OJD's ability to aggregate, display, and analyze data in all case types.	
		102	Office of the State Court Administrator and Central Support - core business and central support structure which maintains the statewide court system and is the Chief Justice's administrative entity for OJD	(4,714,374)						\$ (4,714,374)	(15)	(15.00)			Reducing an additional \$4.7 million (\$14.1 million total) for OSCA would require eliminating 15 FTE more personnel, a 23% reduction of FTE for Administration. The OSCA operational budget contains the department's non-reducible statewide expenditures like state government service charges, and due to these charges, personal services must be reduced at a higher rate than other operational areas of OJD. A 46.1 million reduction for trial courts at the 15% level for the 23-25 biennium would result in the elimination 220 FTE in the Circuit Courts across the state.	
		100	Trial Courts (Circuit Courts) - 27 judicial districts in 36 counties statewide; general jurisdiction courts (e.g. handle cases involving criminal, civil, small claims, traffic, domestic relations, probate, guardianships, civil commitments, juvenile dependency, and delinquency, abuse and restraining orders, administrative agency, appeals from municipal courts and other matters).	(15,361,587)							\$ (15,361,587)	(74)	(73.40)			Possible full closures of some county courthouses, and closures of one day per week in the rest of the courthouses. Courts would have to prioritize proceedings where immediacy is necessary to protect public safety or timelines set by constitution or statute. In addition to the reduced court operating hours/days, reduced hearings and trials that can be held, reduced revenue collections, reduced court capacity including litigation services to self-represented litigants and treatment court coordinators; processing of small claims, PCHs, violations, non-person misdemeanors, uncontested probate matters and most civil trials and contested probate matters would be suspended until resources could be restored. Reductions would also harm OJD's focus on accurate and timely data entry, harming our ability to provide accurate and timely data reports. If the public is not able to access court services, filings will drop and resulting revenues from filing fees will decline. Public trust and confidence in the court system may not recover if people's lives are put on hold by delays in the court system. Pending casebacks and backlogs will skyrocket.
				(90,626,456)		(585,407)				\$ (93,211,863)	(119)	(118.40)				
										Target \$ (93,635,596)						
										Differ \$ -						

Agency : Oregon Judicial Department

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Vacant Position Information

Vacancies as of December 31, 2022

Agency Initial	SCR	DCR	Pos No	Position Class	Comp	Position Title	Pos Type	GF Fund Split	LF Fund Split	OF Fund Split	FF Fund Split	FTE	2023-25 GF PS Total	2023-25 LF PS Total	2023-25 OF PS Total	2023-25 FF PS Total	2023-25 Total Bien PS BUDGET	Vacant Date	Position eliminated in GRB? Y/N	Reason for vacancy
OJD	100	21	201019	JUA	J9739 AP	JSS2	PF	0.62		0.38		1.00	\$ 91,212		\$ 55,905		\$ 147,117	10/18/2021	N	Partial OF (ACP) position, incumbent transferred to another court, difficulty in recruitment and retention issues
OJD	100	3	2401011	JUA	J9738 AP	JSS1	PF	1.00				1.00	\$ 142,068				\$ 142,068	7/26/2021	N	Employee promoted to higher level position, hiring difficulty due to labor market -New hire started 1/23
OJD	100	3	2401045	JM	J9569 AP	Supervisor 3	PF	1.00				1.00	\$ 248,819				\$ 248,819	12/1/2021	N	Employee promoted to higher level position, In recruitment
OJD	100	4	2602140	JUA	J9739 AP	JSS2	PF	1.00				1.00	\$ 147,117				\$ 147,117	10/11/2021	N	Position has been in active recruitment, multiple failed recruitments
OJD	100	10	3102003	JUA	J9739 AP	JSS2	PP	0.60				0.60	\$ 89,289				\$ 89,289	8/31/2020	N	Holding position open to finance overfill
OJD	100	4	6000175	JUA	J9739 AP	JSS2	PF	0.00		1.00		1.00			\$ 147,117		\$ 147,117	7/31/2020	N	New hire started 1/10/23 - ACP position
OJD	100	4	6000555	JUA	J9740 AP	JSS3	PF	1.00				1.00	\$ 157,970				\$ 157,970	10/22/2021	N	Holding open position to finance double-fill in another part of the court
OJD	100	13	6001502	JUA	J9721 AP	Law Clerk	PF	1.00				1.00	\$ 214,203				\$ 214,203	8/12/2021	N	Law Clerk positions prone to high turnover - new law clerk hired - but pending graduation
OJD	102	81	6003222	JM	J9576 AP	Senior Staff Counsel	PF	0.34		0.66		1.00	\$ 122,364		\$ 237,530		\$ 359,894	7/10/2021	N	many of the other program positions prior to this position - will be in recruitment 1st quarter 2023
												-					-			
												-					-			
												-					-			
												-					-			
Total							Pos	GF	LF	OF	FF	FTE	GF	LF	OF	FF	AF			
							8	6.56	-	2.04	-	8.60	1,213,042	0	440,552	0	1,653,594			

SPECIAL REPORTS

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Special Reports

Annual Performance Progress Report (APPR) for Fiscal Years 2023-25

Submission Date: September 2022

Section One – Current Key Performance Measures

The following are the Key Performance Measures (KPMs) that were revised for the new Oregon eCourt system. The Oregon Judicial Department is requesting approval to delete KPM 7 and replace it with a new expanded definition to include all treatment courts.

KPM#	2023-25 Key Performance Measures (KPMs)
1*	Access and Fairness: <i>The rating of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, respect.</i>
2*	Clearance Rates: <i>The number of cases closed as a percentage of the number of cases filed.</i>
3*	Time to Disposition: <i>The percentage of cases disposed or otherwise resolved within established timeframes.</i>
4	Time to Entry of Judgment: <i>The percent of criminal cases that have a final judgment entered into the case register within three business days of the sentencing hearing or disposition.</i>
5	Time to First Permanency Hearing: <i>The percentage of cases that have first permanency hearings within 14 months.</i>
6*	Collection Rate: <i>The percentage of cases paid in full within a year of judgment (violations only).</i>
7	Adult Drug Court Recidivism: <i>Percent of participants with no new criminal offenses within a year of Adult Drug Court graduation.</i>
8*	Effective Use of Jurors: <i>The percentage of available jurors who are selected for jury duty who are qualified and available to serve (juror yield).</i>
9	Employee Retention: <i>The annual employee turnover rate.</i>

* Measures from CourTools – modified for Oregon if a standard exists.

SPECIAL REPORTS

2023-25 Key Performance Measure	1. Access and Fairness Rating of court users' perception of access and fairness in the courts.
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Our strategy

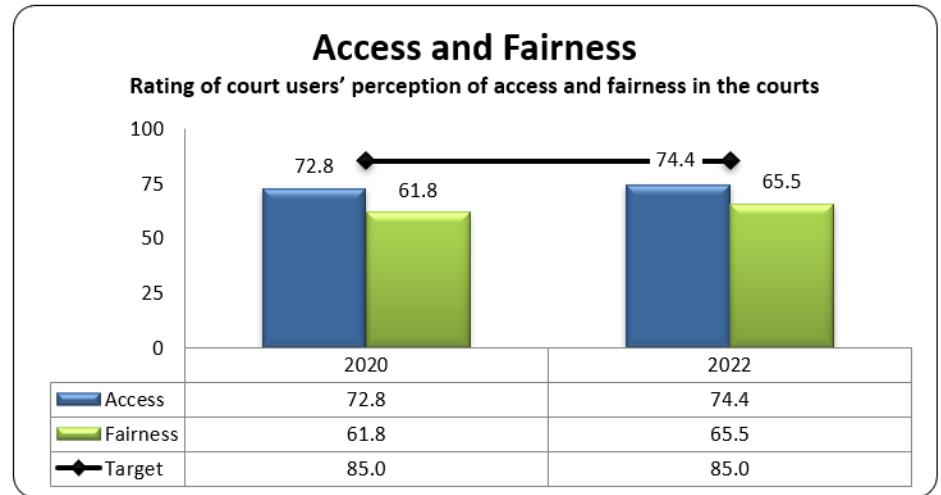
The Oregon Judicial Department (OJD) measures Access and Fairness by surveying court users about their experiences accessing court services. In 2022, OJD implemented an expanded Access and Fairness Survey, based on a survey created by the National Center for State Courts (NCSC), that incorporated feedback from people who accessed services remotely or via the court website as well as people who came to court in person.

OJD collected data in 2022 from May 1 through June 30 through online surveys. Surveys and information flyers were available in five languages (English, Spanish, Russian, Vietnamese, and Traditional Chinese).

About the targets

OJD calculated the 2022 Access Index Score and Fairness Index Score by adapting the method recommended by NCSC's CourTools: Access and Fairness guide to the expanded survey that OJD implemented in 2022.

The index scores rate access and fairness on a scale where 100 is a perfect score, indicating a mean rating of 5 (Strongly Agree) on each access and fairness statement.



The targets were recommended by the Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF), which advises the Chief Justice and State Court Administrator on matters relating to equal access to Oregon state courts, based on the results from in-person pilot data collection in four courts (the Benton, Deschutes, Marion, and Union county circuit courts).

When setting the performance targets, OSCCIF noted court users who were unhappy with their experience at the courthouse may have been more likely than other court users to refuse to participate in the in-person pilot data collection, and that the pilot results may therefore have under-represented individuals who had negative experiences in court. Results from online data collection in 2020 and 2022 support this supposition, as index scores from online data collection have been much lower than those from the in-person pilot.

SPECIAL REPORTS

How we are doing and how we compare

Data collected in 2022 show an Access Index Score of 74.4 and a Fairness Index Score of 65.5. These scores are lower than the performance targets but higher than the scores from data collection in 2020.

Factors affecting results and what needs to be done

The 2022 Access and Fairness data collection differed from the 2018 pilot data collection that was used to set the targets in that it occurred statewide and online rather than in-person in four pilot courts. The 2022 data collection differed from both the 2018 pilot and the 2020 data collection in that it solicited input from users who accessed services remotely – whether by video or audio conference or through the OJD website – as well as in person.

OJD and OSCCIF will be examining the results, including the results by demographic group and type of legal assistance received, if any, and identifying steps for improvement. Given the continued importance of both in person and remote proceedings, any improvements in user experiences will require courts to have the technological and staff resources necessary to provide high quality services both in person and remotely.

About the data

The 2022 data were collected through a voluntary online survey of court users between May 1 and June 30, 2022. OJD publicized the survey through promotional materials in five languages (English, Spanish, Russian, Vietnamese, and Traditional Chinese) provided to circuit courts and community partners, including the Oregon State Bar, legal nonprofits, and other justice partners.

The results in this document are based on 565 responses received in May and June 2022, including responses from 35 of Oregon’s 36 circuit courts. All 565 participants responded to statements about access and were included in the Access Index Score. Of the 565 total participants, 179 reported appearing before a judge about their case and responded to additional statements on the fairness of the proceeding, which were used to calculate the Fairness Index Score.

Contact information

Valerie Colas, OJD Access to Justice Counsel, (503) 798-2721

Data source

Access and Fairness Survey Results

SPECIAL REPORTS

2023-25 Key Performance Measure	<p>2. Clearance Rates The number of cases closed as a percentage of the number of cases filed.</p>
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Our strategy

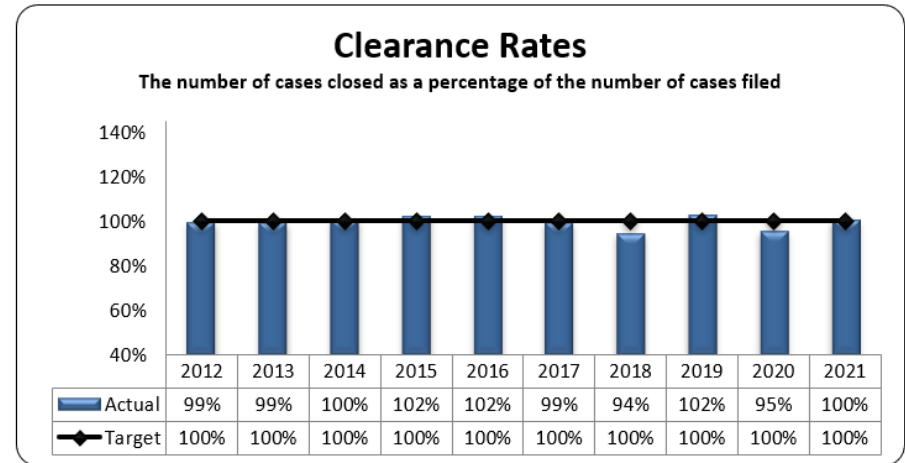
Clearance rates measure whether the courts are keeping up with their incoming caseload. If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. This measure is a single number that can be compared within the court for any and all case types, from month to month and year to year, or between one court and another. This information can help courts pinpoint emerging problems and indicate where improvements can be made.

About the targets

Courts should aspire to clear at least as many cases as have been filed in a period by having a clearance rate of 100 percent or higher.

How we are doing and how we compare

In 2021, the number of cases closed was 100 percent of cases filed, which is higher than the previous year due to the relaxing of COVID-19 restrictions that impacted courts’ ability to hold in-person trials and hearings. When courts exceed the clearance rate targets, dispositions are outpacing filings and when courts fall below their clearance rate targets, caseload management practices and resource allocations need to be reviewed.



Factors affecting results and what needs to be done

Changes in caseload could impact the allocation of judicial officers to certain case types and initiate caseload management improvements. Time to disposition rates may also vary due to the seriousness or complexity of the caseload, charging and pleading practices, variation in court case management practices, and the use of statewide business processes.

About the data

This performance measure requires a count of cases closed and cases filed during a given time period. The clearance rate is calculated by dividing the number of cases closed by the number of cases filed during a given time period. The data collection period is each calendar year.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Odyssey Case Management System

SPECIAL REPORTS

2023-25 Key Performance Measure	3. Time to Disposition The percentage of cases disposed or otherwise resolved within established timeframes.
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Our strategy

This measure, in conjunction with Clearance Rates, is a fundamental case management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with national guidelines for timely case processing. The measure considers periods of inactivity beyond the court's control and provides a framework for meaningful measurement across all case types.

About the targets

National case processing time standards are published by the American Bar Association (ABA) and more recently by the Conference of State Court Administrators (COSCA). The Oregon Goals for Timely Disposition were originally based on the ABA standards as revised for Oregon by the Judicial Conference in the early 1990s. Model standards were created to unify the disparate national time standards to the greatest degree possible. They create a framework for state judicial branches to use when reviewing their own time to disposition standards. The model standards were adopted in August 2011 by the Conference of Chief Justices, the Conference of State Court Administrators, the American Bar Association House of Delegates, and the National Association of Court Management. Oregon used the model standards as a baseline in considering new and reviewing existing time to disposition standards. The Oregon Judicial Department adopted new standards in 2018 based on the Court Reengineering and Efficiencies Workgroup (CREW) recommendation to reflect changes made to docket management and case processing since the 1990s, including technological advancements in the areas of electronic filing and automated workflow. A 98 percent target is used rather than 100 percent in recognition that there will be a very small number of cases that will require more time to resolve, e.g., capital murder cases and highly complex, multi-party civil and juvenile cases that require a trial. Even these cases, however, should be monitored closely to ensure that they proceed to disposition without unnecessary delay.

How we are doing and how we compare

In 2021, improvements were made in Administration of Estates, Juvenile Dependency, Juvenile Termination of Parental Rights (TPR), Forcible Entry Detainer (FED), and Small Claims. COVID-19 restrictions in 2020 and 2021 impacted courts' ability to hold in-person trials and hearings, which will have a direct effect on time to disposition. As the courts continue to work through the backlog created by the COVID-19 restrictions, we anticipate seeing improvements in time to disposition in future years.

Factors affecting results and what needs to be done

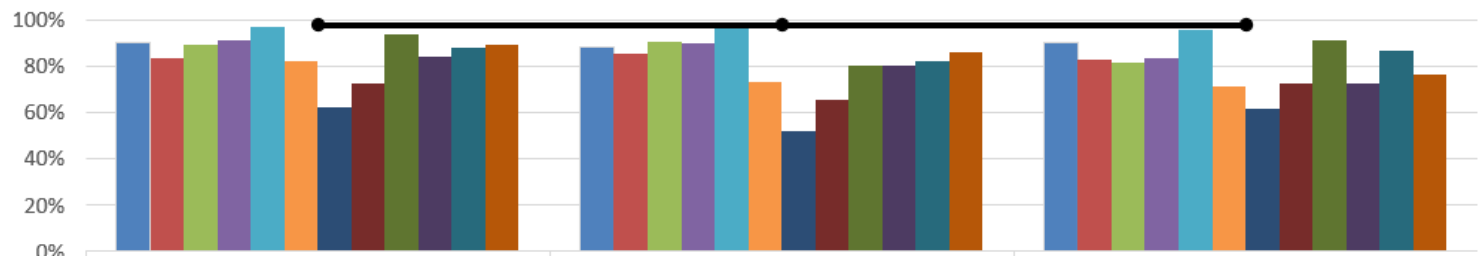
Changes in caseload could impact the allocation of judicial officers to certain case types and initiate caseload management improvements. Time to disposition rates may also vary due to the seriousness or complexity of the caseload, charging and pleading practices, variation in court case management practices, and the use of statewide business processes.

SPECIAL REPORTS

About the data

This performance measure includes cases disposed or otherwise resolved during the calendar year and requires compiling data on the timing of key case events, consistent definition of terms and business processes, standard data entry practices for all courts, and distinguishing between active and inactive cases.

Time to Disposition
Percent of Cases Disposed/Resolved Within Established Timeframes



	2019	2020	2021
Administration of Estates (720 Days)	90.85%	88.57%	90.43%
Adult Protective Proceedings (90 Days)	83.97%	85.70%	82.94%
Domestic Relations (365 Days)	89.62%	90.75%	81.52%
Felony (365 Days)	91.54%	90.38%	83.67%
General Civil (540 Days)	97.28%	97.75%	96.15%
Juvenile Delinquency (180 Days)	82.27%	73.68%	71.60%
Juvenile Dependency (90 Days)	62.52%	52.44%	61.60%
Juvenile TPR (270 Days)	72.62%	65.84%	72.52%
FEDs (90 Days)	93.78%	80.49%	91.19%
Misdemeanor (180 Days)	84.40%	80.52%	73.13%
Small Claims (180 Days)	88.47%	82.17%	86.89%
Violations (90 Days)	89.71%	86.61%	76.37%
Target	98.00%	98.00%	98.00%

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Odyssey Case Management System

SPECIAL REPORTS

2023-25 Key Performance Measure

4. Time to Judgment Entry

The percent of criminal cases that have a final judgment entered into the case register within three business days of the sentencing hearing or disposition.

Our strategy

Equality, fairness, and integrity in trial courts depend in substantial measure on the accuracy, availability, and accessibility of records. It is important that trial courts preserve an accurate record of their proceedings, decisions, orders, and judgments and that they update these in a timely manner.

About the targets

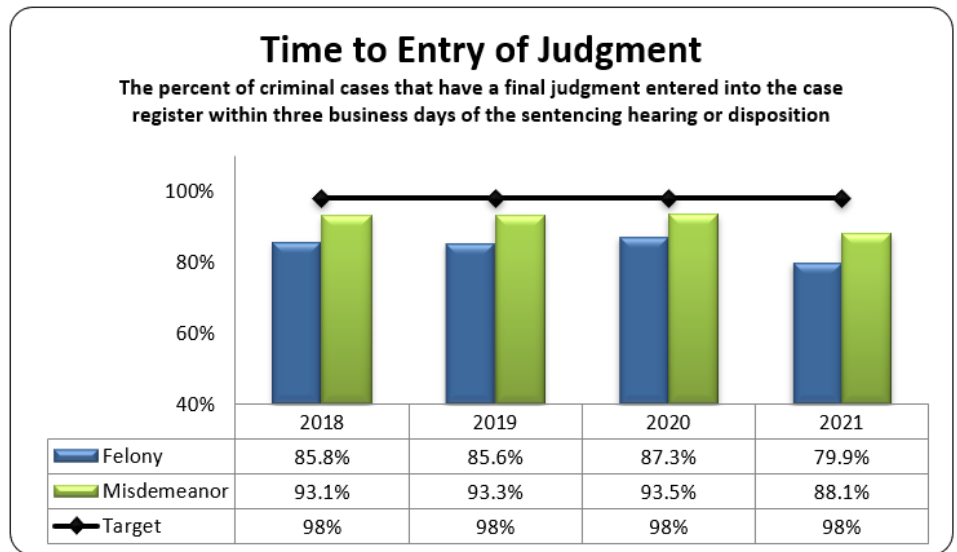
This measure reflects judgments in felony and misdemeanor criminal cases. Court staff should enter all court case actions as expeditiously and accurately as possible. This is especially true for criminal judgments since any delay in the entry of a judgment may have important legal consequences under Oregon law. All judgments should be entered within three days of sentencing hearing or final disposition.

How we are doing and how we compare

In 2021, 79.9 percent of felony judgments were entered within three business days of the sentencing hearing or disposition and 88.1 percent of misdemeanor judgments were entered within three business days of the sentencing hearing or disposition. This is a decline for both felony and misdemeanor judgments.

Factors affecting results and what needs to be done

When court staff manually enter data, human error is always possible. These errors are mitigated through standard data entry protocols as well as education programs and monitoring procedures to ensure that corrections can be made to court practices. This measure is not only a way to measure data timeliness and accuracy, but also a tool to identify training or resource needs at the courts. The COVID-19 pandemic, the pace of change in recent years, and a tight labor market is stressing OJD’s ability to maintain a well-trained and stable workforce.



SPECIAL REPORTS

About the data

This performance measure considers the first statistical closure date and uses the sentence or disposition date (if dismissed) and the date of final judgment entry into the case register (legally effective date of the judgment). The days to judgment entry are then calculated using the time lapse between the sentence or disposition date and the judgment entry date. The data collection period is each calendar year.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Odyssey Case Management System

SPECIAL REPORTS

2023-25 Key Performance Measure	5. Time to First Permanency Hearing Percent of cases that have first permanency hearing within 14 months.
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Our strategy

Child abuse and neglect cases are driven by one underlying principle: expeditious permanency for children. The longer children are in substitute care, the longer they are in doubt as to where their permanent home will be and the more likely it is that they will have multiple placements.

About the targets

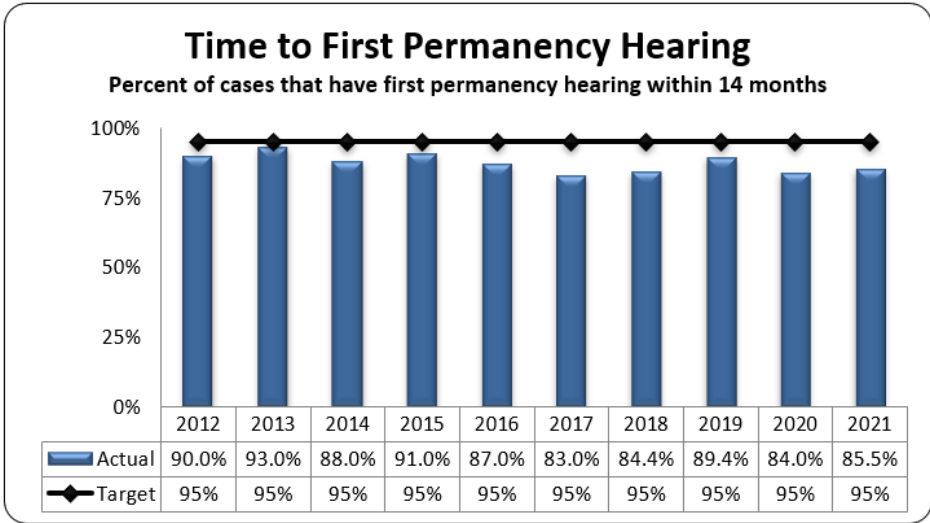
Our target is to have 95 percent of cases have their first permanency hearing within the statutorily mandated timeframe of 14 months of the child entering substitute care.

How we are doing and how we compare

In 2021, 85.5 percent of cases had a first permanency hearing within 14 months, an increase from the previous year but below the target of 95 percent.

Factors affecting results and what needs to be done

Reports from courts and stakeholders and informal reviews of case files indicate that a main reason that cases do not meet the timeline is that hearings are continued or rescheduled due to lack of court time and/or attorney availability for contested hearings. Making additional court time available and increasing the availability of legal counsel for parties would likely move the numbers toward their target.



About the data

Starting in 2017, the review period is the calendar year in which the first permanency hearing was held. In prior years, it was the year the case was due for its first permanency hearing. Timeliness is measured by determining the percentage of cases for which the last day of the first completed permanency hearing on the case was within 425 days (approximately 14 months) of the date that the dependency petition was entered.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data sources

Odyssey Case Management System

SPECIAL REPORTS

2023-25 Key Performance Measure	6. Collection Rate The percent of cases paid in full within a year of judgment (violations only).
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Our strategy

The Oregon Judicial Department (OJD) collection program is focused on statewide time standards for collection actions and early intervention to obtain payment in full as soon as possible. This measure focuses solely on violations to evaluate the timeliness and effectiveness of collection actions. Most violations do not have the same barriers to collections that are encountered when collecting on felony and misdemeanor debt (incarceration, unemployment, multiple debts with OJD and other probation/parole agencies, higher amounts owed).

About the targets

Courts should aspire to get payment in full on most violations within a year of judgment, therefore a 90 percent target was chosen.

How we are doing and how we compare

In 2021, 83 percent of violations were paid in full in within a year of judgment, an improvement from the prior year.

Factors affecting results and what needs to be done

For the past several years, approximately 20 percent of people cited with a violation failed to appear or pay by the date on their citation. Our goal is to make payment of a citation convenient and accessible in a variety of ways; online, by mail, over the phone, and in person.

About the data

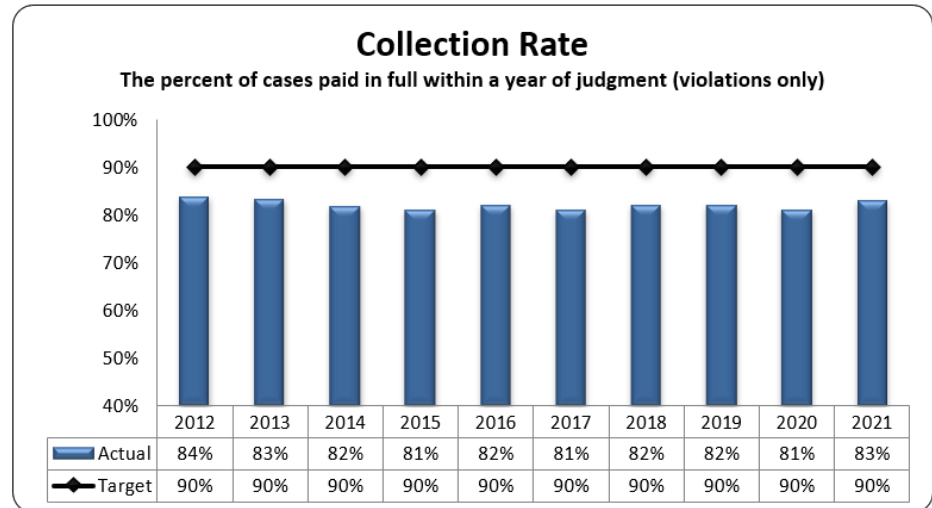
This performance measure calculates the percent of citations imposed and paid one year after a violation case is adjudicated (includes parking). The data collection period is each calendar year, but cases have to age at least a full year to look back at how many were paid in full within a year.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Odyssey Case Management System



SPECIAL REPORTS

2023-25 Key Performance Measure	7. Adult Drug Court Recidivism Percent of participants with no new criminal offenses within a year of Adult Drug Court graduation.
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Our strategy

Specialty courts are an alternative to traditional justice system processing for individuals with behavioral health issues who have repeatedly become involved with the justice system. Participants are empowered through trauma informed, non-stigmatizing services focused on prevention, identification, treatment, and recovery. Adult drug courts serve historically underserved individuals and reduce future involvement with the justice system.

About the targets

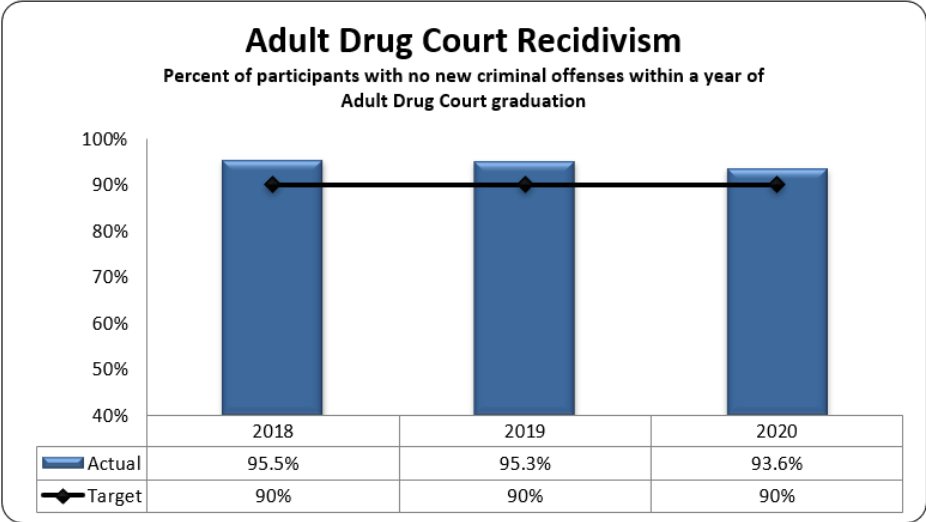
The Oregon Judicial Department (OJD) has established an aspirational goal of 90 percent of adult drug court graduates having no new felony or misdemeanor charges within one year of graduation.

How we are doing and how we compare

Ninety-four percent of adult drug court graduates in 2020 did not have a new felony or misdemeanor charge within a year of graduation, which is above the 90 percent target.

Factors affecting results and what needs to be done

OJD needs well-funded specialty courts with adequate support at both the statewide and local circuit court levels to continue its success in providing participants the tools to find and maintain long term recovery and avoid cycling back through the criminal justice system. The Office of the State Court Administrator’s specialty court team has additional staff, allowing it to increase the supports to specialty court teams throughout the biennium. Focus areas include ensuring fidelity to established best practices, using validated screening tools to create a more objective eligibility process, expanding data reports from the Specialty Court Case Management System (SCMS) and creating internal dashboards, evaluating program effectiveness, and implementing additional performance measures for continuous quality improvement. Additionally, with the guidance of a statewide racial and ethnic disparity tool in 2020, there are improvements needed to ensure cultural responsiveness as well as equitable access, experiences, and outcomes for all individuals qualifying for specialty court programs.



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About the data

The 2020 results and beyond use information from the Specialty Court Case Management System to identify adult drug court graduates and information from OJD's Odyssey case management system to determine whether those individuals had new felony or misdemeanor charges within a year of graduating. Because Odyssey includes only information on circuit court cases, the measure looks only at whether new charges were filed in Oregon's circuit courts and does not account for whether individuals had new charges in municipal courts or in other states. The data collection period is each calendar year, but cases must age a full year after graduation to look back at how many graduates had no new felony or misdemeanor charges filed within a year of graduation.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data sources

Specialty Court Case Management System, Odyssey Case Management System

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2023-25 Key Performance Measure	8. Effective Use of Jurors The percentage of available jurors who are selected for jury duty who are qualified and available to serve (juror yield).
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Our strategy

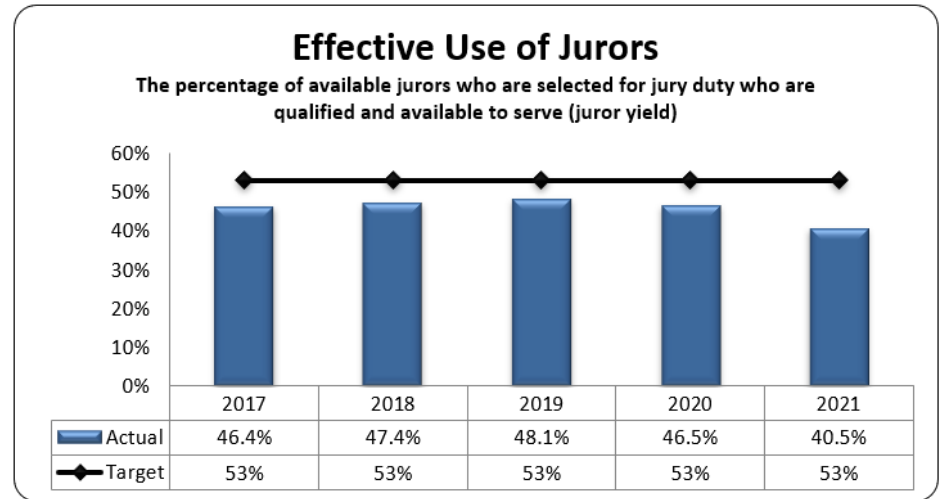
The percentage of citizens available to serve relates to the integrity of the jury pool list, the effectiveness of jury management practices, the willingness of citizens to serve, the efficacy of excuse and postponement policies, and the number of exemptions allowed.

About the targets

The National Center for State Courts (NCSC) commonly uses a juror yield goal of 40 percent, a value demonstrated to be realistic in many well-managed courts. The national average juror yield is approximately 53 percent. Although variations are expected, points falling well above or well below the average can alert the court to the need for possible adjustments to the number of persons summoned.

How we are doing and how we compare

In 2021, 40.5 percent of available jurors were qualified and available to serve, a decrease from the prior years. Oregon courts are above the NCSC goal of 40 percent but well below the national average target of 53 percent.



Factors affecting results and what needs to be done

Juror yield is used by court administrators to estimate the number of jury summonses to mail to secure an adequate number of jurors from which to select juries. However, it is also a measure of system efficiency as it indicates the relative amount of work a court must perform to achieve an adequate jury pool. Nationally, courts send approximately two jury summonses for every qualified and available juror they need to secure. Courts with higher yields require fewer jurors so it is in the juror and courts’ best interest to maximize jury yields to the greatest extent possible. COVID-19 impacted the courts ability to hold in-person trials and the number of jurors available to serve.

About the data

This performance measure requires a count of the total number of summonses sent to prospective jurors, the number of jurors postponed to or from a previous period, the number of jurors who failed to appear for jury duty, the number of jury summonses returned undeliverable, the number of jurors

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who were excused or exempt from service, and the number of jurors who were disqualified or unable to serve. The data collection period is each calendar year.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Odyssey Jury Management System

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2023-25 Key Performance Measure	9. Employee Retention Rate Annual employee turnover rate.
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Our strategy

The Oregon Judicial Department (OJD) strives to retain an experienced, well-trained, and competent workforce.

About the targets

Our target is to have a retention rate with no greater annual turnover than the State of Oregon’s Department of Administrative Service (DAS) annual retention rate. The target rate may adjust if the DAS calculated rate rises significantly above 88 percent in the future.

How we are doing and how we compare

In 2022, OJD’s retention rate was 83 percent, a decrease from the prior year. OJD has consistently met or exceeded the national average of 83 percent for government jobs as reported by the Bureau of Labor Statistics.

Factors affecting results and what needs to be done

Two-thirds of our turnover was due to voluntary resignations. We continue to analyze the specific reasons for the voluntary resignations. Additionally, retirements accounted for over 18 percent of our turnover. We will continue to collect data from exiting employees and analyze their reasons for leaving as part of our strategy to maintain a well-trained and stable workforce.

About the data

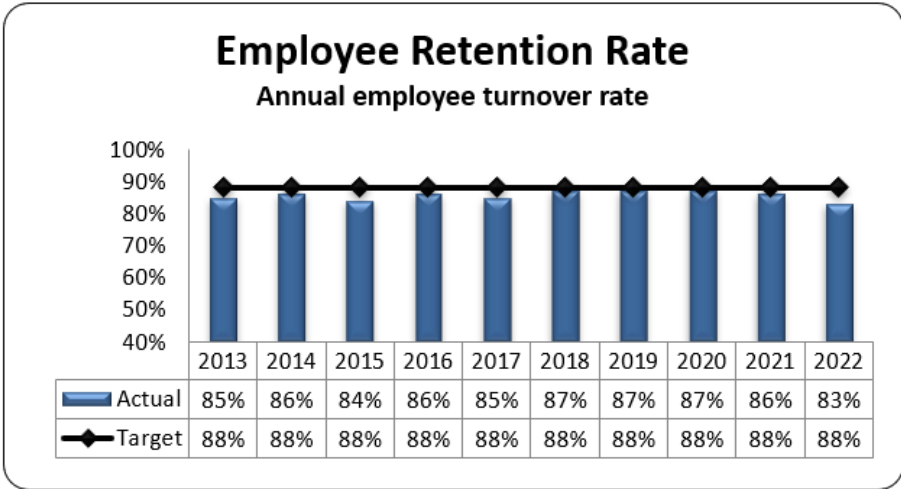
The data is based on actual terminations and reasons entered into the Workday system each fiscal year.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data source

Workday



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Section Two – Proposed Key Performance Measures

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

Proposal	KPM#	2023-25 Proposed Changes to Key Performance Measures (KPMs)
Delete	7	Adult Drug Court Recidivism: <i>Percent of participants with no new criminal offenses within a year of Adult Drug Court graduation.</i>
Add	7	Specialty Courts - Justice System Reinvolvement: <i>The percentage of treatment court graduates with no misdemeanor or felony charges filed in Oregon circuit courts within one year of program graduation.</i>

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2023-25 Proposed Key Performance Measure	7. Specialty Courts - Justice System Reinvolverment The percentage of treatment court graduates with no misdemeanor or felony charges filed in Oregon circuit courts within one year of program graduation.
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Our strategy

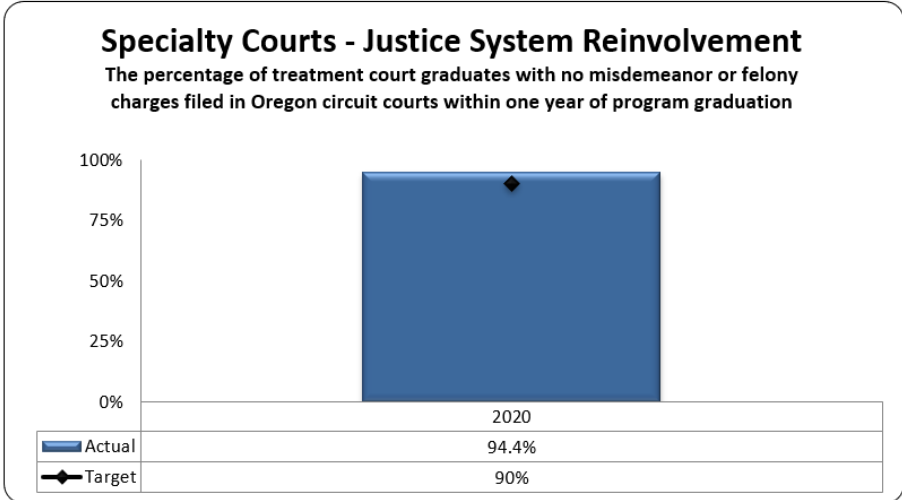
Specialty courts are an alternative to traditional justice system processing for individuals with behavioral health issues who have repeatedly become involved with the justice system. Participants are empowered through trauma informed, non-stigmatizing services focused on prevention, identification, treatment, and recovery. Specialty Courts serve historically underserved individuals and reduce future involvement with the justice system.

About the targets

The Oregon Judicial Department (OJD) has established an aspirational goal of 90 percent of specialty court graduates having no new felony or misdemeanor charges within one year of graduation. The measure includes graduates from four types of specialty courts (adult drug courts, mental health courts, veteran’s treatment courts, DUII courts) that work specifically with defendants in criminal cases.

How we are doing and how we compare

The most recent calendar year for which full data are available is 2020. Ninety-four percent of that year’s graduates did not have a new felony or misdemeanor charge filed within a year of graduation, which is above the 90 percent target.



Factors affecting results and what needs to be done

OJD needs well-funded specialty courts with adequate support at both the statewide and local circuit court levels to continue its success in providing participants the tools to find and maintain long term recovery and avoid cycling back through the criminal justice system. The Office of the State Court Administrator’s specialty court team has additional staff, allowing it to increase the supports to specialty court teams throughout the biennium. Focus areas include ensuring fidelity to established best practices, using validated screening tools to create a more objective eligibility process, expanding data reports from the Specialty Court Case Management System (SCMS) and creating internal dashboards, evaluating program effectiveness, and implementing additional performance measures for continuous quality improvement. Additionally, with the guidance of a statewide racial and ethnic disparity tool in 2020, there are improvements needed to ensure cultural responsivity as well as equitable access, experiences, and outcomes for all individuals qualifying for specialty court programs.

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About the data

The 2020 results use information from the Specialty Court Case Management System to identify specialty court graduates and information from OJD's Odyssey case management system to determine whether those individuals had new felony or misdemeanor charges within a year of graduating. Because Odyssey includes only information on circuit court cases, the measure looks only at whether new charges were filed in Oregon's circuit courts and does not account for whether individuals had new charges in municipal courts or in other states. The data collection period is each calendar year, but cases must age a full year after graduation to look back at how many graduates had no new felony or misdemeanor charges filed within a year of graduation.

Contact information

Jessica Roeser, Asst. Deputy SCA for Operations, (503) 986-5601

Data sources

Specialty Court Case Management System, Odyssey Case Management System

Oregon Judicial Department Audit reports July 1, 2020 through June 30, 2022

Auditor	Completed Audits Release Date	Scope/What was found	Response/Action	Related POPs?
Secretary of State Audits Division	Audit of Selected Financial Accounts December 23, 2020	The auditors performed audit work of selected financial accounts for the year ended June 30, 2020. It was not a comprehensive financial audit but was performed as part of the annual audit of the State of Oregon’s financial statements.	The auditors performed a limited review of internal control and did not identify any deficiencies that were considered to be a material weakness.	No
Secretary of State Audits Division	Audit of Selected Financial Accounts December 28, 2021	The auditors performed audit work of selected financial accounts for the year ended June 30, 2021. It was not a comprehensive financial audit but was performed as part of the annual audit of the State of Oregon’s financial statements.	The auditors performed a limited review of internal control and did not identify any deficiencies that were considered to be a material weakness.	No
OJD Internal Audit	Change of Administrator Audits: <ul style="list-style-type: none">• Marion County Circuit Court (August 21, 2020)• Clatsop County Circuit Court (September 9, 2020),• Benton County Circuit Court (October 16, 2020),• Columbia County Circuit Court (November 27, 2020),• Human Resources Services Division (March 24, 2021)• Juvenile and Family Court Programs (August 19, 2021)	Employee Separation review to determine whether appropriate actions were taken to protect OJD assets when the prior administrator left his/her position.	The auditees agreed to implement all the recommendations. The internal auditor performed a follow up audit and found that all recommendations were either implemented or in the process of being implemented.	No

Auditor	Completed Audits Release Date	Scope/What was found	Response/Action	Related POPs?
OJD Internal Audit	Circuit Court Technology Assessments: <ul style="list-style-type: none"> • Marion County Circuit Court (August 21, 2020), • Clatsop County Circuit Court (March 19, 2021), • Benton County Circuit Court (August 10, 2021), • Columbia County Circuit Court (January 5, 2022), • Yamhill County Circuit Court (February 1, 2022), • Deschutes County Circuit Court (March 21, 2022), • Tillamook County Circuit Court (June 17, 2022) 	The objectives were to determine whether internal controls were adequate to ensure the security and availability of information systems and technology resources.	The auditees agreed to implement all the recommendations. The internal auditor performed a follow up audit and found that all recommendations were either implemented or in the process of being implemented.	No
OJD Internal Audit	Benton County Circuit Court (July 29, 2020)	The objective of the audit was to determine whether proper internal controls were in place and whether grant requirements were generally followed. We did not perform a full grant compliance audit as the Benton County government is the grant recipient and grant compliance was primarily their responsibility.	The auditees agreed to implement all the recommendations. The internal auditor performed a follow up audit and found that all recommendations were either implemented or in the process of being implemented.	No
OJD Internal Audit	Polk County Circuit Court (July 30, 2020)	The objective was to determine whether internal controls are properly designed to provide adequate fiscal controls and segregation of duties at the Polk County Circuit Court.	The auditees agreed to implement all the recommendations. The internal auditor performed a follow up audit and found that all recommendations were either implemented or in the process of being implemented.	No