

To Members of the Oregon Legislative Assembly and Russ West, Senior Judge:

I, Francisco J. Yraguen, more commonly referred to as 'Frank Yraguen', concur in the letter regarding Senate Bill 807 prepared by Senior Judge Russ Wes and his anticipated testimony on the Bill.

Quite frankly, I never thought that SB 807 would be approved by the Senate.

I was a Deputy District Attorney in Douglas County for one (1) year, the District Attorney for Malheur County for five and one-half (5 1/2) years, a Circuit Court Judge for the 9th Judicial District for twenty-four (24) years (which was composed of Malheur and Harney Counties until the District was reorganized to only include Malheur County upon completion of the Snake River Correctional Institution), and have been a Senior Judge for the past twenty-three (23) years. I have sat in every county east of the Cascades and in Multnomah, Clackamas, Washington, and Lane Counties in the Willamette Valley.

Whenever a motion to recuse me was filed in any matter during my entire forty-seven (47) years as a judge, I never questioned the good faith of any litigant or attorney who filed the motion, and immediately withdraw from the matter. I can't even imagine sitting on any case in which such a motion has been filed. It is an attorney's and/or litigant's right to remove a judge if that judge's fairness to sit on the matter is questioned.

Mark my words, attempting to qualify that right, which has stood as the standard for so many years, will not solve problems for the judicial system but will instead create a whole host of both anticipated and unanticipated legal quagmires.

Sincerely, Frank Yraguen