

Oregon Judicial Department

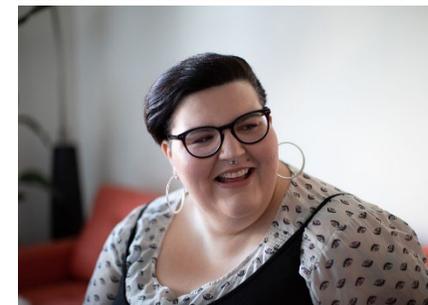
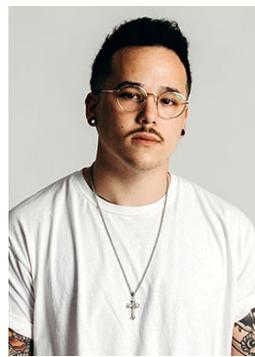
2025-27 Chief Justice's Recommended Budget



The Honorable Meagan A. Flynn
Chief Justice

Nancy J. Cozine
State Court Administrator

February 2025



“The obligation of the legal profession is ... to **serve as healers of human conflicts.** ... [W]e should provide mechanisms that can produce an acceptable result in the shortest possible time, with the least possible expense and with a minimum of stress on the participants. **That is what justice is all about.**”

Warren Burger, U.S. Supreme Court Chief Justice



Presentation Overview



Day 1

- The Judicial Branch
- The Justice Campaign
- State Courts Overview
- Circuit Courts Caseload Data
- Dive into Case Types

Day 2

- Continued Dive into Case Types
- Key Performance Measures
- Access to Justice

Day 3

- Revenue, Collections, and Budget
- 10% Reductions
- Policy Option Packages to Reduce Risks and Address Gaps

Day 4

- Public Testimony



Key Takeaways

- 1 Oregon communities rely on state courts
- 2 Oregon state courts:
 - Are problem-solvers
 - Are good stewards of state resources
 - Still need your investment
- 3 Investing in state courts provides communities with timely, meaningful justice services

Oregon's State Government



Legislative Branch



Judicial Branch

Oregon Judicial Department

Commission on Judicial Fitness

Oregon State Bar

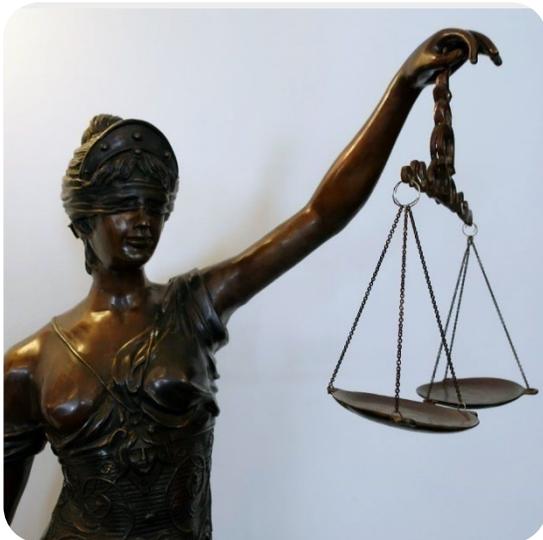


Photo from Oregon State Capitol Foundation.

Executive Branch

Oregon Courts: Protecting Rights and Democracy

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



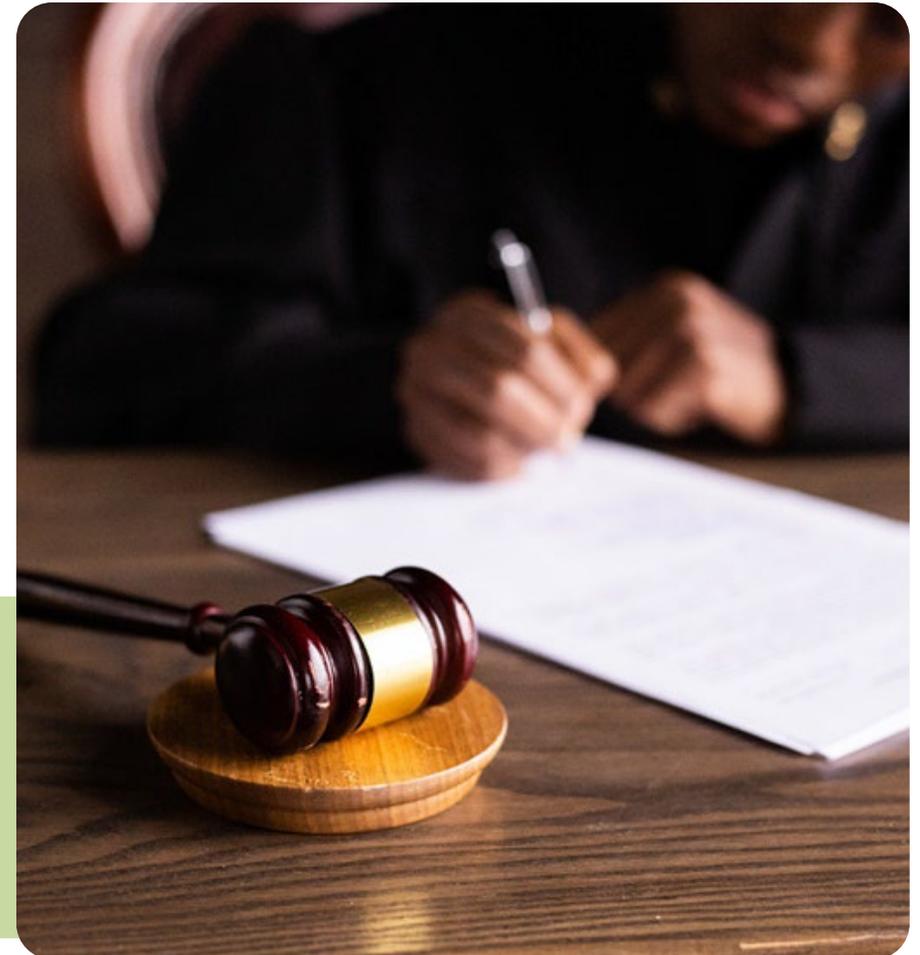
A strong, fair, and impartial court system — as an equal branch of government — protects our rights and our democracy.

The Role of the Courts in Our Democracy

- Protect fundamental legal rights
- Promote the rule of law
- Provide access to justice
- Resolve disputes, improve outcomes, and provide a place to be heard

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

- Oregon Constitution, Article I, Section 10



Oregon Chief Justice – Statutory Responsibilities

- Presiding judge of Oregon Supreme Court
- Administrative head of state judicial branch of government
 - Make rules and issue orders, including statewide court closures
 - Establish budgets for state court system, including state courts
 - Establish statewide personnel rules and policies
 - Appoint presiding judges of circuit courts, Court of Appeals, and Tax Court
- And many other duties

(For a full list, see ORS Chapters 1, 3, 7-10, 21, 36, 151, and 174)

Courts Have Long Been Problem-Solvers



Chief Justice Edwin Peterson (1983-91)

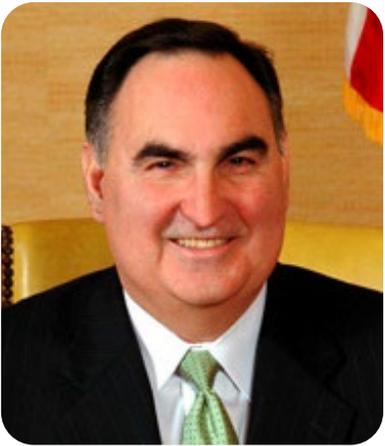
- Guided unification of state courts
- Worked to create a more consistent, equitable, and fair system of justice statewide



Chief Justice Wallace Carson (1991-2005)

- Led creation of Oregon Judicial Information Network (OJIN) – first attempt to collect statewide data
- Continued expanding access to justice

Courts Have Long Been Problem-Solvers (cont.)



Chief Justice Paul DeMuniz (2006-12)

- Launched and led transition from OJIN to Oregon eCourt
 - OJD's current case management system
 - Allowed branch to engage in meaningful, data-driven decision-making
- Prioritized upgrading aging and unsuitable court facilities

Courts Have Long Been Problem-Solvers (cont.)



Chief Justice Thomas Balmer (2012-18)

- Completed Oregon eCourt statewide roll-out
- Created Oregon Supreme Court Council on Inclusion & Fairness to expand access to justice and equity
- Emphasized improving civil case processing
- Oversaw Oregon Supreme Court building seismic upgrade and historic preservation project

Courts Have Long Been Problem-Solvers (cont.)



Chief Justice Martha Walters (2018-22)

- Stewarded courts through COVID pandemic
- Developed rapid expansion of remote proceedings
- Launched equity framework and significant new programs to support continued statewide coordination and improvement



Courts Continue to Be Problem-Solvers



- Addiction and recovery
- Housing and homelessness
- Mental health care and treatment
- Public safety
- Unrepresented persons
- Support for the rule of law
- Preservation of individual rights
- Access to justice



Justice Campaign 2024-27: Four Commitments



Commitment 1:

We will collaborate with community partners to improve services and access for people who are underserved, vulnerable, and marginalized.



Commitment 2:

We will improve the court user experience by identifying and eliminating barriers to access to justice and ensuring safe, secure, and accessible court facilities.



Commitment 3:

We will earn the public's trust and confidence through communication, transparency, high ethical standards, and promoting the rule of law.



Commitment 4:

We will provide a workplace and courthouse culture that is welcoming, supportive, diverse, and where all people are treated with respect.

Justice Campaign 2024-27: Nine initiatives

- ⚖️ Safe court facilities
- ⚖️ Improve court services & evidence-based problem-solving programs
- ⚖️ Provide accessible court proceedings
- ⚖️ Increase juror participation & engagement
- ⚖️ Ensure accessible & user-friendly web services
- ⚖️ Expand availability & accessibility of court forms
- ⚖️ Improve education & training
- ⚖️ Leverage technology & AI
- ⚖️ Develop multi-year plan to fund courthouse renovation or replacement





OJD by the Numbers



- **1** Supreme Court (court of last resort)
- **1** Court of Appeals (intermediate appellate court)
- **1** Tax Court
- **1** central administrative office
- **27** judicial districts
- **36** circuit courts (some with multiple locations)
- **202** judges and justices
- **2,008** positions (**1,888.27** FTE)
- **585,000+** total annual case filings
- **4.23 million** Oregonians served



Oregon's State Courts

Supreme Court
7 justices

Court of Appeals
13 judges

Tax Court
1 judge, 3 magistrates

Circuit Courts
181 judges, 27 judicial districts

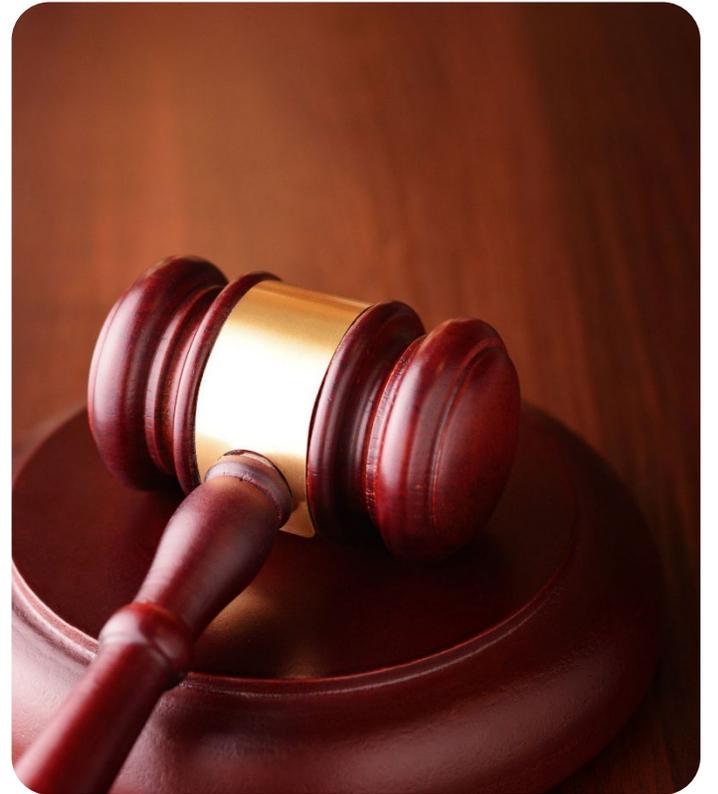
Oregon Supreme Court

- 7 justices, elected statewide
- Discretionary review of Court of Appeals decisions
- Nearly **900** filings each year
- Hear and decide 70-85 each year



Oregon Court of Appeals

- 13 judges elected statewide
- Hear appeals from the circuit courts and agencies
- Usually sit in three-judge panels
- Must accept and decide each case
- Decisions can be appealed to Oregon Supreme Court
- Average **2,800** filings per year
- Busiest intermediate appellate court in the country



Oregon Tax Court

- 1 judge, 3 magistrates
- Sole jurisdiction over cases arising from state tax laws
 - Recently added cases that arise under tax laws passed by cities, counties, and other local governments
- About **700** case filings in 2024
- 1/3 income tax; 2/3 property tax
- 90% of cases resolved in Magistrate Division

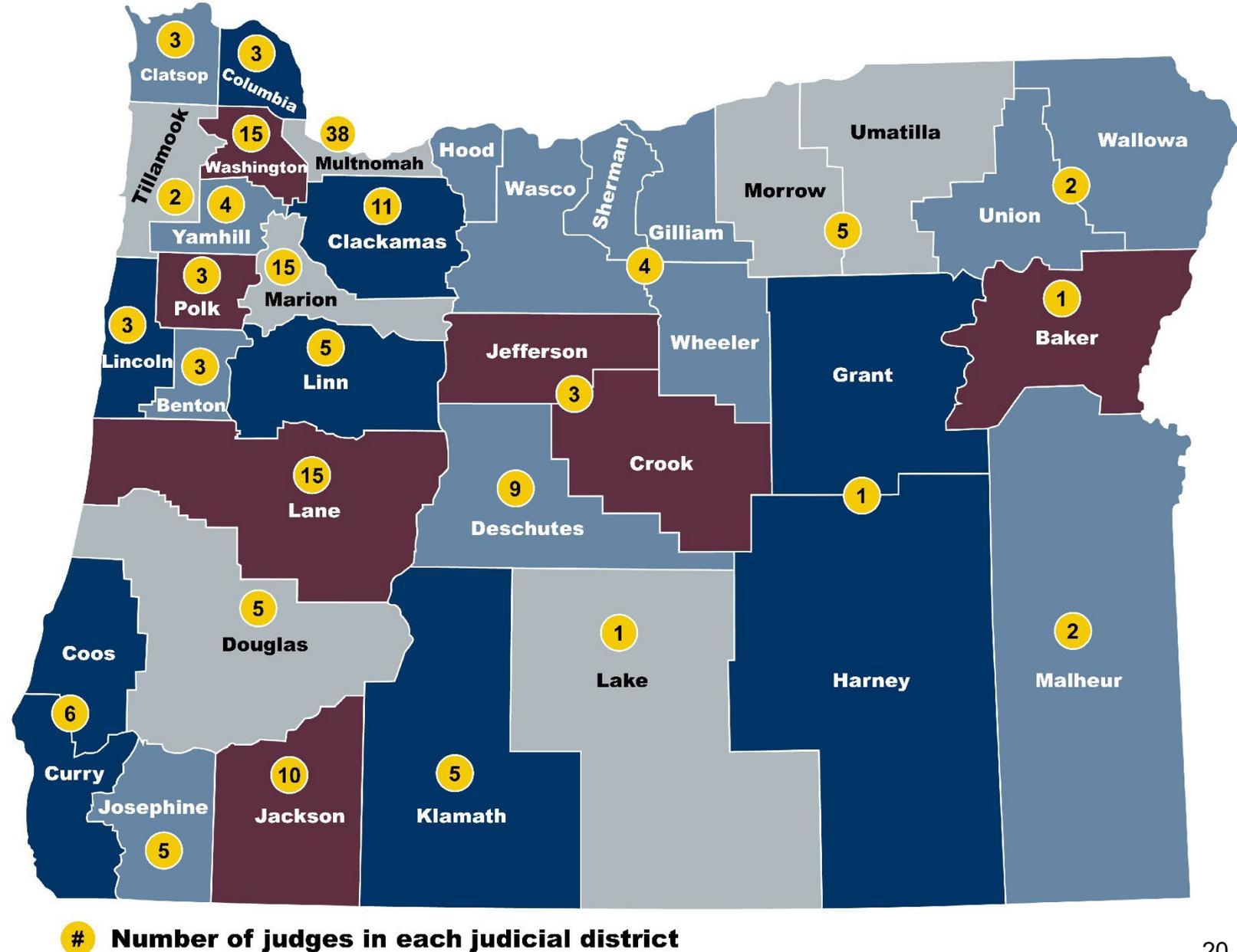


Magistrate Division

- 30% of taxpayers represent themselves
- In most cases, neither party has a lawyer

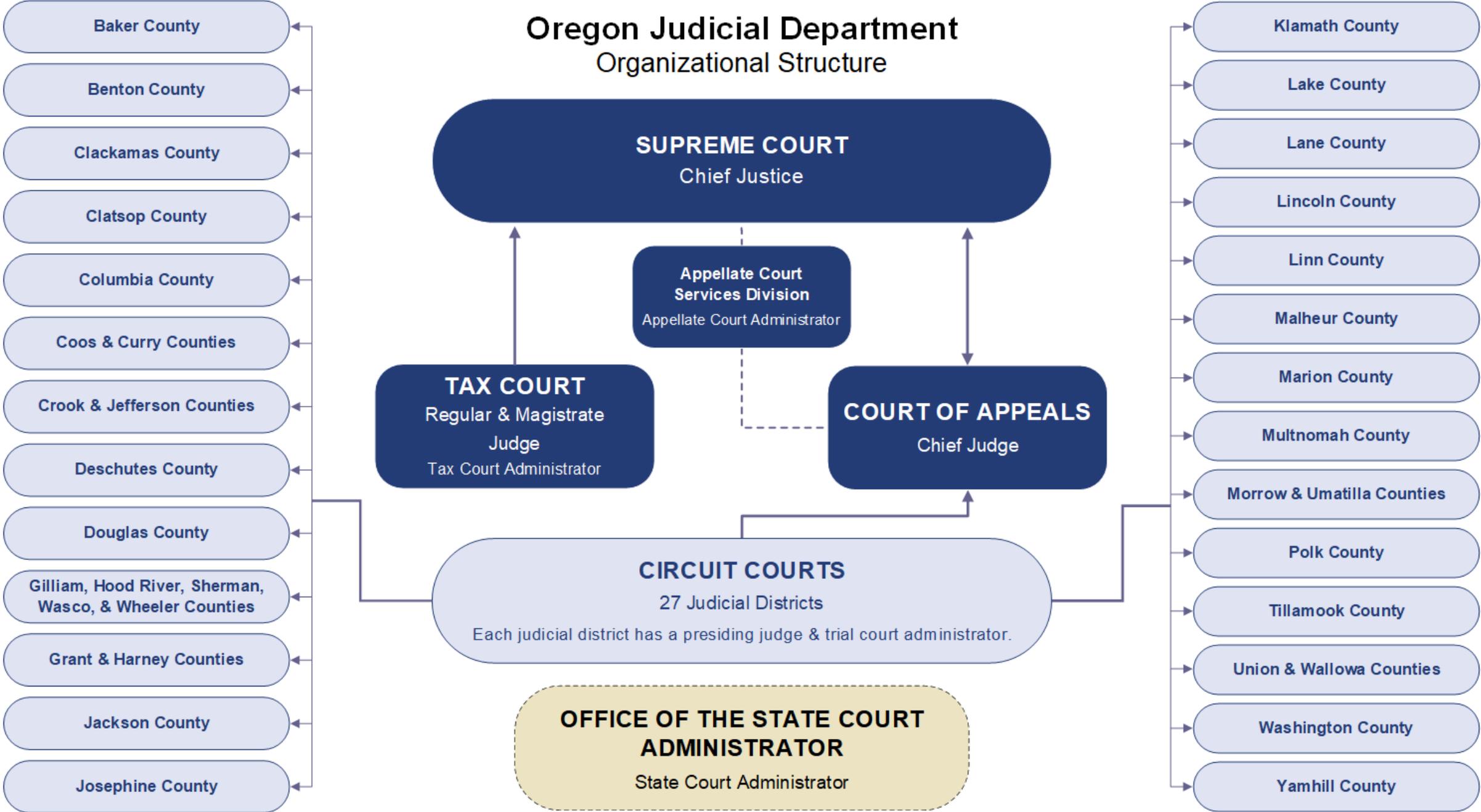
Circuit Courts

- 27 judicial districts
- Circuit courts in every county
 - 181 judges
 - 1,484 staff
- More than 585,000 cases in 2024



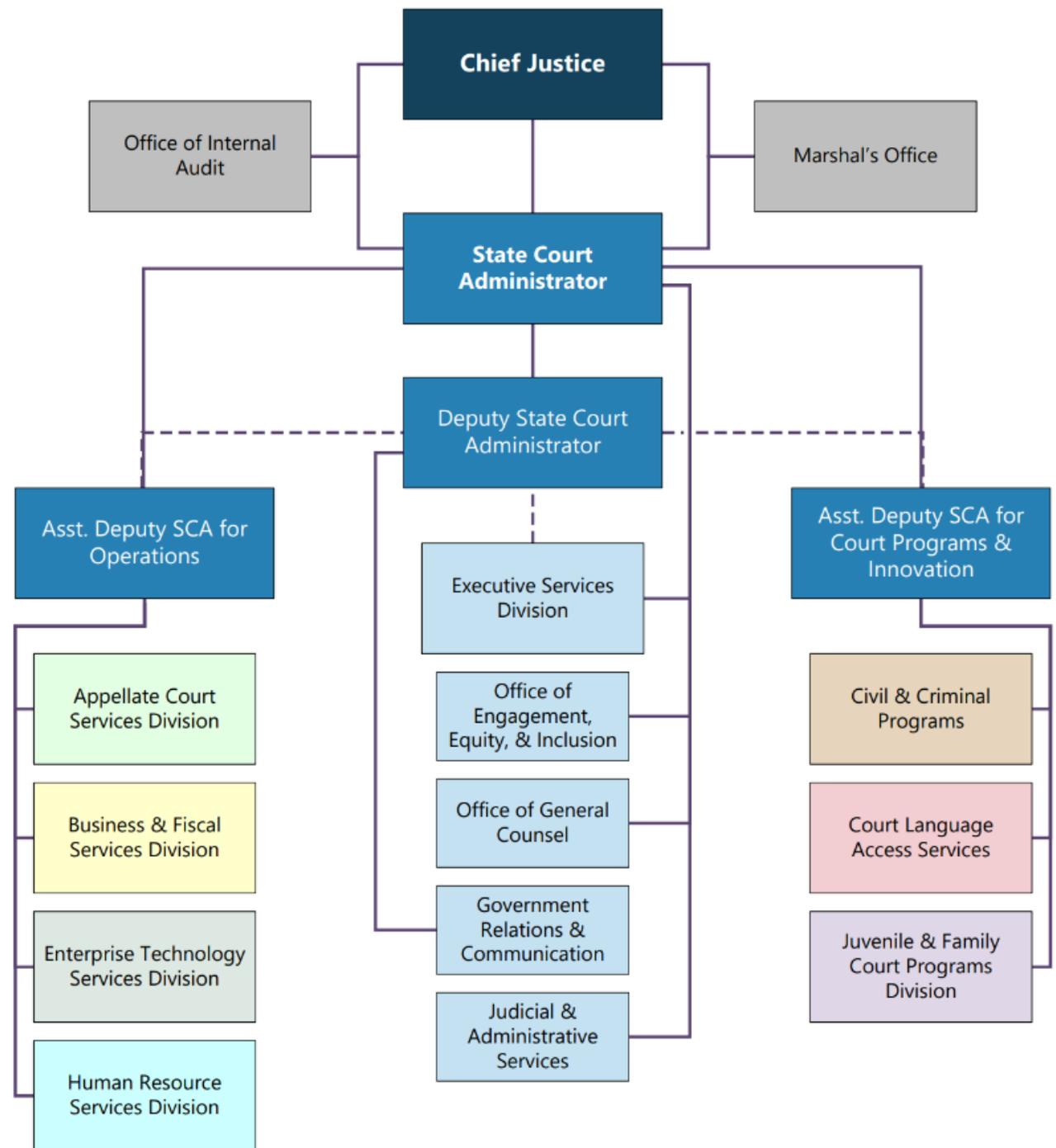
Number of judges in each judicial district

Oregon Judicial Department Organizational Structure



Office of the State Court Administrator

- Operational backbone for statewide court system
- Program support and coordination
- Strategic planning
- Governance
- Education and training
- Government relations
- Communications
- Supports access for all



State Court Administrator – Statutory Responsibilities

- Administrator for Oregon Supreme Court, Court of Appeals, and Tax Court
- Assist chief justice to exercise administrative authority and supervision over state courts:
 - Prepare and submit budget requests to legislature
 - Supervise fiscal, revenue, and accounting systems
 - Collect and compile court-related statistics
 - Supervise education and training programs
 - Coordinate plans for court improvement and court administration
 - Supervise OJD's personnel plan
 - Administer court programs, including court interpreters, citizen review boards, pretrial services
 - Other duties as assigned by the chief justice

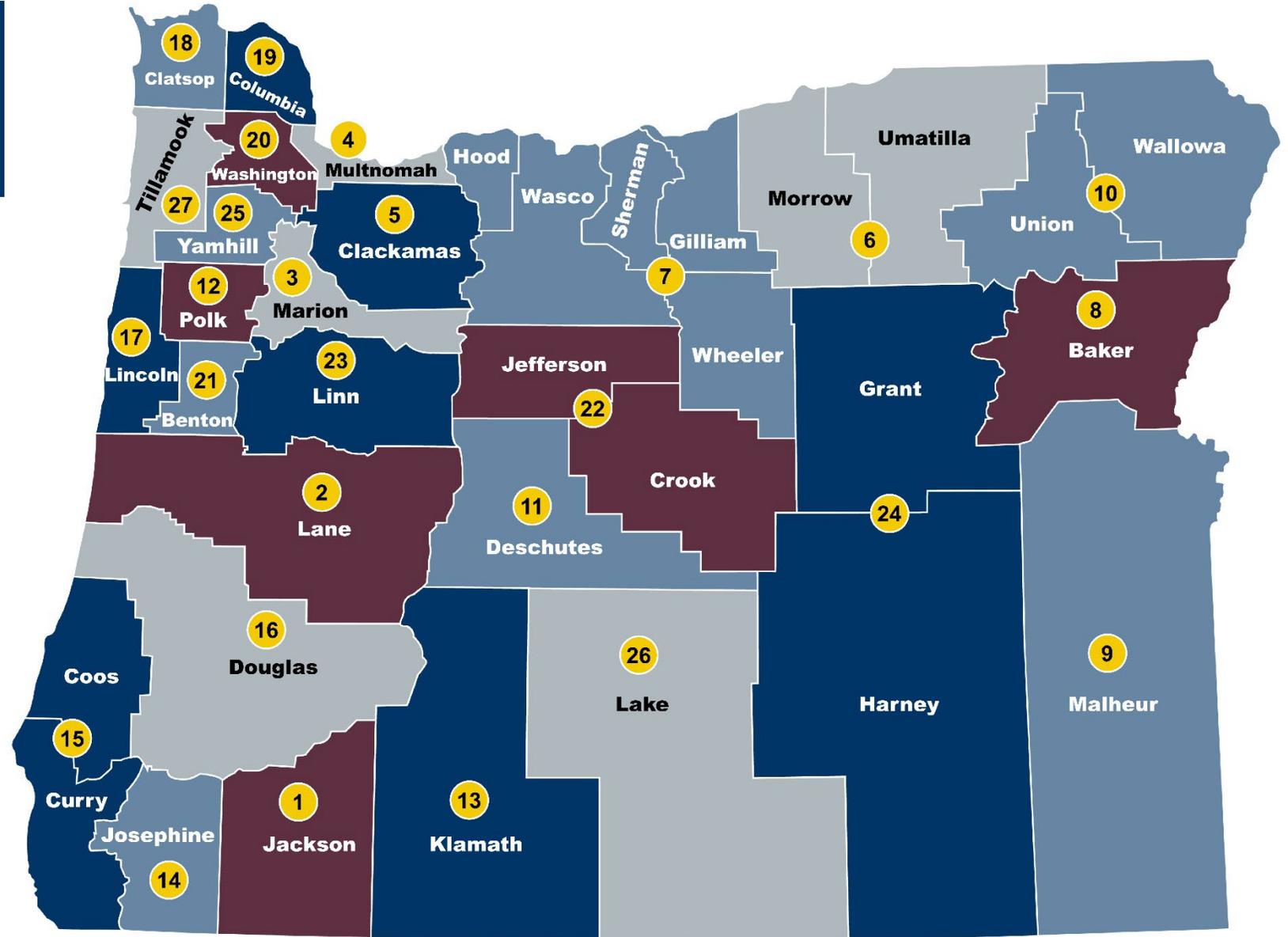
(For a full list, see ORS Chapters 1, 3, 7, 8, 21, 45, 135, 151, and 419A)



Circuit Courts

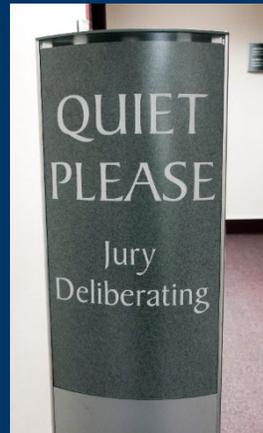
Serving Your Communities Statewide

Circuit Courts



Judicial district numbers

Snapshot: One Day in a Courthouse

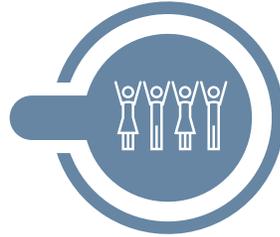


Washington County Circuit Court A Typical Day in January 2025

- 36 people appeared before a judge regarding their **ability to aid in their own defense**
- 21 people talked with a judge about their **divorce and custody** cases
- A jury heard testimony in a **murder trial**
- Adult **drug court** participants had their weekly check-in, and one celebrated her **graduation**
- 14 people applied for new **restraining and stalking orders**
- A judge heard 71 new cases between **landlords and tenants**
- 119 people were **arraigned** on new criminal charges
- Numerous families appeared for **juvenile dependency and delinquency** hearings
- And many, many, many more

1,646 In-Person Visitors

Multnomah Circuit Court operates 5 courthouses in Multnomah County. Visitors range from case parties to attorneys to jurors.



Cases Filed 1,443

Cases come to the court through civil attorneys, the district attorney, law enforcement, and self-represented parties.



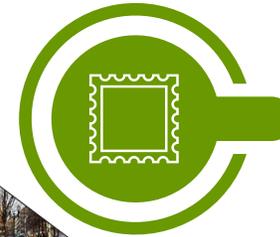
347 Central Public Service Inquiries

The central courthouse staffs 12 public service windows to assist customers with pleas, payments, and general questions.



Mailed Notices 1,285

Our highest volume cases are parking and traffic tickets, whose parties receive court notices in the mail.



71 Legal Resource Center Visitors

Oregon's first Legal Resource Center offers free facilitation appointments to all self-represented parties.



Hearings 1,014

38 judges and 15 hearing referees manage hearings across 4 courthouses.



863 Phone Calls

With phone tree options in Spanish and English, the average caller spends less than one minute in a queue and 10 minutes speaking with court staff.



Trials 34

On any given day, a court observer could watch a trial. On this day, 5 of them were criminal trials.



262 Jurors

Multnomah courts summon 1,200 residents to jury duty on an average Monday. Some are excused or deferred to other dates. On this day, they checked in 262 jurors for service.



Online Requests 1,300

Online access to the court is a priority. Court staff process electronic submissions from File & Serve, high-volume web forms, records requests, and the jury program.



A Typical Monday at the Multnomah Circuit Court

Rural Court Snapshot: 6th Judicial District

1 Judicial District | 2 Counties | 3 Courthouses | Many, Many Miles

5 elected judges + 1 pro-tem judge

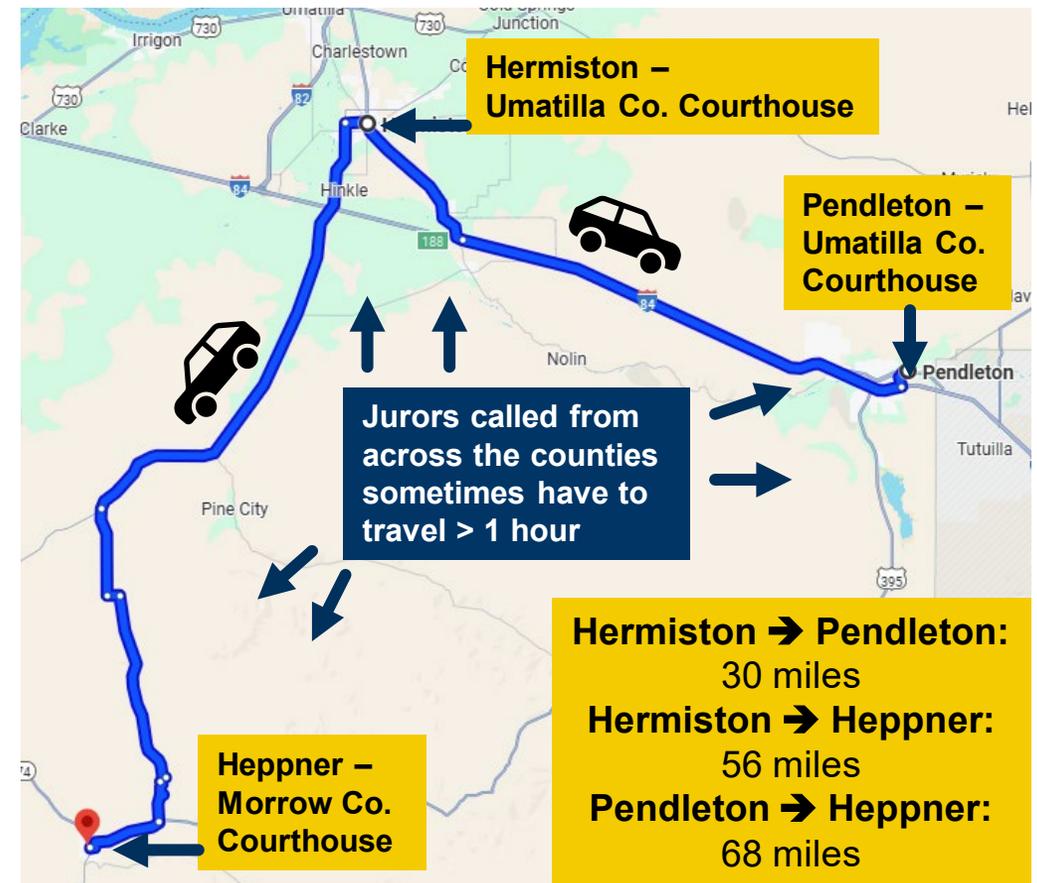
- 3 assigned to Pendleton
- 2 assigned to Hermiston
- Referee travels to cover dockets wherever needed
- All 6 travel to Heppner on rotation several times a month

Morrow County

- Remote location and small population
- Fewer in-person dockets; more remote hearings

All staff must be cross-trained

- Only 32 total people on staff between all 3 sites
- Staff often travel between courthouses



Court Facilities



Morrow County
Built in 1902-03



Lincoln County
Built in 1954



Polk County
Built in 1899

State Courts & Shared Responsibilities

State

Responsible for:

- Staffing
- Judges
- Technology
- Central personnel
- Tools to provide justice services

Counties

Responsible for:

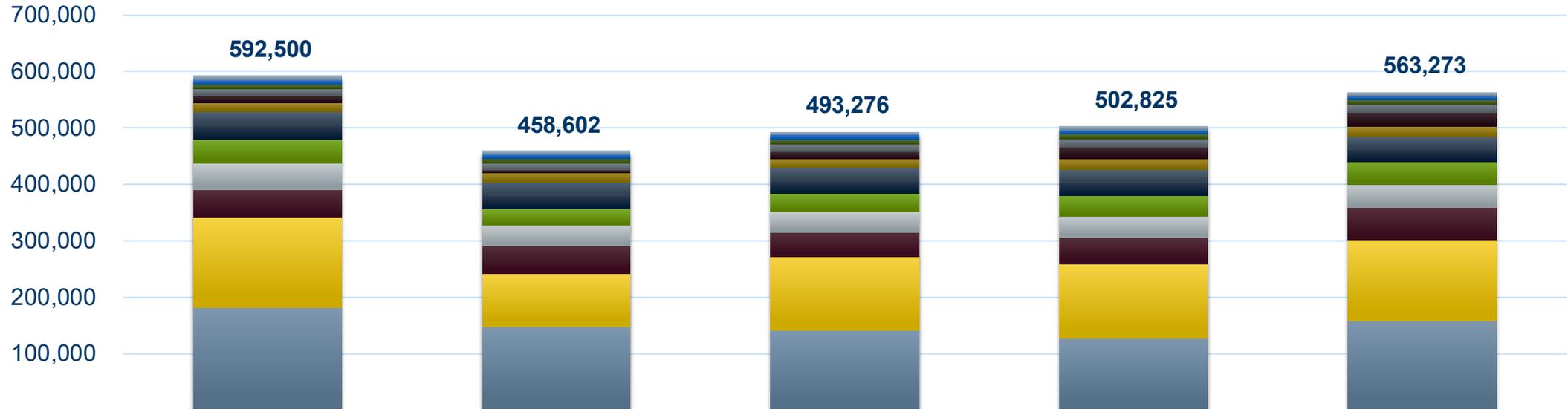
- Circuit court facilities
- Security

State provides limited funding to assist counties with:



Court security, law libraries, mediation

Circuit Court Case Filings FY 2020 - 2024



	2020	2021	2022	2023	2024
Juvenile	8,457	6,229	5,935	6,119	6,349
Procedural Matters	7,102	7,180	7,785	7,963	7,557
Civil Commitment	7,493	7,803	7,504	8,033	7,558
Probate	11,401	12,397	13,982	13,572	13,581
Landlord Tenant	13,645	4,454	12,299	22,344	25,592
Protective Order	15,634	16,092	17,401	19,149	18,649
Felony	24,711	23,776	21,838	21,764	21,328
Domestic Relations	25,021	24,058	23,244	23,637	22,976
Small Claims	41,785	28,859	31,483	36,450	39,542
Misdemeanor	46,525	37,123	37,165	37,240	41,344
General Civil	49,452	49,914	43,586	47,885	57,010
Parking	158,625	91,947	129,993	131,132	143,770
Violation	182,649	148,770	141,061	127,537	158,017
Grand Total	592,500	458,602	493,276	502,825	563,273

Courts Touch All Aspects of People's Lives



Family

Divorce
Child custody
Protective orders



Juvenile

Dependency
Delinquency



Probate

Guardianships
Conservatorships
Estates & trusts



Civil

Landlord-tenant
Torts & debt collection
Small claims



Criminal

Felonies
Misdemeanors
Treatment courts



Behavioral Health

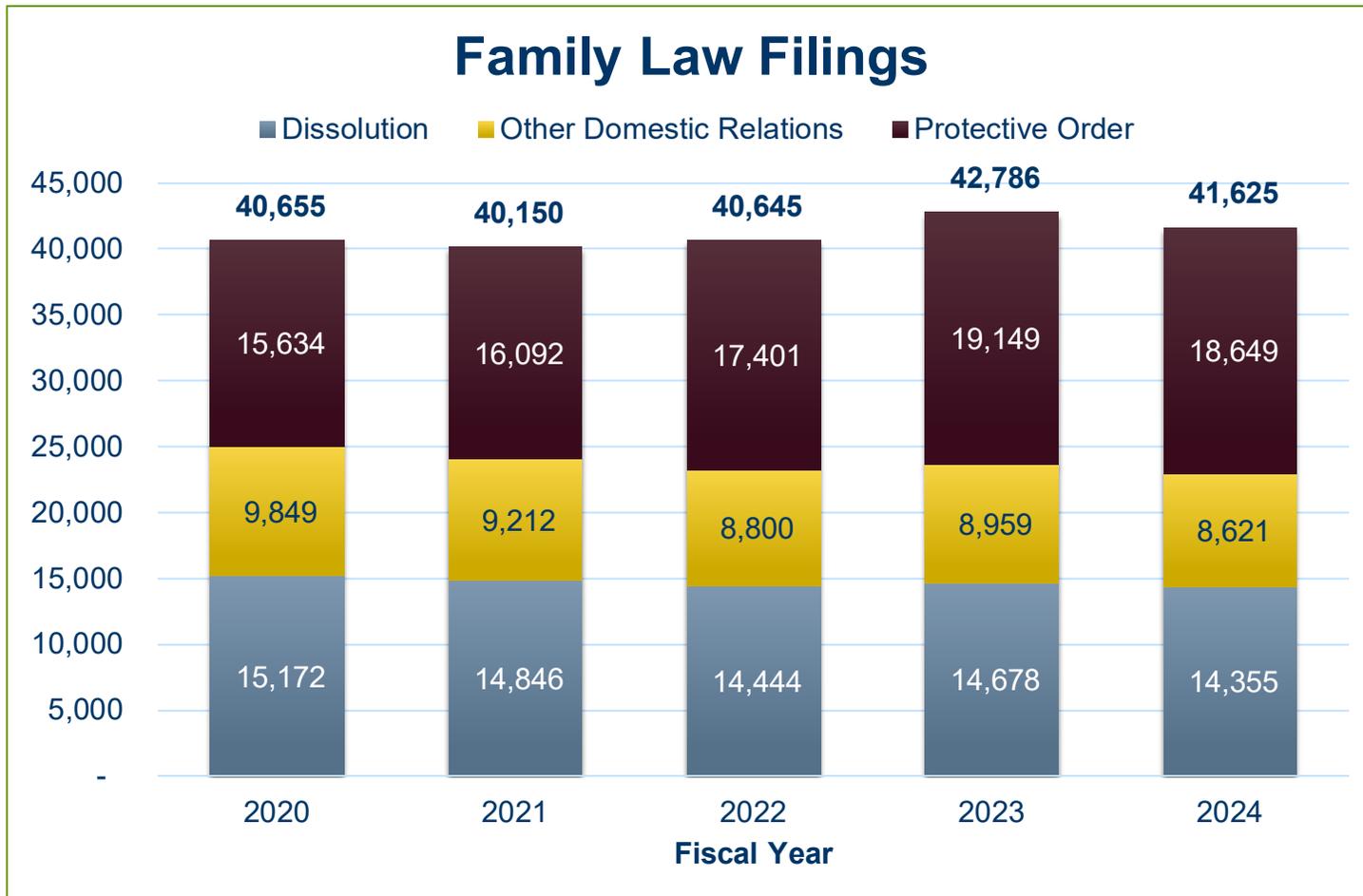
Civil commitment
Aid & assist



Family Law

- Divorce, child custody, and protective orders
- Heightened emotions or serious conflicts can have lasting impacts on children and families
- Families, domestic violence victims, and others need timely court access to minimize trauma
- Addressing the justice gap through court facilitators and mediation

Family Law Case Filings



- **86%** of cases have at least one self-represented litigant
- More litigants need facilitation services, iForms, and translated materials



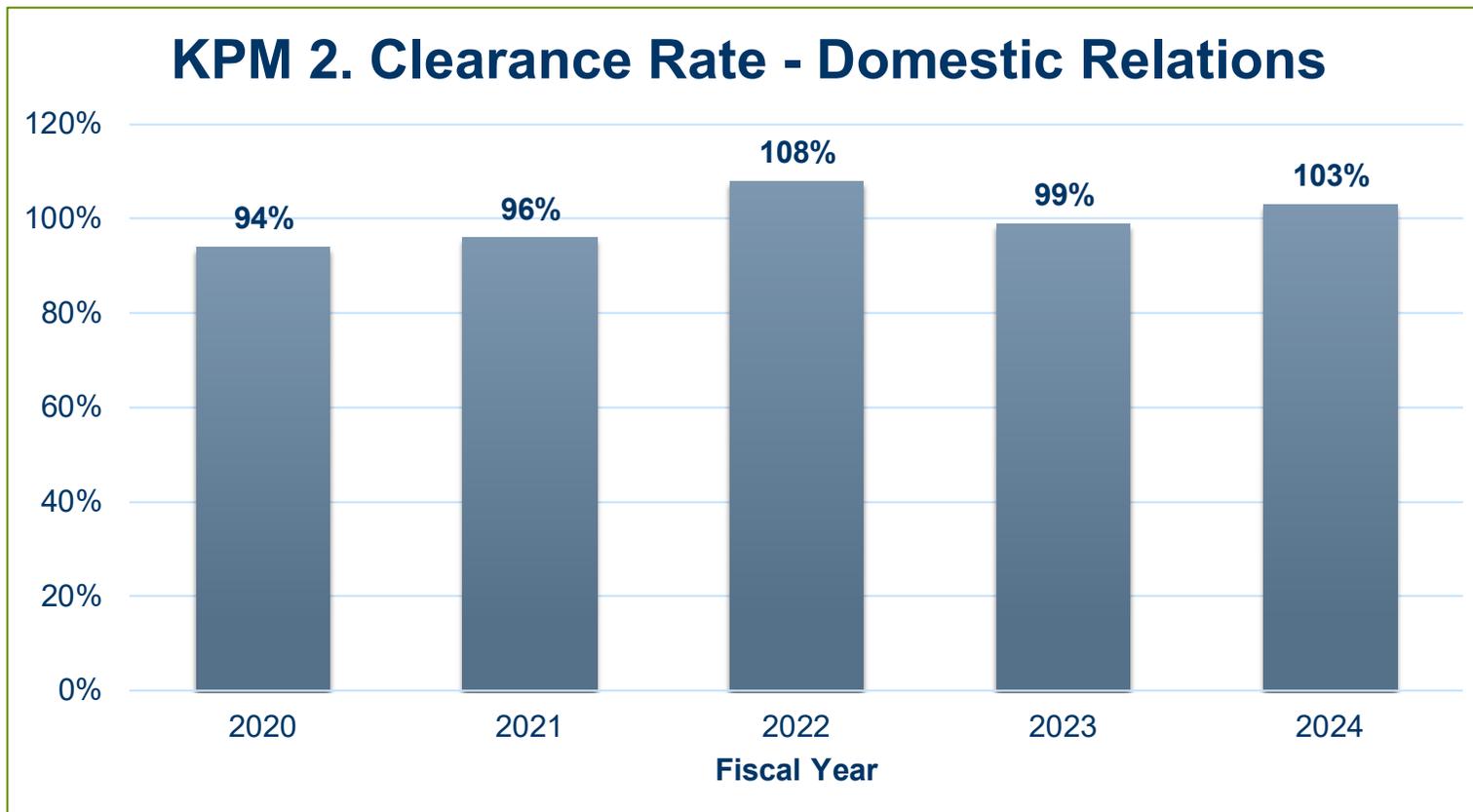
Initial Filings Are Only the Beginning



- Cases may continue post-judgments as long as the children are minors
- One case many have many post-judgment issues



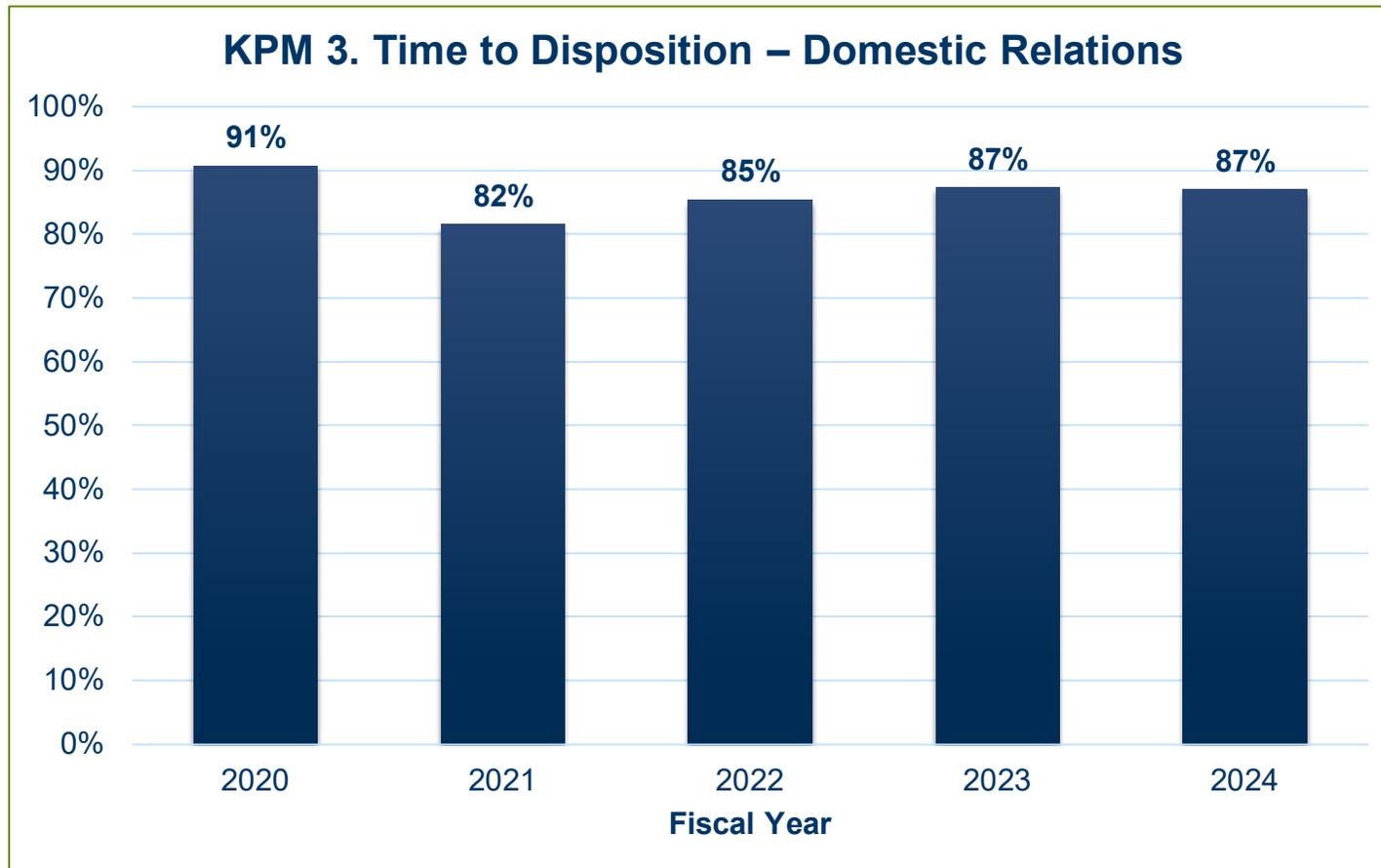
KPM 2. Clearance Rate



**Target: 100%
Clearance Rate**

The number of closed (resolved) cases as a percentage of the number of filed cases

KPM 3. Time to Disposition



Target:

98% of cases resolved within **365 days**

Delays in Resolving Cases Can Harm Families

- Child support
- Safety or health decisions
- School and educational decisions
- Parenting time
- Moving or home purchase



Family Law Facilitators

- Help self-represented litigants fill out forms and understand court processes
- Refer people to resources
- Only provide legal information; do not practice law
- In-person or remote services
- Available for every county



Facilitators Only Provide Legal Information

Legal Information (OK)

- ✓ How to find forms and how to complete them
- ✓ How court procedures and rules work
- ✓ How to begin a court action
- ✓ Referrals to agencies or resources that provide legal and other services
- ✓ Reviewing documents and forms to make sure they are complete

From the Southern Oregon and Northwestern Oregon Facilitation Initiatives

Legal Advice (Not OK)

- ✗ Offering an opinion about a possible outcome of an action
- ✗ Advising or recommending someone take a particular course of action
- ✗ Recommending specific forms for solving a specific legal problem
- ✗ Telling someone they should or should not sue, file a complaint, or take other legal action
- ✗ Recommending one procedure or type of pleading over another

Helping People at Their Most Vulnerable

“Your employees provided accurate, complete assistance when I was so frazzled and shaken. ... You may not know this side of heaven what a difference you made on someone’s life.”

Thank-you note from a woman who used facilitation services



More Facilitators Needed Statewide

- Remote facilitation services started in 2022 in 11 southern and eastern counties
- Similar remote facilitation initiatives underway in almost all other counties
- Staff insufficient to keep up with growing demand for both in-person and remote services

Availability of Facilitators Does Not Meet Demand

- **Clackamas:** Has only **one** in-person facilitator to serve a county of more than **423,000** people
- **Union/Wallowa:** Trial court administrator fills in and helps customers when their **one** in-person facilitator is absent
- **Marion:** In January, **1,557** people checked in with a receptionist to get services, and **260** met with facilitators



How Courts Support Families: Mediation



- Each judicial district required to provide mediation orientation and, where appropriate, mediation services in cases where child custody, parenting time, or visitation are in dispute
- In 52% of cases where parties appear, at least one issue is resolved
- Reduces co-parenting conflict, a factor associated with adverse childhood experiences
- Improves judicial efficiency when parties resolve through mediation



Mediation Benefits Children and Families

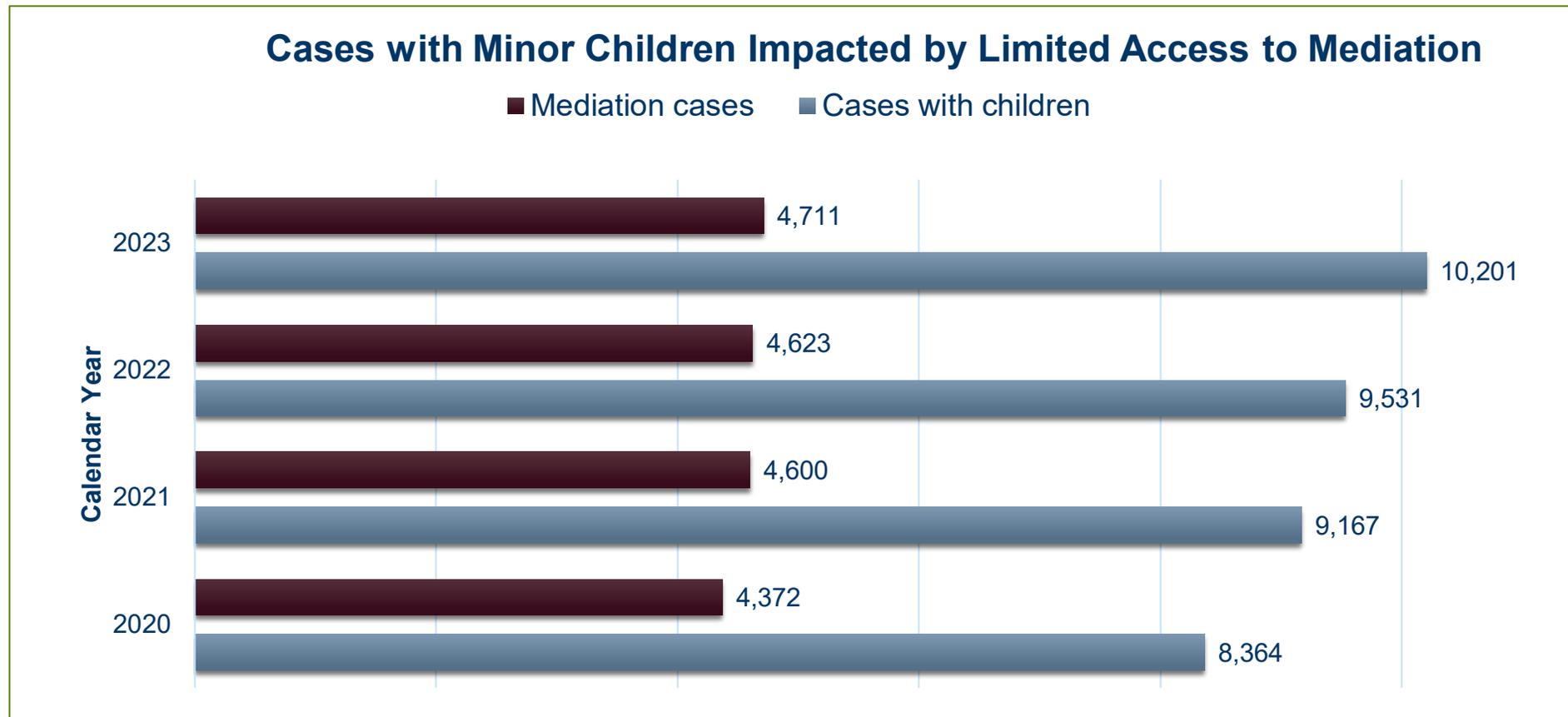
“[The mediator] created an environment that was safe and neutral to help my co-parent and I navigate many issues that were highly contentious. [The mediator] was extremely kind and patient. ... I am hopeful this final round will allow us to move forward in a way that is healthiest for our kids and our coparenting situation.”

“Mediation is the only way any agreement happened, and I am extremely grateful for the service.”



“[It was helpful] to talk out my plan and creatively strategize different parenting plan ideas. The mediator and I were able to come up with two new possibilities I had not thought of before the mediation.”

More Mediation Access Needed

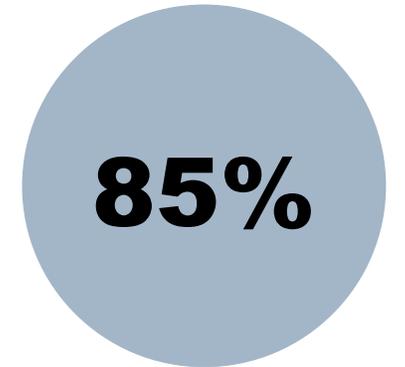


How Courts Support Families: Remote Child Support Docket

- OJD's first statewide docket
- Hearings held by phone or video
- Operates in 8 counties
- Problem-solving approach to overcome barriers to payment
- **75%** payment compliance rate
- **1,805** cases heard since April 2023
- Matched with federal funding



Traditional Docket
Appearance Rate



Remote Docket
Appearance Rate



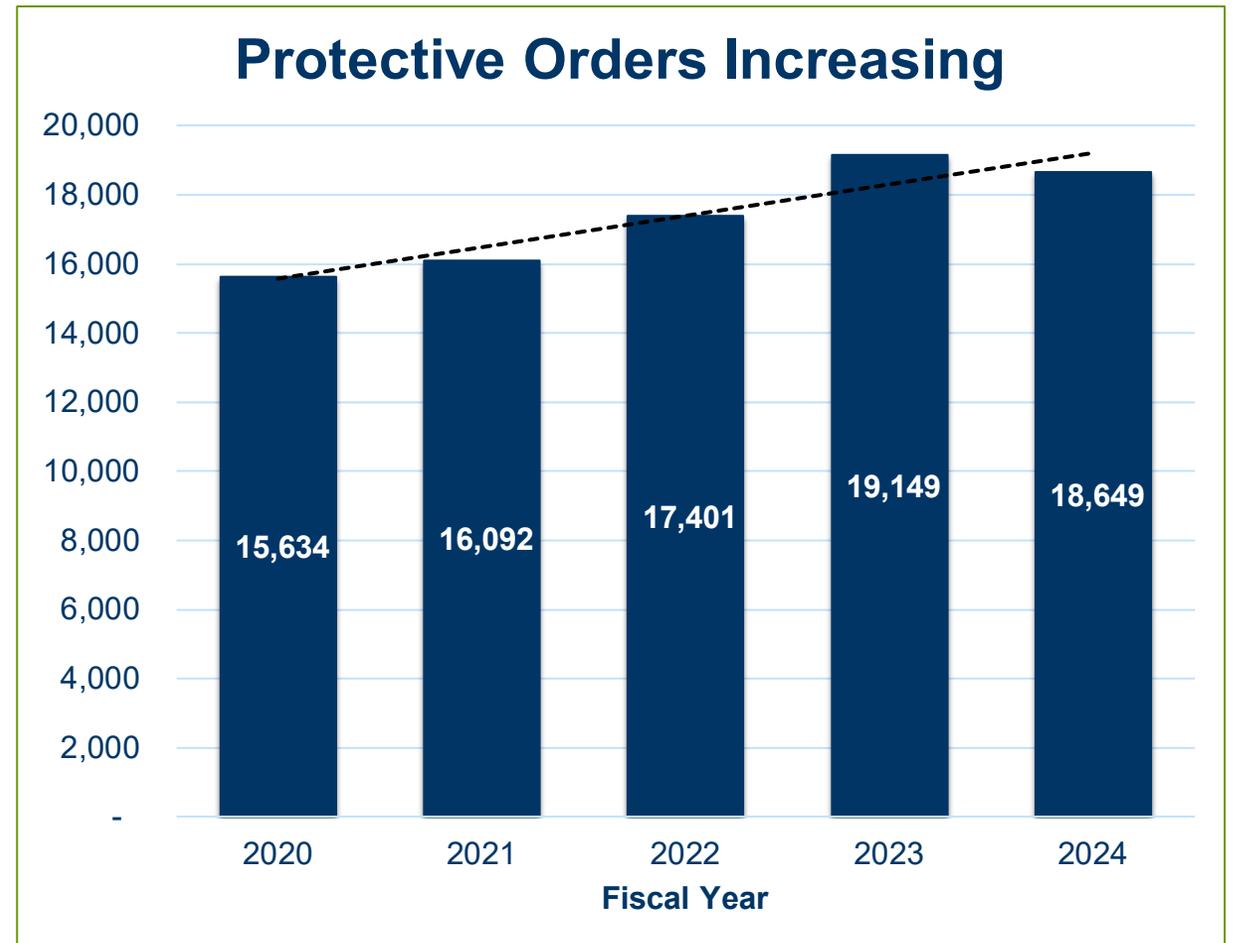
Protective Orders

- Protect people from abuse, threats, or harassment
- Early access to court is critical for victim and survivor safety
- Victim and survivor needs are increasingly complex and may include trauma exposure and behavioral health issues
- Effectiveness requires coordination between court, advocates, and service providers

Protective Order Requests Increasing

Orders to prevent:

- Domestic violence
- Abuse of elders
- Abuse of people with disabilities
- Sexual abuse
- Stalking
- Harm to self or others (“red flag orders”)



Judges and Staff Need Specialized Training

Domestic violence and sexual assault training:

- Promotes survivor and community safety
- Reduces bias and misconceptions
- Improves case outcomes
- Enhances trauma-informed practices
- Increases public confidence

“It is important for the court, judges, and all the support staff to understand what trauma looks like for us. We need support to feel safe and help us understand what’s happening.”

**VOICES Survivor
Committee, Washington
County Family Justice Center**



Juvenile Cases

Dependency cases: involve children who may have been abused or neglected, and whether court intervention is necessary for child safety

Delinquency cases: youth charged with behavior that would be criminal if adult



Juvenile Dependency and Delinquency Cases Both Involve:

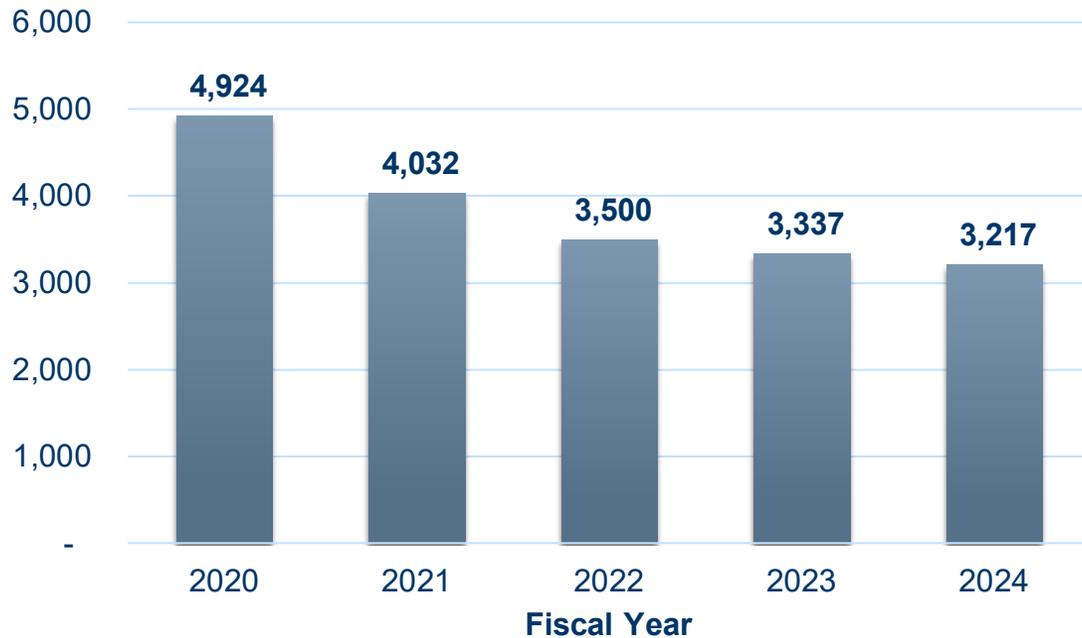


- Statutory timelines and constitutional requirements
- Complex framework of state, federal, and administrative law
- Specialized knowledge of child and adolescent brain development, child well-being, and behavioral health
- Families impacted by trauma, domestic violence, and substance use disorders



Juvenile Case Filings

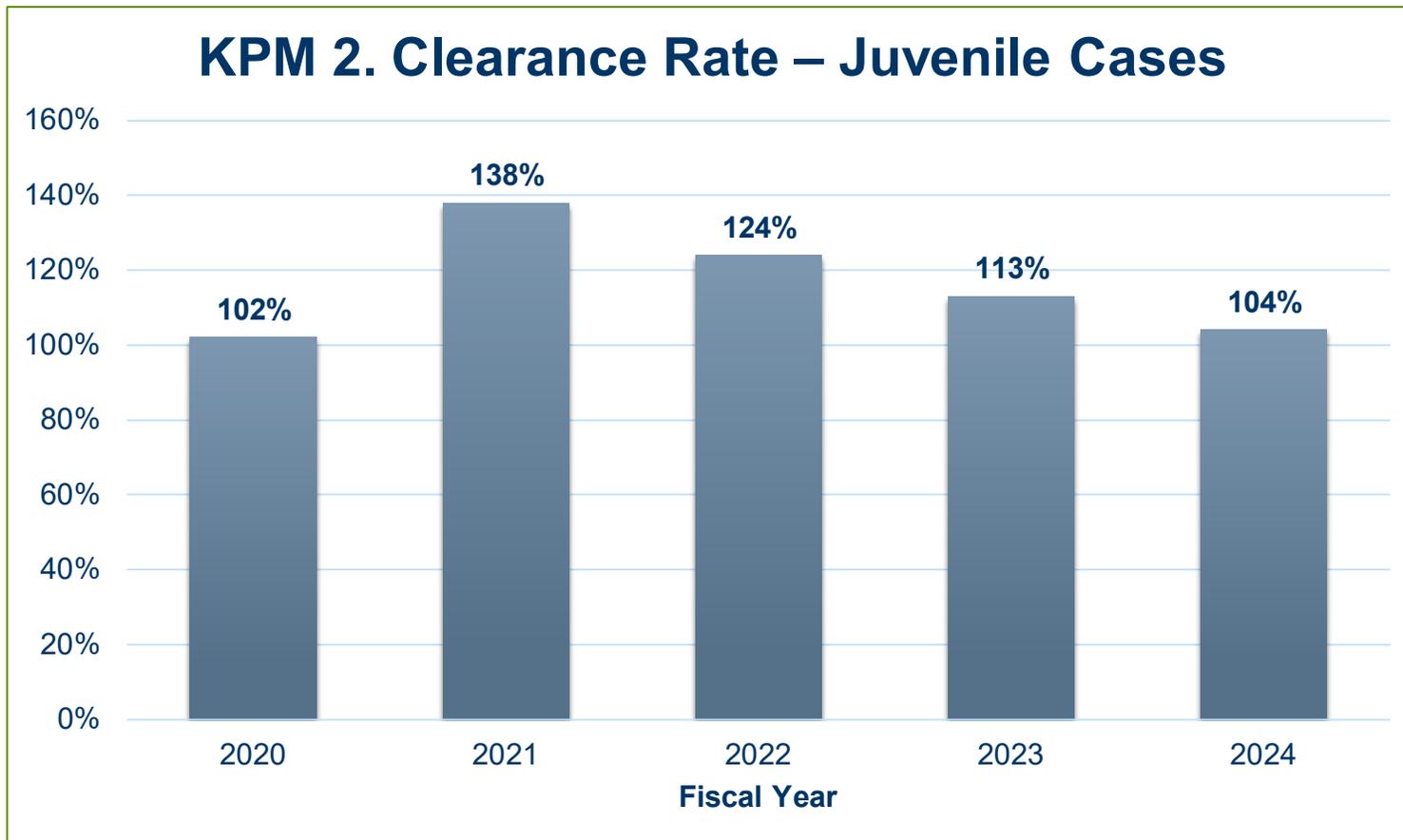
Juvenile Dependency Cases Declining



Juvenile Delinquency Cases Increasing



KPM 2. Clearance Rate

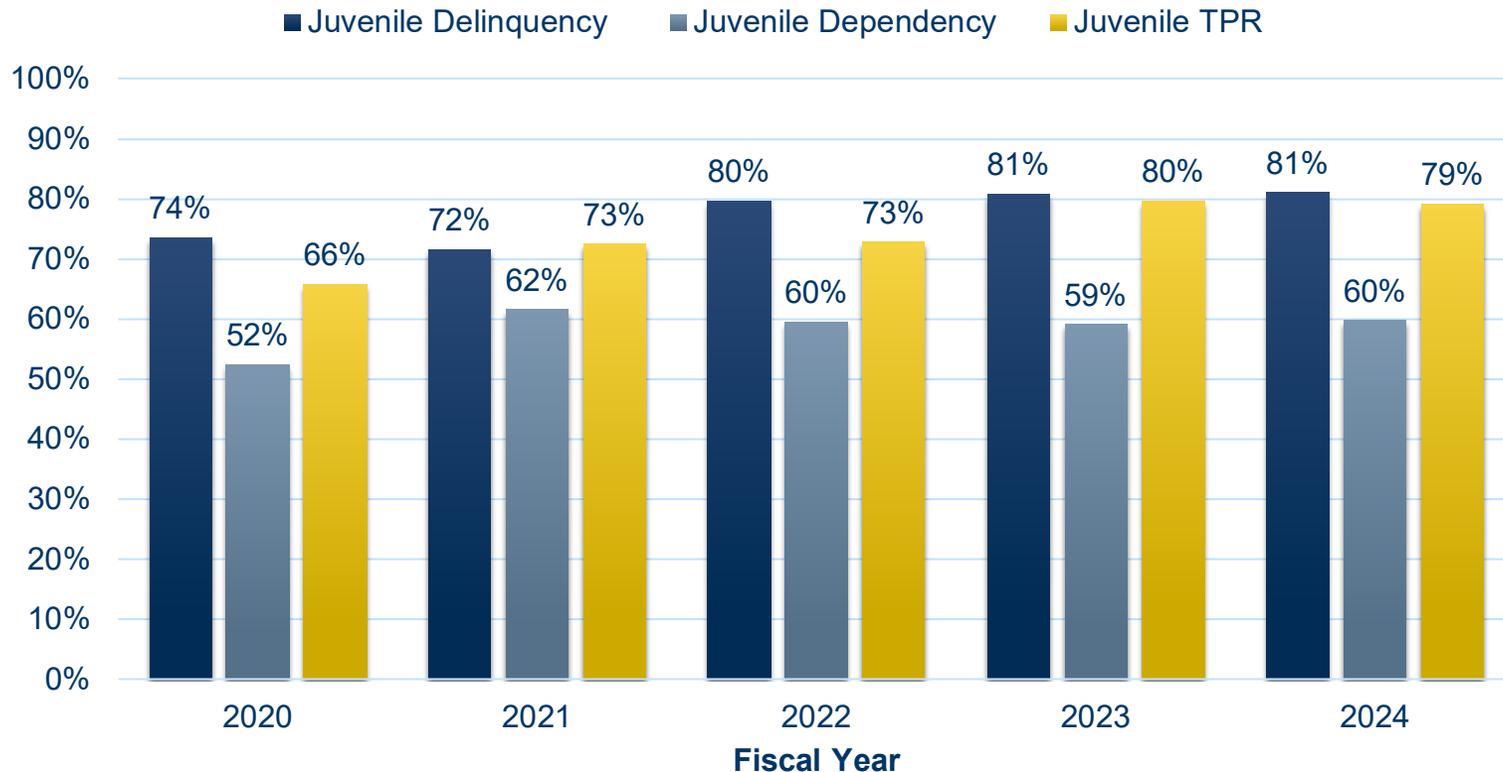


**Target: 100%
clearance rate**

The number of closed (resolved) cases as a percentage of the number of filed cases

KPM 3. Time to Disposition

KPM 3. Time to Disposition - Juvenile



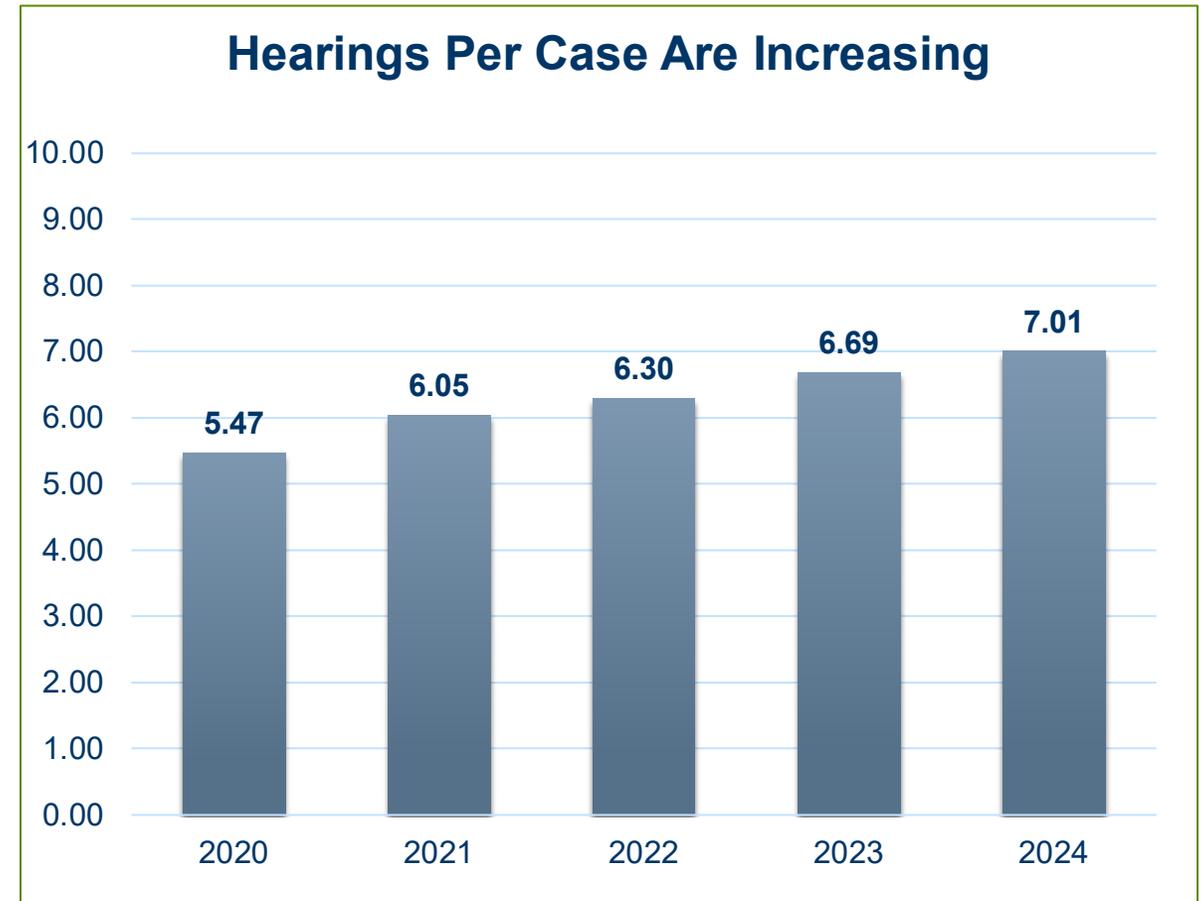
Dependency Target:
98% of cases have a jurisdictional finding on both parents within **90 days**

Delinquency Target:
98% of cases are resolved within **180 days**

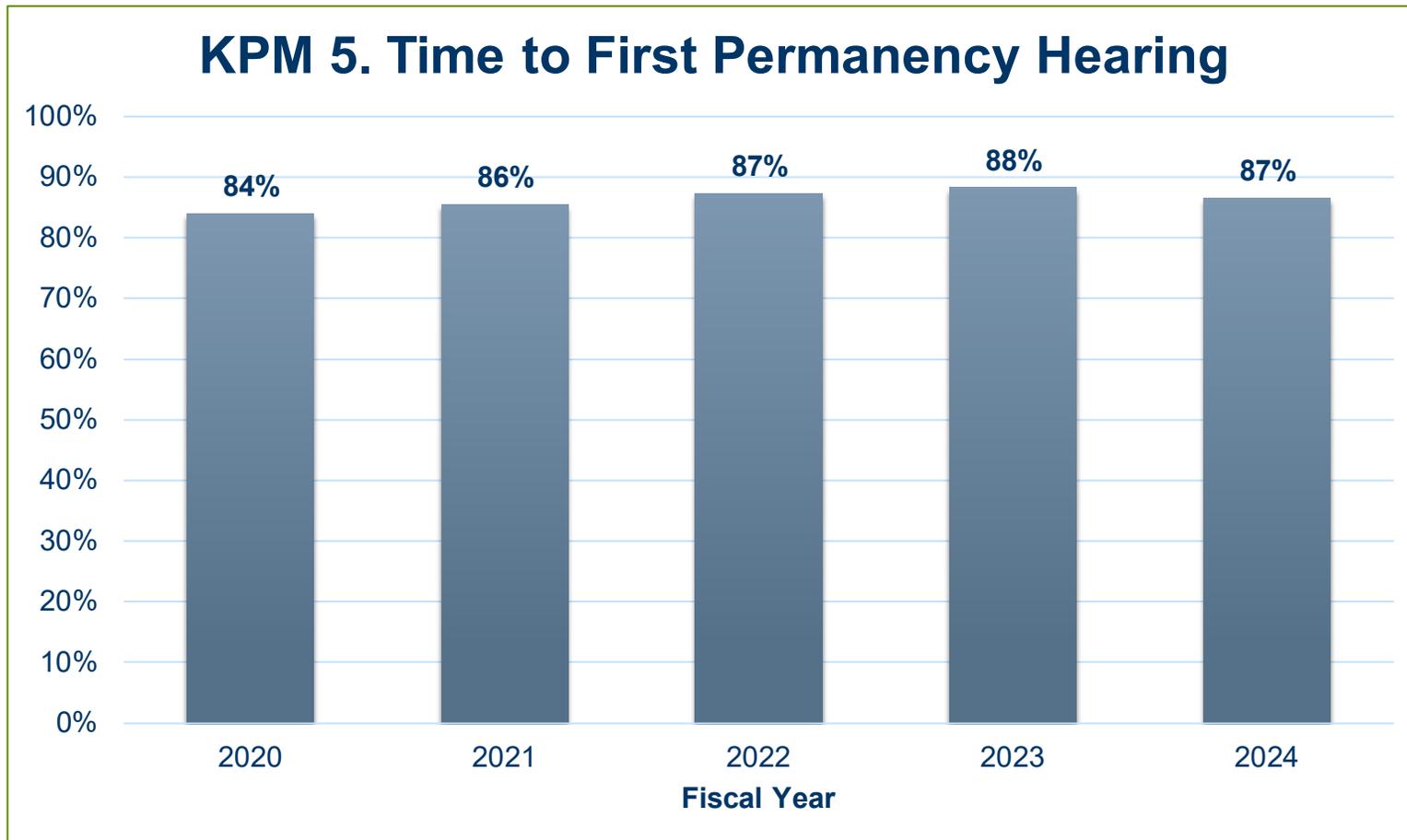
Termination of Parental Rights (TPR) Target:
98% of cases have a jurisdictional finding on both parents within **270 days**

Juvenile Dependency Cases

- Include decisions about whether child welfare intervention is necessary
- May result in removal from family, placement in foster care, and termination of parental rights
- Services and support to preserve child well-being and reunify families



KPM 5. Time to First Permanency Hearing



Target:

98% of cases have a first permanency hearing held within **425 days**

Permanency hearings:

- Court evaluates efforts of Oregon DHS, progress of parents, adequacy of child's case plan
- Timely hearings support permanency for children

Families Come to Court With Complex Needs

“Judges are on the front lines with children experiencing **unmet social, emotional, safety, mental health, and developmental needs**. Their parents are often traumatized, having experienced **domestic violence, substance use disorders, houselessness, poverty, human trafficking, and mental and behavioral health issues**.”

“For judges to best help families, they need **highly specialized knowledge and training**, and enough time in court to get to know the families appearing before them.”



Judge Amy Holmes Hehn
Lead Juvenile Judge,
Multnomah County Circuit Court

Ensuring Courts Serve Families: Dependency

Court Improvement Program

- Federal funds
- Improve hearing quality, legal representation, outcomes

Education

- Judicial conferences
- Multidisciplinary summits
- Peer information exchanges

Resources

- Juvenile forms
- Data dashboard
- Bench book
- Training materials

Collaboration

- Statewide
- System assessment data and improvement

Oregon Indian Child Welfare Act Initiative

5-year federal grant to:

- Expand ICWA Courts
 - Originally had only one (Klamath)
 - One added in 2024 (Marion)
 - One coming in 2025 (Multnomah)
- Increase and improve data collection and analysis
- Develop online, on-demand training for court partners
- Subaward to The Klamath Tribes for family and housing advocacy

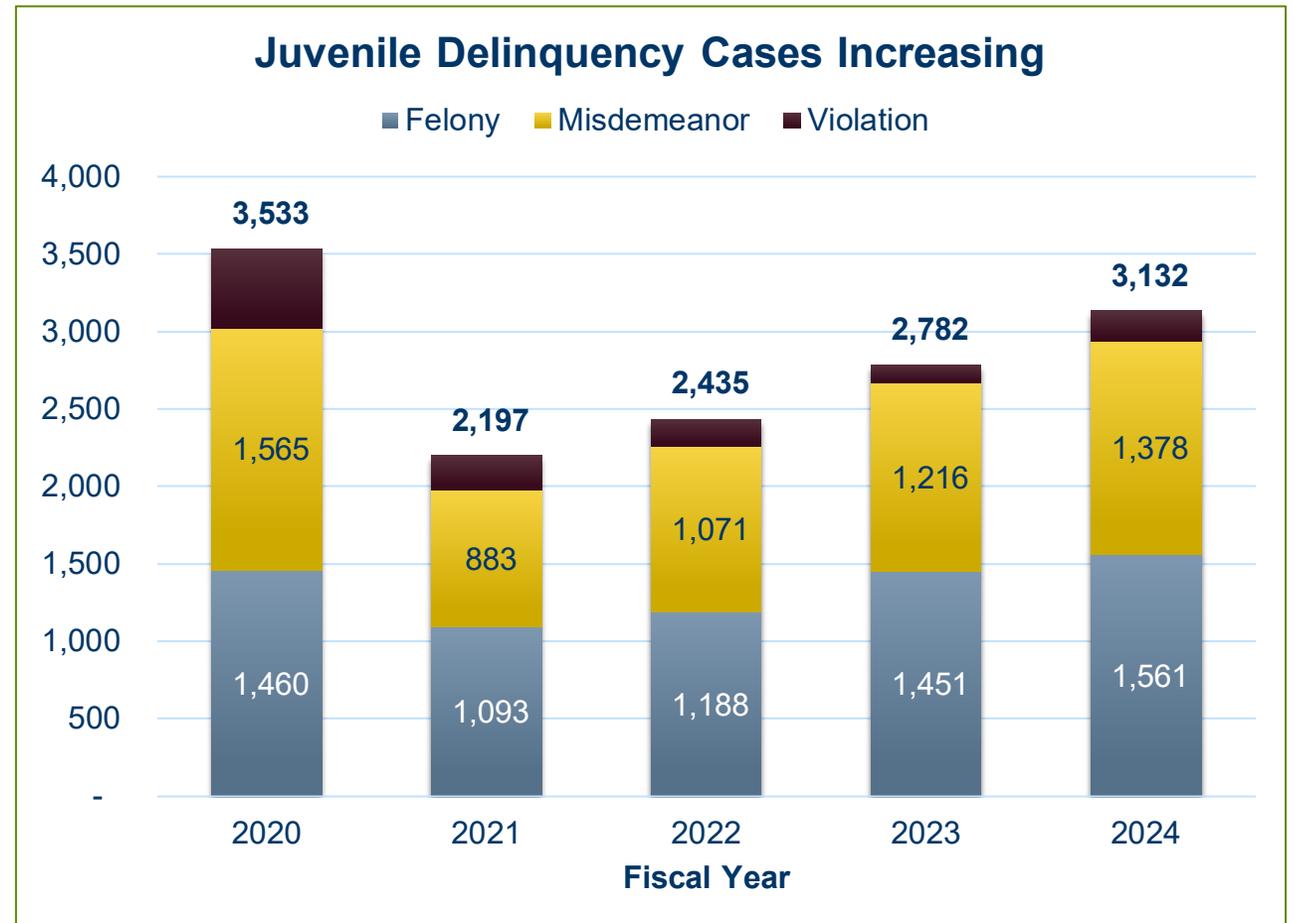


“We want to make sure that we’re doing things right, and that the families and the children are receiving all of the resources that they need so that reunification can be achieved, if that’s possible.”

Judge Manuel Perez
Marion County ICWA Court

Juvenile Delinquency Cases

- Youth actions that would be criminal if adult
- Includes preventative services
- Purpose: protect the public, reduce delinquency, and provide fair and impartial procedures
- Rapid changes in law, science, and youth development require specialized judicial knowledge and training



Ensuring Courts Serve Youth: Delinquency

Juvenile Delinquency Advisory Committee

- Council of State Governments 2023 delinquency assessment
- Currently implementing recommendations

Education & Training

- Education, training, and resources to courts and system partners
- Supports quality hearings and improves youth outcomes

Elevating Youth Voice

- Juvenile Justice Advisory Board launched in 2024
- Includes youth voice in court and system improvement work
- Supported with federal funds

Data Improvement

- OJD data analysts drafting first Juvenile Delinquency Data Dashboard
- To be used by JDIP, judges, and court staff



Probate

- **Protective proceedings:** a person or entity asks a court to give them legal authority to make personal and/or property decisions for another who is at risk of physical neglect or financial fraud
- **Guardians:** make health and safety decisions for someone at risk of neglect
- **Conservators:** make financial decisions for someone at risk of fraud
- **Estates and trusts**



Guardianships & Conservatorships



Courts monitor **more than \$1.4 billion** in assets

Number of new cases has increased **13.5% in the last 2 years**

2 out of every 5 cases start with a protected person **over age 65**



How Courts are Protecting People at Risk



Conservatorship Auditing Program (CAP)

Reviews and audits annual conservator financial reporting

\$34,282,931

Total value of assets reviewed and audited

- **Average value: \$761,843**
- **Median value: \$285,840**

51

Cases reviewed and audited

- 75% adults | 25% minors

8.6%

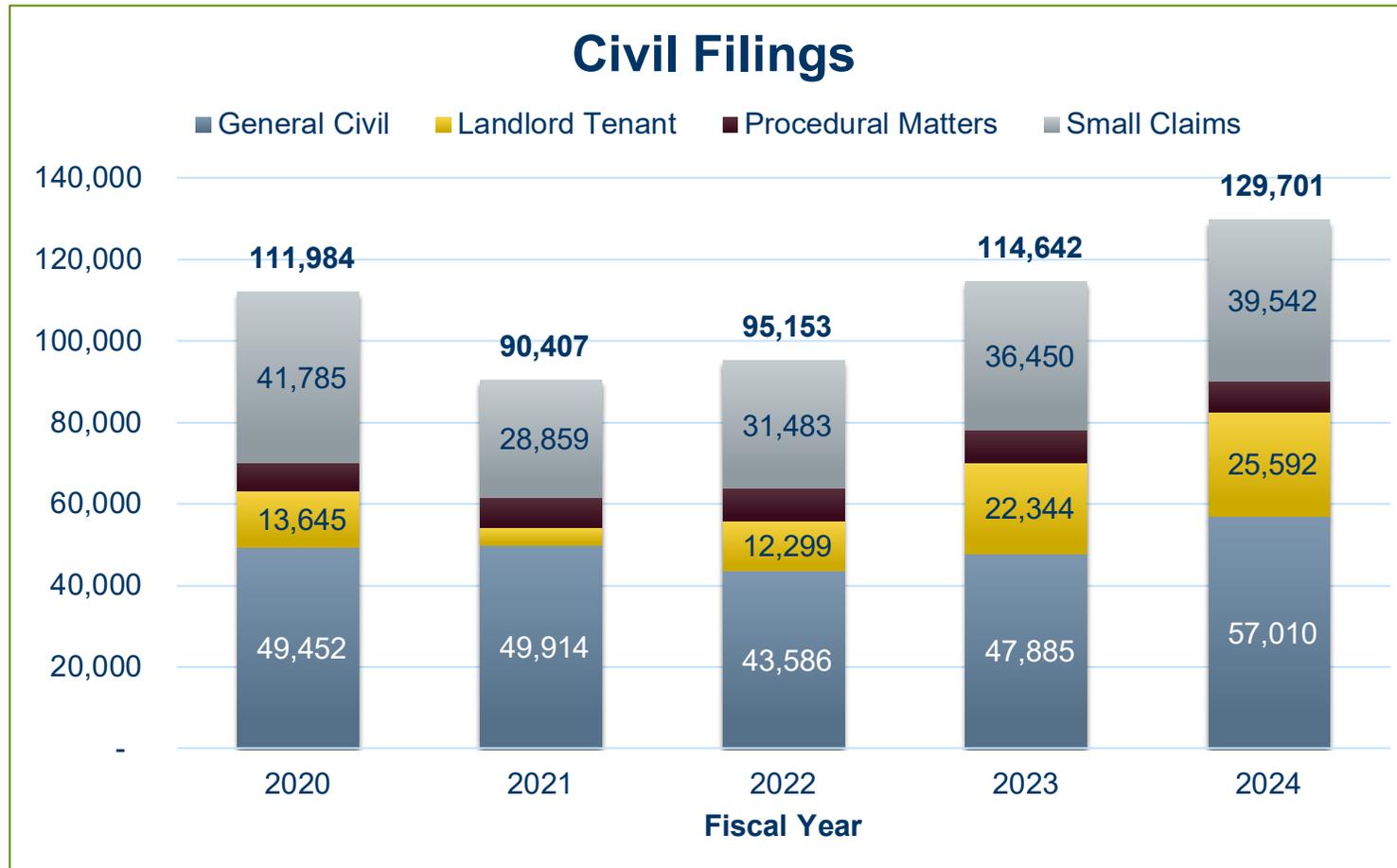
Of assets audited raised concerns/questions

Civil Cases

- Landlord-tenant disputes
- Small claims
- Consumer debt
- Contract and business disputes
- Torts
- Civil rights violations
- Insurance and environmental disputes



Civil Filings Have Increased



- **Significant increases** in general civil and landlord-tenant cases
- **Increasing needs** for facilitation services for self-represented litigants
- **Consumer debt is 50%** of general civil filings

Evictions

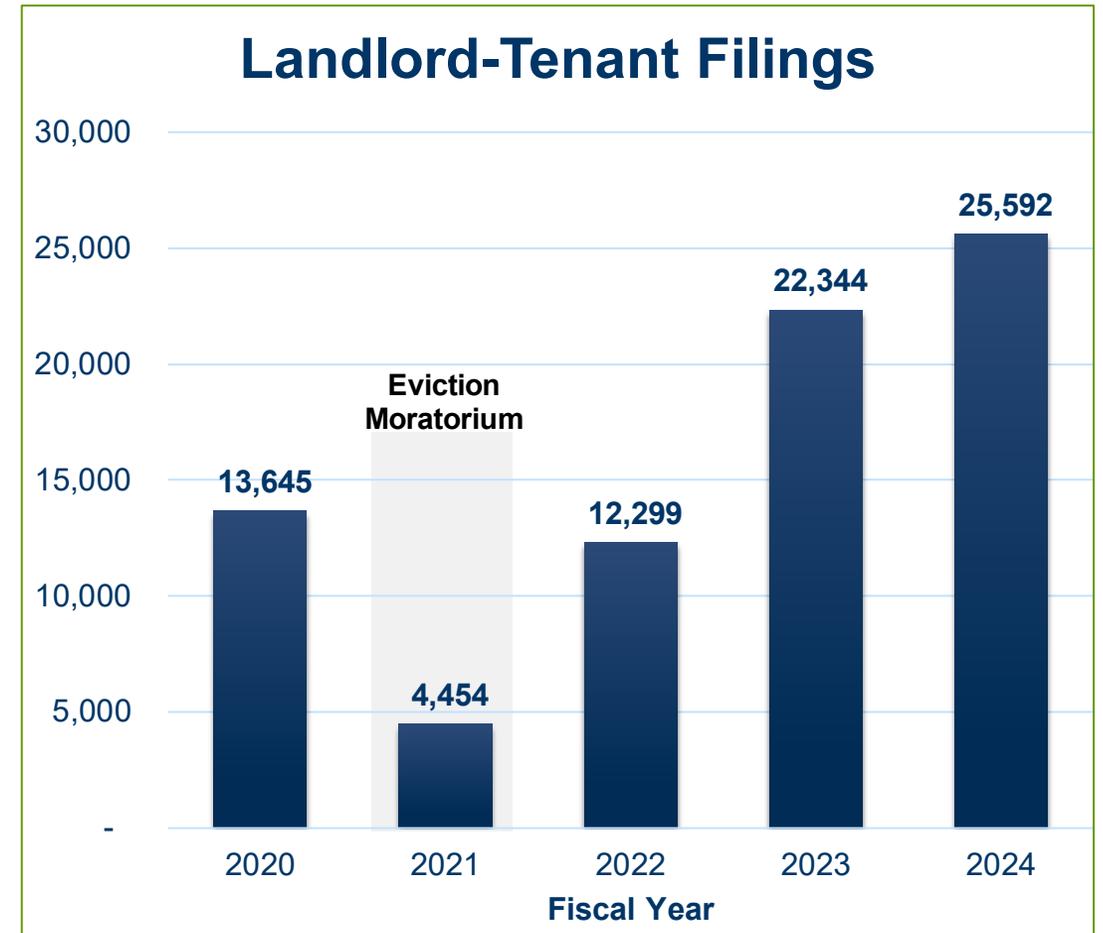
- Immediate and long-term consequences
- Majority of landlords and tenants are self-represented
- Strict statutory timelines mean cases move quickly
- Often resolved through mediation (where programs are available)



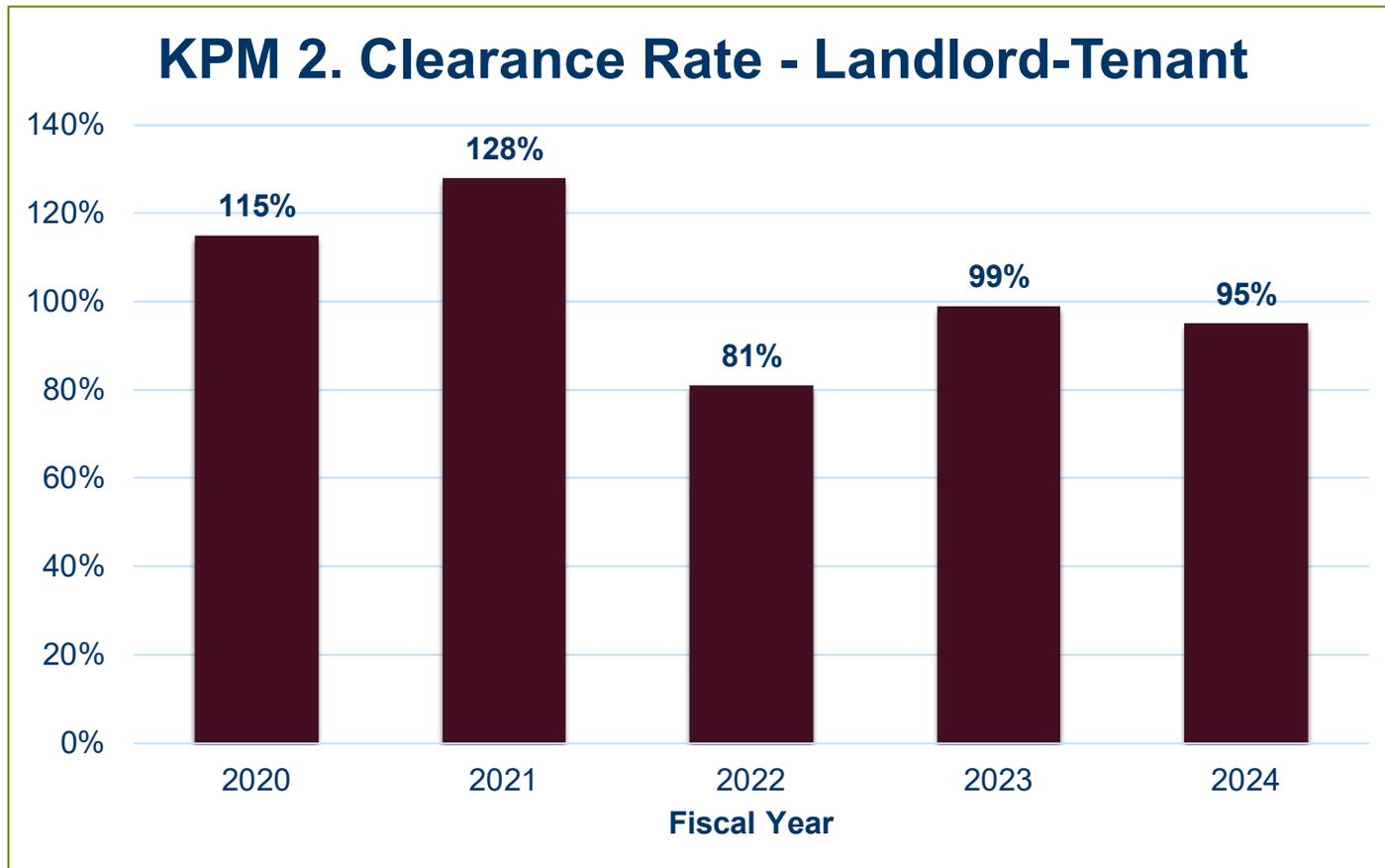
Landlord-Tenant Cases & Evictions

Pandemic moratorium on evictions:

- Only applied to non-payment cases
- Courts still processed “for cause” evictions (damage to property, illegal conduct, safety concerns)
- Ended in June 2021; non-payment evictions returned to normal rates
- Case filings have grown **50% since 2019**



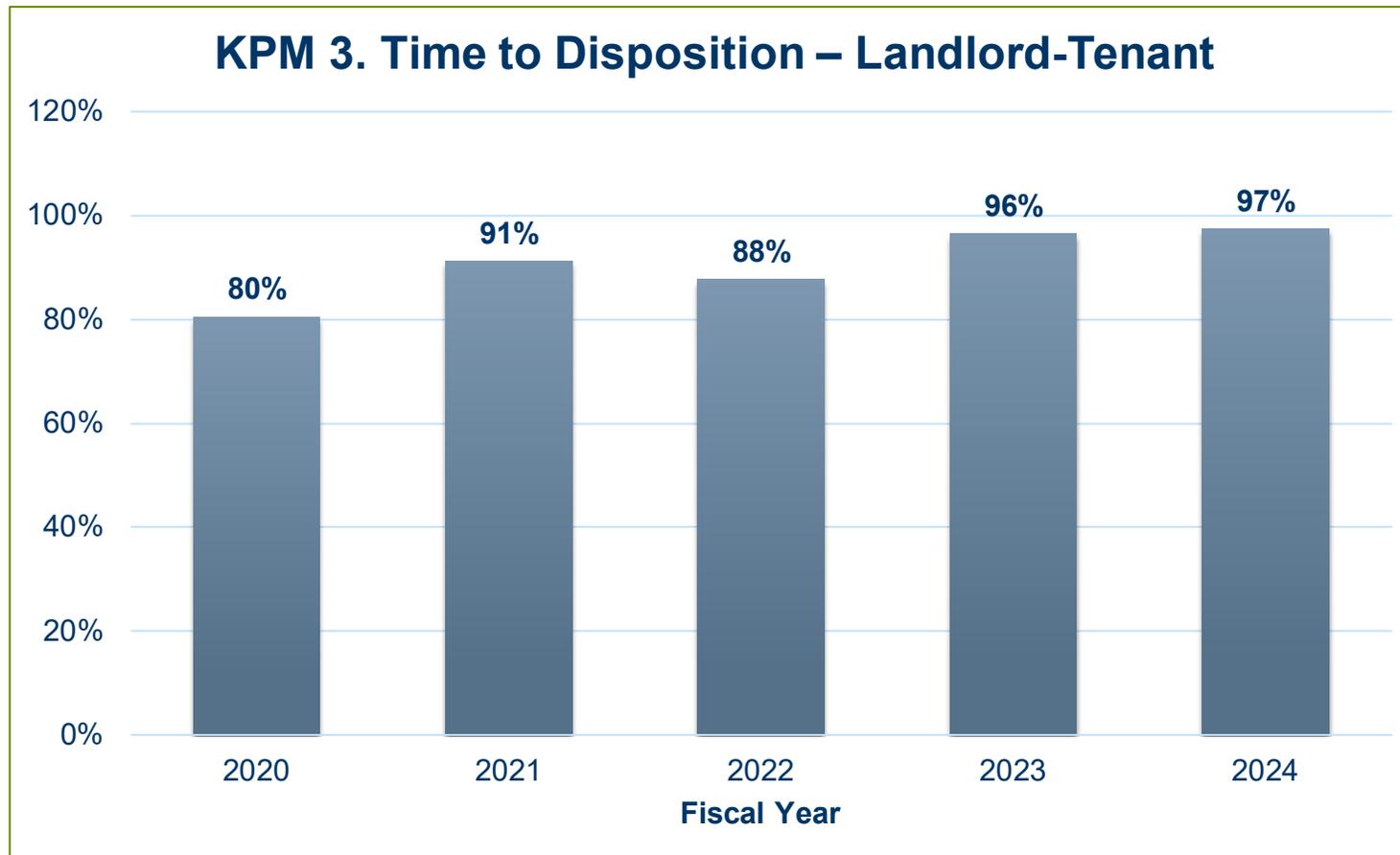
KPM 2. Clearance Rate



**Target: 100%
Clearance Rate**

The number of closed (resolved) cases as a percentage of the number of filed cases

KPM 3. Time to Disposition



Target:

98% of cases are resolved within **90 days**

Majority of Landlords & Tenants Not Represented



56%

**Landlords
unrepresented**



92%

**Tenants
unrepresented**



85%

**Landlord-tenant
cases resulting in
default judgment or
dismissal**

How Courts Help Landlords and Tenants

Expanding facilitation to eviction cases

- Help with forms, info about law & court procedures
- Connections to community services

Diverting cases away from court proceedings

- Help landlords & tenants find alternatives to litigation
- Mediation, service connection, community partnerships

Using mediation

- Allows tenants flexibility to stay while working toward solution
- Provides landlords with a legal enforcement mechanism

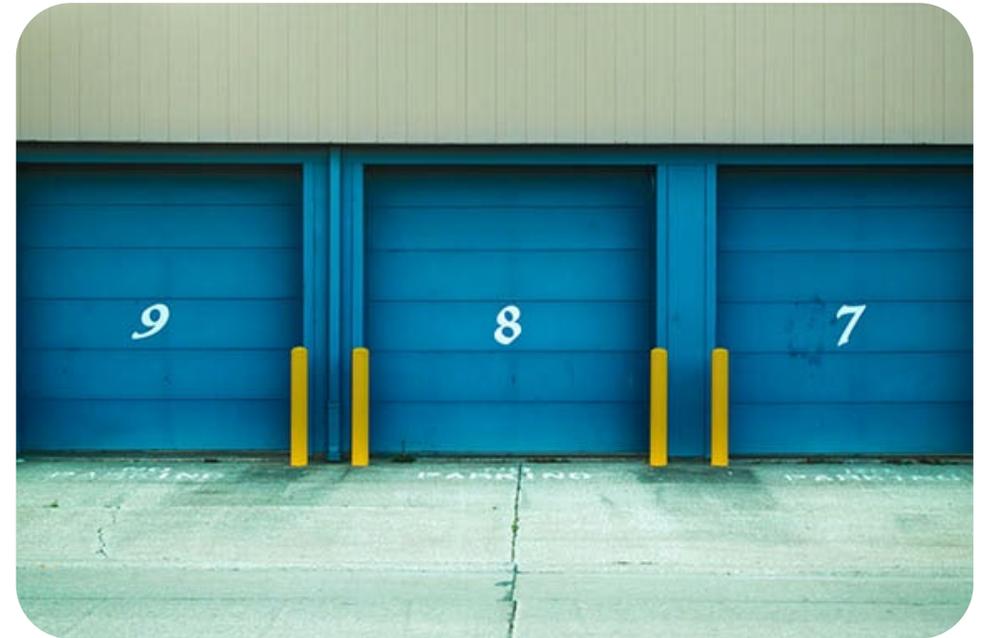
Landlord-Tenant Mediation

- Offered in **9** judicial districts
- Settlement rates range from **50%** (Jackson) to **90%** (Deschutes)

Real Impacts of Evictions: Clatsop County

“Sometimes I’m signing a piece of paper that makes somebody homeless. One time, about a week after I signed one of these judgments, I saw the woman who I had just evicted, moving her stuff into a storage unit while holding a kid on her hip. Our county has some of the highest rates of homelessness and we don’t always have access to the same staffing or funding as some of the larger communities.”

Judge AJ Wahl
Clatsop County Circuit Court



Eviction Improvement: Clatsop County

- National Center for State Courts grant
- Workgroup with local partners
- Recruited and trained 8 volunteer mediators
- Court staff provide referrals and forms assistance
- All cases heard virtually
- Nearly all cases referred to mediation
- More than 50% of cases reach agreement

“When we start to talk together, we frequently learn the tenants have reached out to a housing assistance program or have found another home but need a bit more time to move. The landlord didn’t know that until our mediation. Once they hear it, they often are willing to give extra time.”

**Kat Fahrion,
Mediator in Clatsop County**



Presentation Overview



Day 1

- The Judicial Branch
- The Justice Campaign
- State Courts Overview
- Circuit Courts Caseload Data
- Dive into Case Types

• Day 2

- Continued Dive into Case Types
- Key Performance Measures
- Access to Justice

Day 3

- Revenue, Collections, and Budget
- 10% Reductions
- Policy Option Packages to Reduce Risks and Address Gaps

Day 4

- Public Testimony





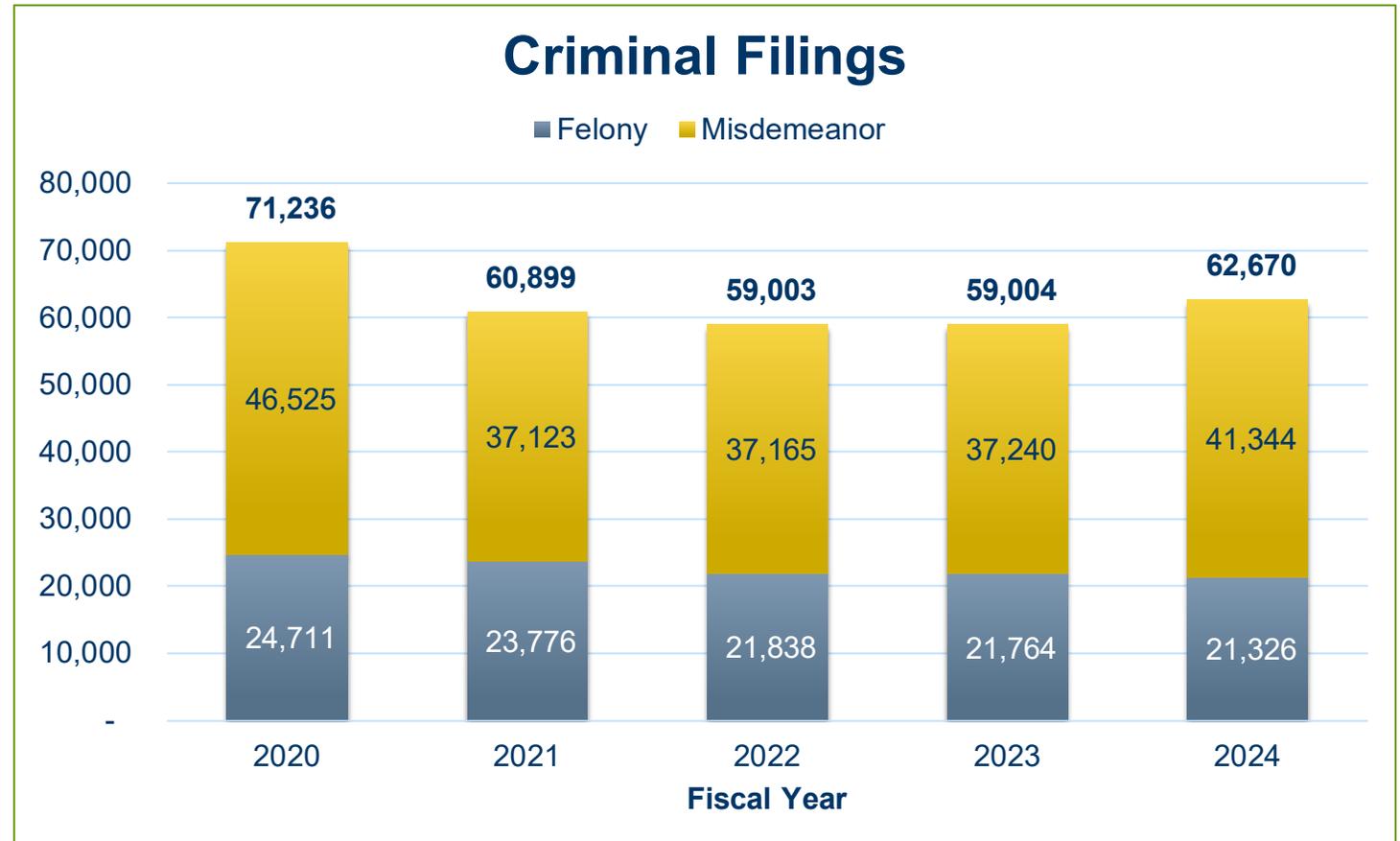
Criminal Cases

- Remain a significant portion of courts' work and continue to increase
- Have deep impacts on those charged with crimes, victims, witnesses, families, and jurors
- Unrepresented persons crisis continues to delay access to justice

Criminal Filings Projected to Increase

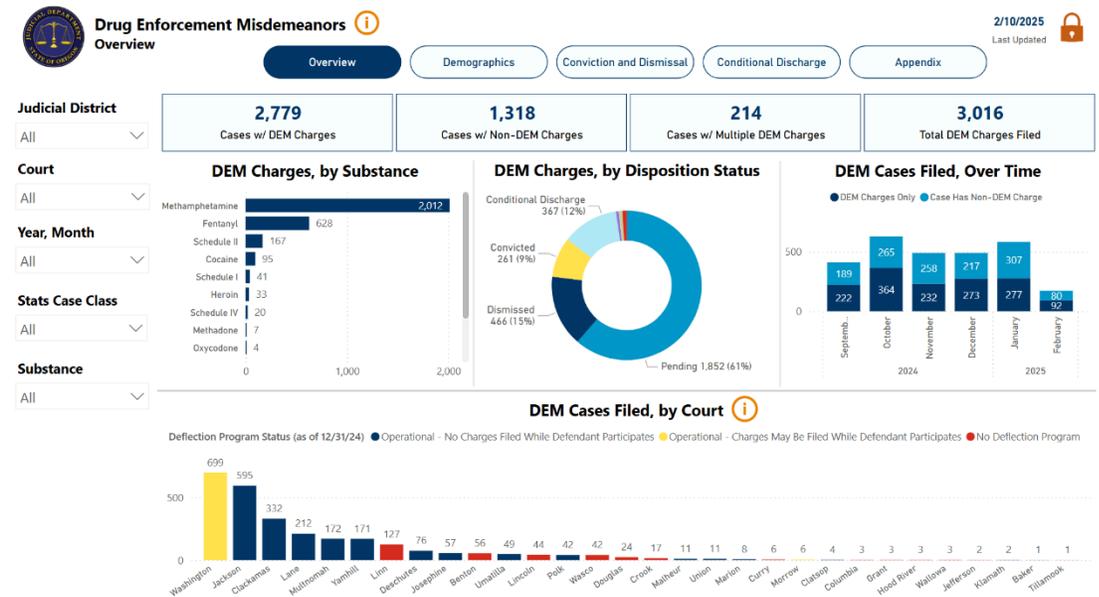
Office of Economic Analysis (OEA) projects criminal filings to increase in 2025-27:

- **34.4%** increase in misdemeanor cases
- **8.4%** increase in felony cases

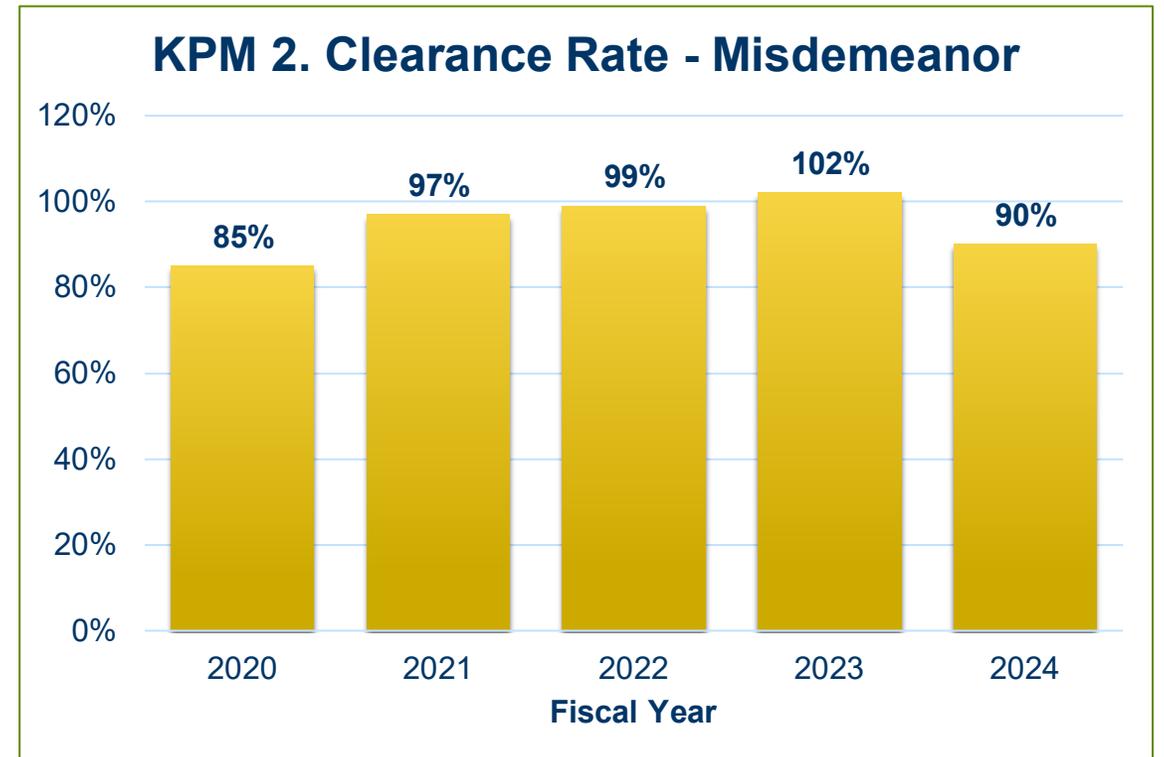
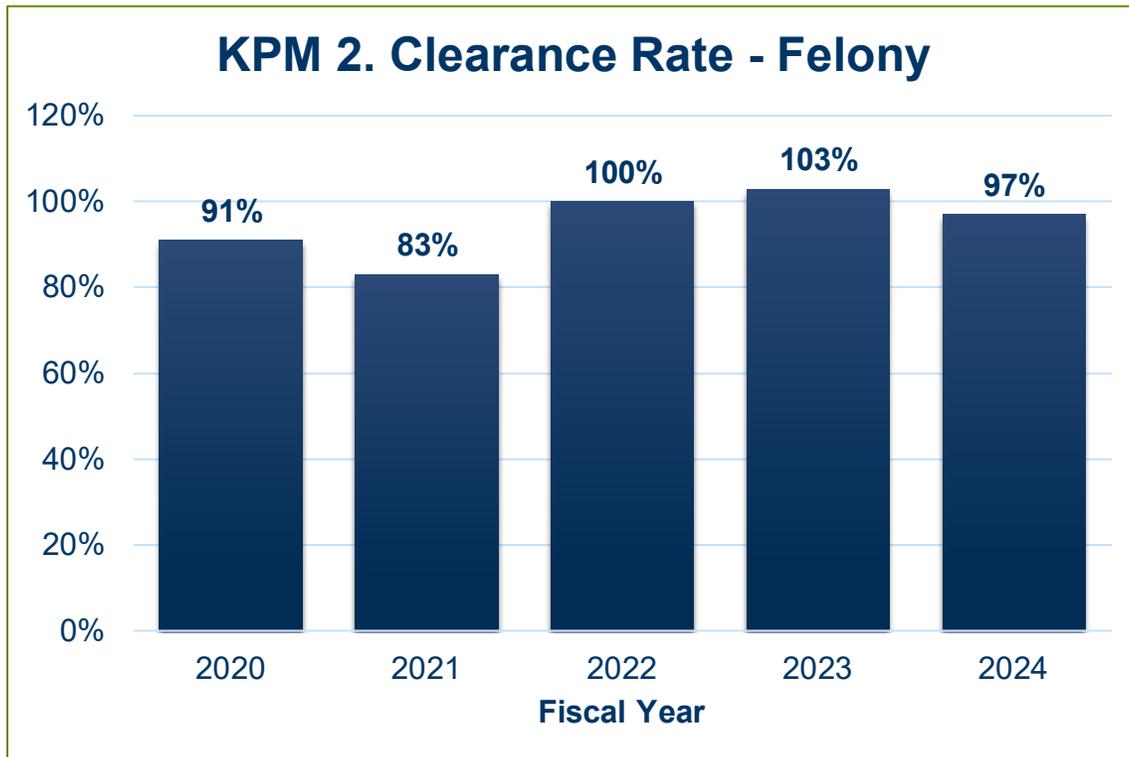


Implementing HB 4002 (2024)

- Requires courts to set aside and seal court records
- Creates new conditional discharge process
- Encourages deflection programs
- Creates significant work for courts:
 - Case processing
 - Identifying public defenders
 - Data collection
 - Reporting



KPM 2. Clearance Rate

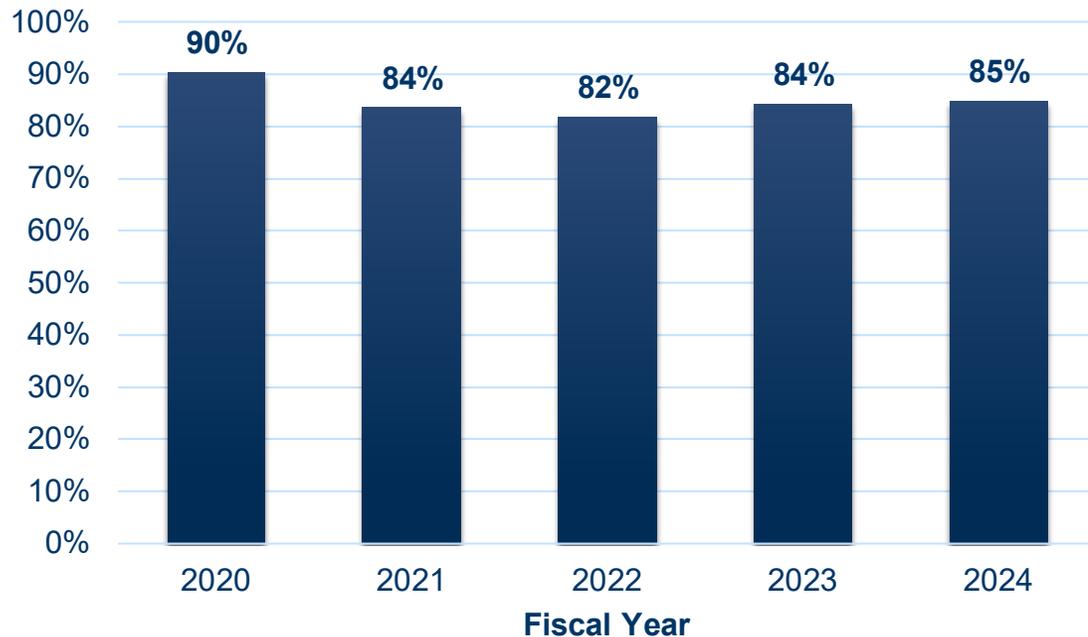


Clearance Rate Target: 100%

The number of closed (resolved) cases as a percentage of the number of filed cases

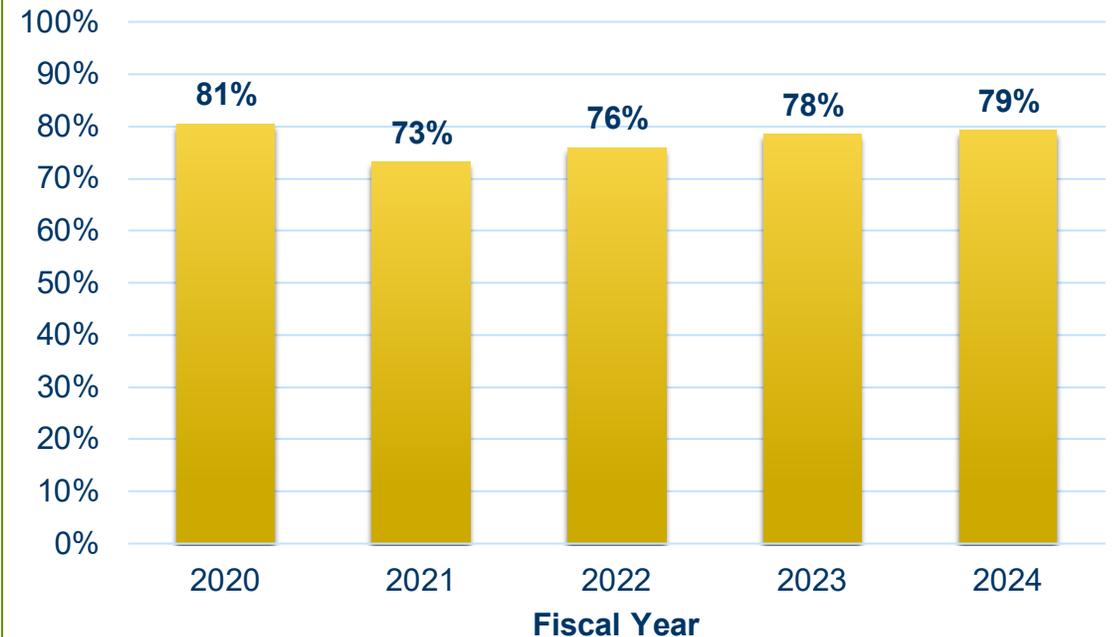
KPM 3. Time to Disposition

KPM 3. Time to Disposition - Felony



Felony Target: 98% cases resolved within 365 days

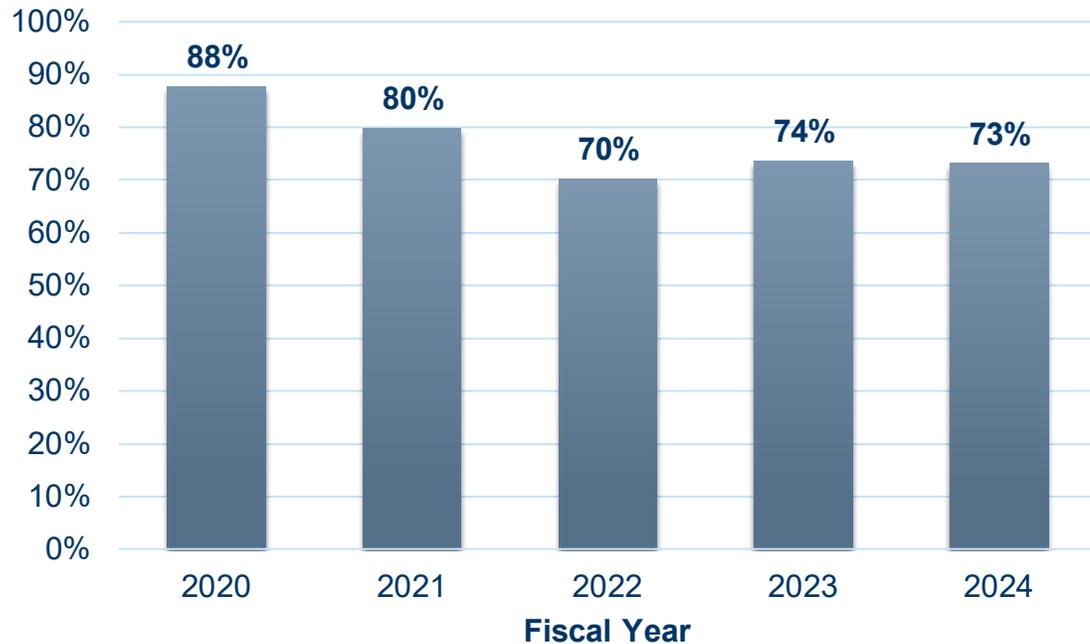
KPM 3. Time to Disposition - Misdemeanor



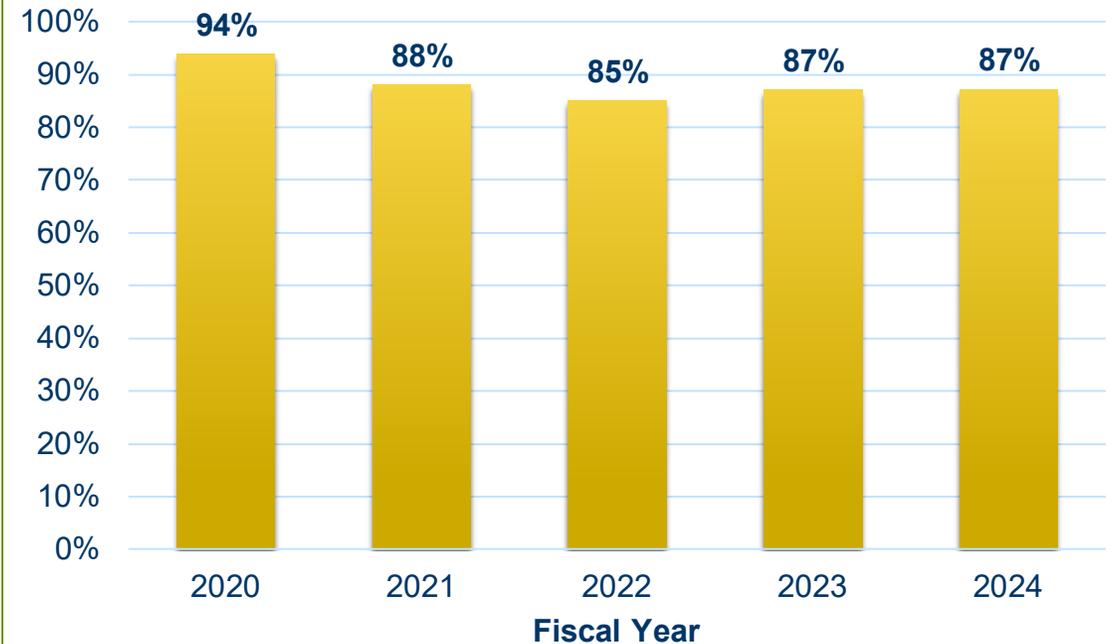
Misdemeanor Target: 98% cases resolved within 180 days

KPM 4. Time to Entry of Judgment

KPM 4. Time to Entry of Judgment - Felony



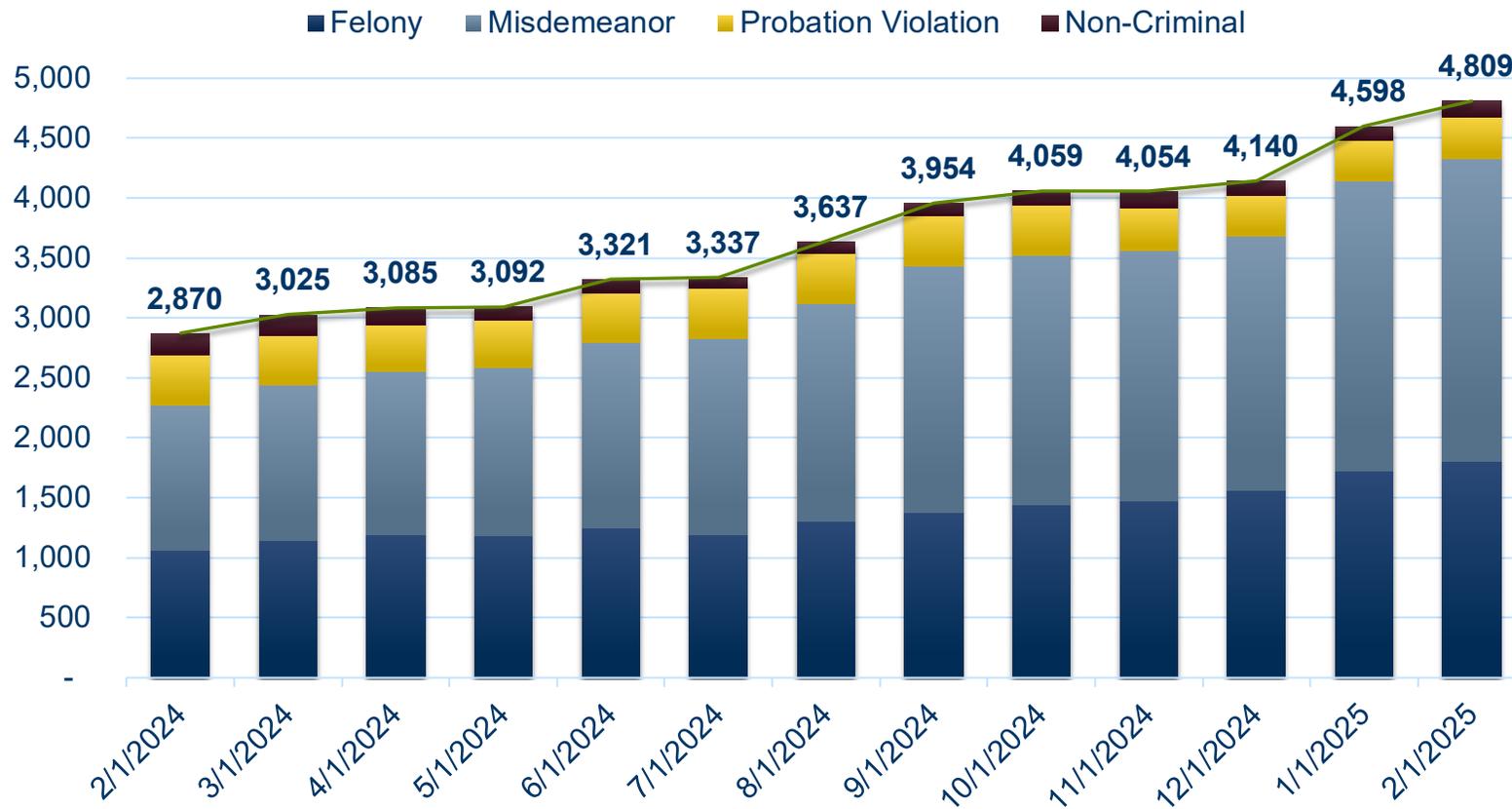
KPM 4. Time to Entry of Judgment - Misdemeanor



Target: 98% of criminal cases have a final judgment entered into the case register within **three** business days of the sentencing hearing or disposition

Unrepresented Cases are Rising

Statewide Unrepresented Cases Trends



Unrepresented Cases

Jan. 1, 2025:

- **4,598** (a record)
- **+11%** month over month

Feb. 1, 2025:

- **4,809** (a new record)
- **+4.5%** month over month

Responding to the Unrepresented Crisis

Court Staff

- Enter data used to track unrepresented people
- Communicate with unrepresented people about case status
- Schedule status checks with unrepresented & process paperwork
- Prioritize cases for appointment
- Monitor in-custody people subject to *Betschart* release
- Contact attorneys to take cases

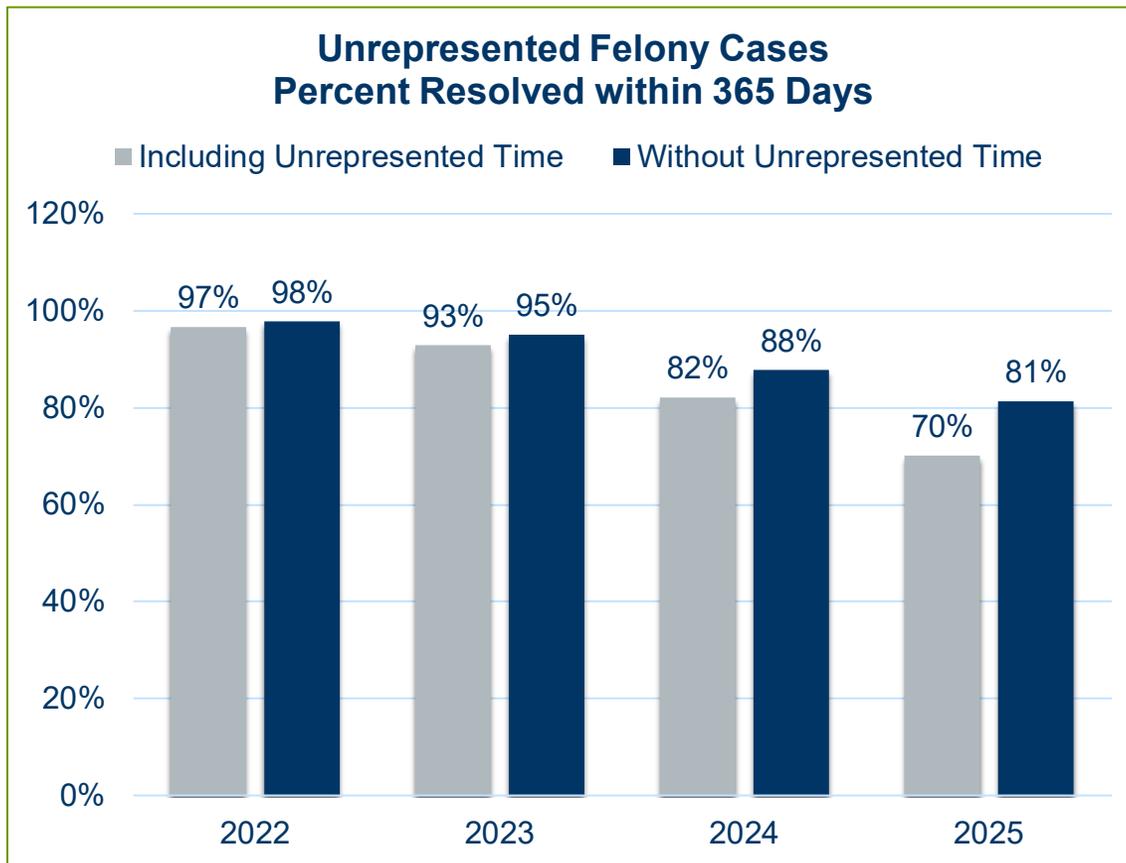
State Court Administrator

- Maintain unrepresented dashboard
- Assist OEA and OPDC with forecasting
- Submit unrepresented crisis updates
- Develop statewide business processes

Presiding Judges

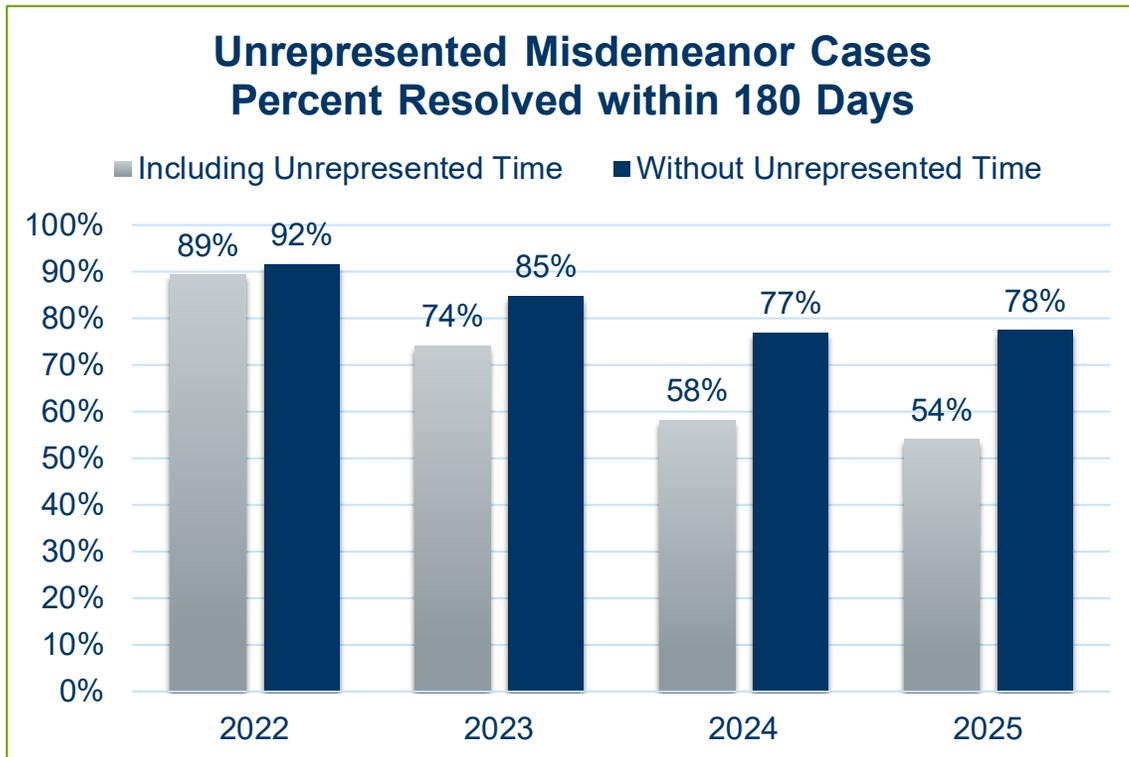
- Implement SB 337 (2023) Unrepresented Defendant Crisis Plans in collaboration with local public safety partners
- Convene local partners to foster improvement

Being Unrepresented Slows Case Resolution



- **Gray bars:** percent of felony cases resolved within 365 days, including the time the person was **unrepresented**
- **Blue bars:** what the percent of felony cases resolved within 365 days **would have been** if the person was never unrepresented
- As the crisis escalates and more people wait for representation, fewer cases get resolved within a year

Impact on misdemeanor cases is worse



- **Gray bars:** percent of misdemeanor cases resolved within 180 days, including the time the person was **unrepresented**
- **Blue bars:** what the percent of misdemeanor cases resolved within 180 days **would have been** if the person was never unrepresented
- As the crisis escalates and more people wait for representation, fewer cases get resolved within 180 days

Human Costs of the Unrepresented Crisis

People Charged With a Crime

- Loss of housing, jobs, and relationships
- Restrictions on out-of-state travel
- Extreme ongoing stress

Victims

- Unable to find closure and move forward
- Potential case dismissal
- Fear for safety from violence

Witnesses

- Long waits make their information stale
- Impacts willingness to participate
- Disrupts regular life

Courts

- Longer court dockets & more hearings
- Slower resolution of all cases
- Impacts **everyone** who seeks court services

Criteria for Appointment of Counsel

ORS 151.485

A person is financially eligible for appointed counsel at state expense if the person “is determined to be financially unable to retain adequate counsel without substantial hardship in providing **basic economic necessities** to the person or the person’s **dependent family**.” (Emphasis added)

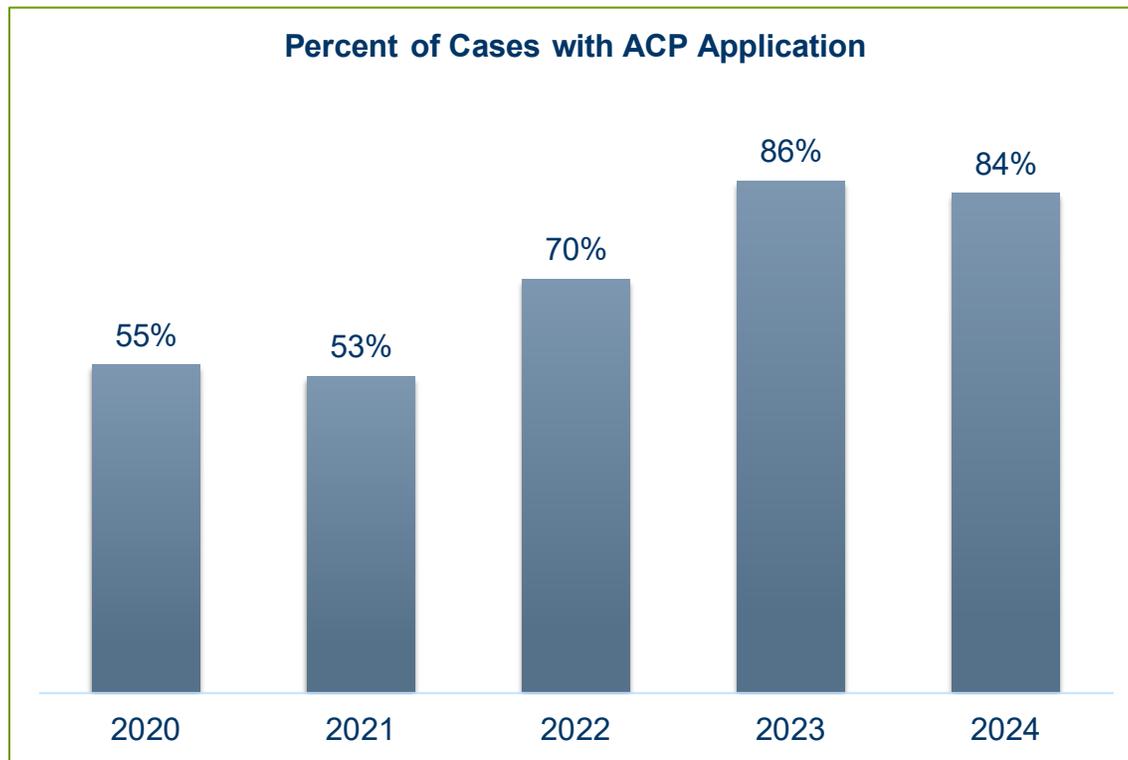
Does the Case Qualify?

- Case must be one for which there is a right to appointed counsel that statute specifically says will be paid under ORS chapter 151

Are They Financially Eligible?

- OPDC Adopted Income Guidelines
- Privately Hired Attorney Fee Schedule

ACP Applications



Why Not 100%

- Inability to participate in the application process (mental illness, intoxication, hostility, etc.)
- Jail staffing (access to interview can be denied if jail staffing is inadequate)
- Remote appearances
- Continued appointments from other open cases or previous appearances
- Inadequate court staffing
- Data entry practices - when one application applies to two or more cases

ELIGIBILITY PROCESS AND ABILITY TO PAY ORS 151.485, 151.487

Court staff:

- Review and verify
- Calculate eligibility
- Prepare recommendation
 - Appointment
 - Application fee
 - Contribution amount

ACP FEE CALCULATOR - Updated 2/2023			
Name		Case Number	Degree
	Enter		
Private Attorney Fee Schedule		Determining Eligibility	
ACP Contribution Schedule		Monthly NET Household Income	\$0
Interpreter - Enter \$150 if needed		Assets/Alternative Assets	n/a
		SUBTOTAL	\$0
Household Size		Monthly Expenses	\$1,216
Applicant	1	Available Resources	-\$1,216
Spouse			
Dependents		Total Cost of Private Representation	\$0
Other			
TOTAL	1	CAC RECOMMENDATION	ALLOW
		APPLICATION FEE RECOMMENDATION	WAIVE
Monthly NET Household Income		Application Fee	\$0
Applicant		Available Resources Less Application Fee	-\$1,216
Spouse (if applicable)		Allowed Assets	\$100
Social Security / SSI		Remaining Resources to Contribute	-\$1,316
Unemployment Benefit		CONTRIBUTION AMOUNT RECOMMENDATION	\$0
Retirement Distributions (Pension, 401K, IRA)			
Tribal Benefits		Notes	
Spousal / Child Support Received			
Other			
TOTAL	\$0		
Federal Poverty Guideline Amount	\$1,216		
Additional Allowable Expenses			
Medical / Insurance Monthly Payments			
Court Payments (need receipt)			
Wage Garnishment or Support			
Child Care			
Student Loan Payments			
Total Eligible Expenses	\$1,216		
Assets			
Real Estate (equity)			
Vehicle(s) (Equity over \$6,000)			
ATVs, recreational equipment, RVs, etc.			
Cash			
Savings			
Bank Account(s)			
Stock / Bonds / Securities			
Other			
TOTAL	\$0		
Unemployed Applicant w/Assets	n/a		



Pretrial Services

Pretrial: the time between a person being arrested for a crime and the final judgment on the case

Pretrial release: the process of releasing someone from custody after arrest

Senate Bill 48 (2021): directed chief justice to establish guidelines for pretrial release that direct courts to adopt a consistent approach that considers the crime charged and individual factors



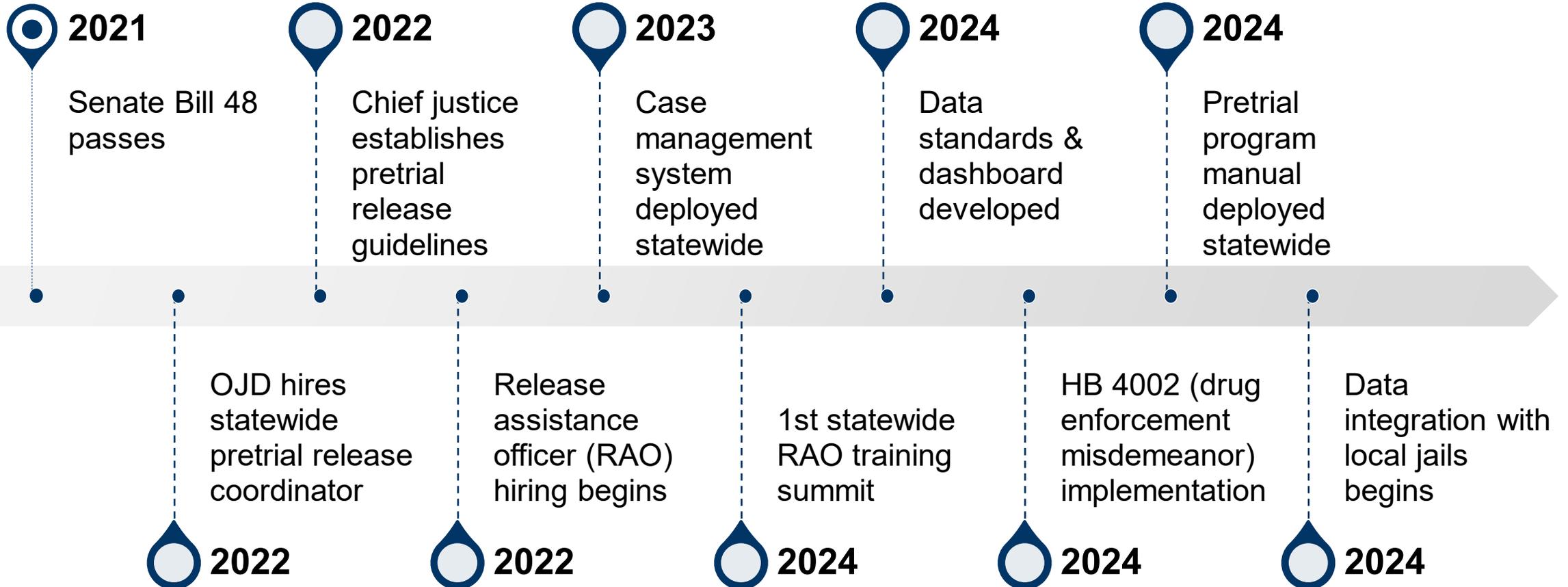
Legal Requirements for Pretrial Release



- The Chief Justice shall establish release guidelines to provide **consistent release decision-making, reduce reliance on security, include victim notification and input**, and balance the **rights of the defendant and presumption of release** against **community and victim safety** and the **risk of failure to appear**. (ORS 135.233)
- Judges “shall impose the **least onerous condition** reasonably likely to ensure” public and victim safety and re-appearance in court. (ORS 135.245)
- “The law presumes that persons charged with crime are **innocent until they are proven, by competent evidence, to be guilty.**” (*Coffin v. United States*, 1895)
- “Liberty is the norm, and **detention** prior to trial or without trial is the **carefully limited exception.**” (*United States v. Salerno*, 1987)



Building Statewide Pretrial Programs





National Pretrial Standards



- **Consistent release decision-making:** guidelines provide consistent statewide framework with room for locally developed risk factors
- **Maximizing safety:** decisions on who is held for arraignment shift from who can pay to who poses the greatest risk
- **Maximizing appearance:** courts monitor and report individuals' compliance and reappearance



Standards established by [National Association of Pretrial Services Agencies](#)



Lane County



Crook County



Harney County



Union County

Treatment Courts

- Multidisciplinary teams oversee people's behavior and progress through regular judicial review, community supervision, and treatment
- Evidence-based model

Celebrating a Recent Treatment Court Graduate

“Thank you to everybody who has given me a second chance. I couldn’t have done this without your support and without you believing in me.”

Graduate of adult recovery court, Washington County



Judge Janelle Wipper hugs the graduate

“You have had your ups and downs just like anyone, but you’ve always come out the other side better for it. Watching you work so hard to get your kids back in your life and to reconnect with family has been inspiring.”

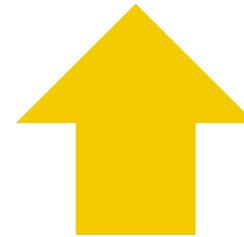
Adult recovery court staff member

Treatment Courts Work

“Treatment courts are considered the most successful justice intervention for people with substance use and mental health disorders.”

All Rise

(formerly the National Association of Drug Court Professionals)



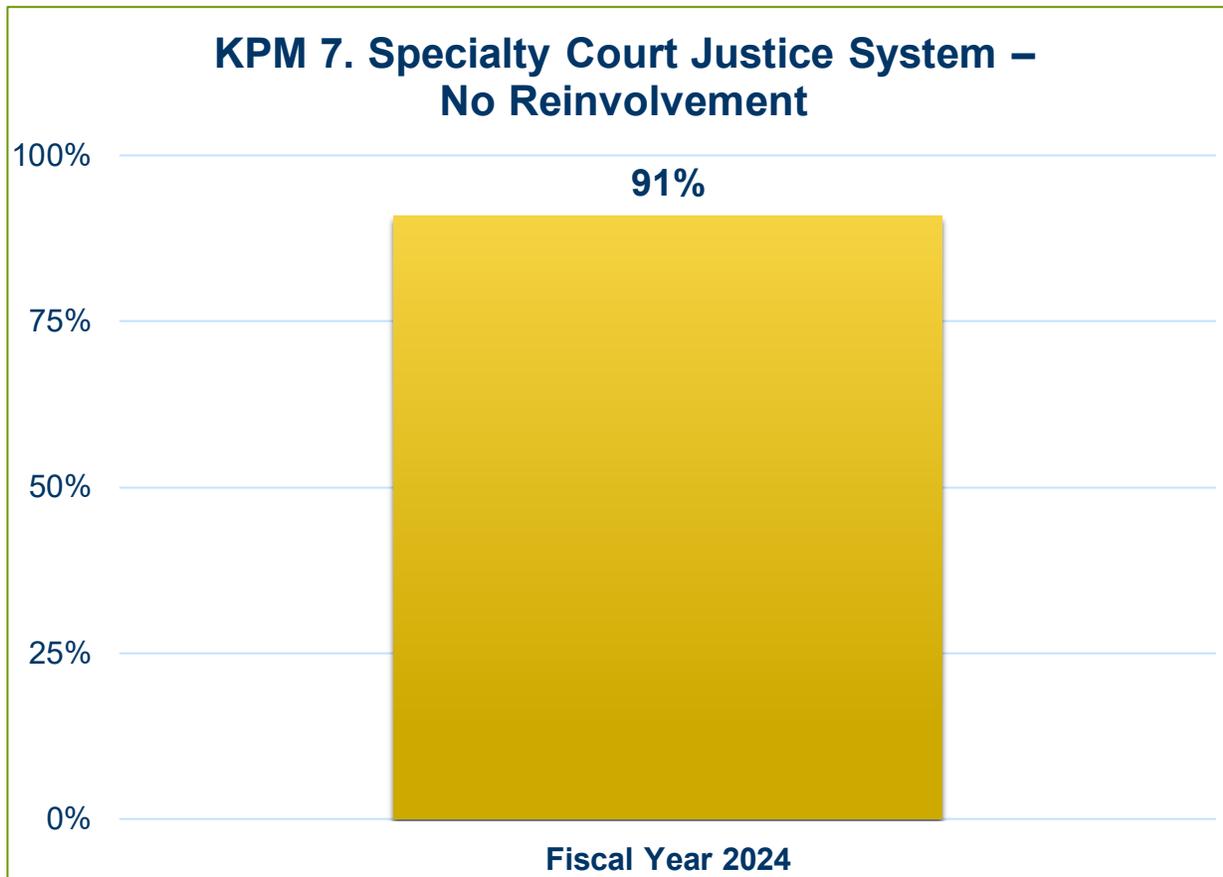
**Increase
Cost
Avoidance**



**Decrease
Recidivism**



KPM 7. Specialty Court Justice System - No Reinvolvement

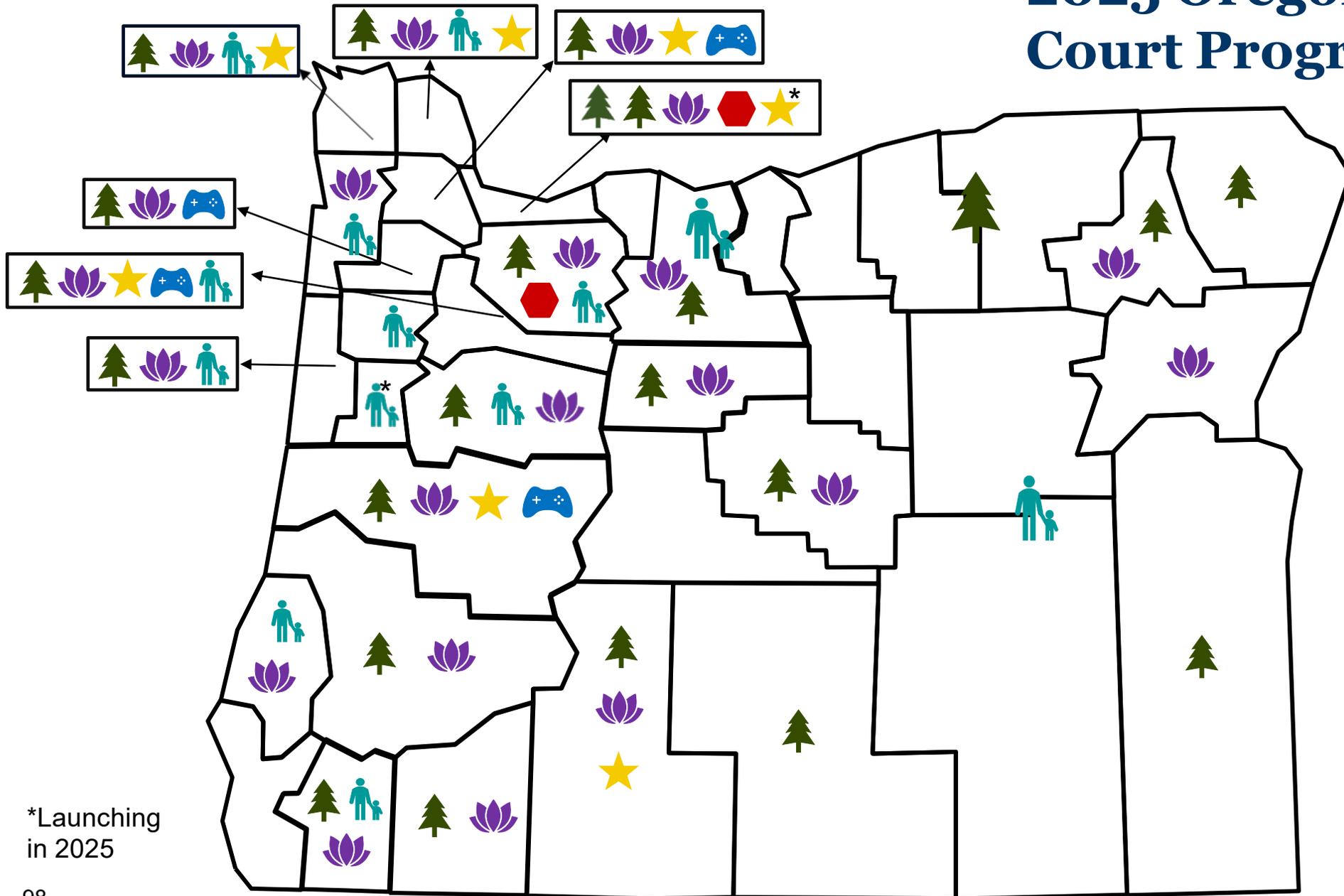


Target: 90%

Percent of treatment court graduates with **no new felony or misdemeanor charges** filed in Oregon circuit courts within one year of graduation

75% were not rearrested within **three years**

2025 Oregon Treatment Court Programs by Type



Active Treatment Courts	
	23 Adult Drug Courts
	21 Mental Health Courts
	2 DUII Courts
	6 Veterans Courts
	4 Juvenile Treatment Court
	12 Family Treatment Court

*Launching in 2025



Behavioral Health

- Individuals often impacted by trauma, serious mental illness, and substance use disorders
- Requires:
 - Constant cross-system collaboration and care coordination
 - Specialized knowledge in psychiatric diagnosis and treatment, community levels of care, and trauma-informed practices

Behavioral Health Case Types

Aid & assist

- Person unable to **participate in their defense** due to a qualifying mental health disorder
- Court constitutionally must suspend the criminal case pending restoration services

Civil commitment

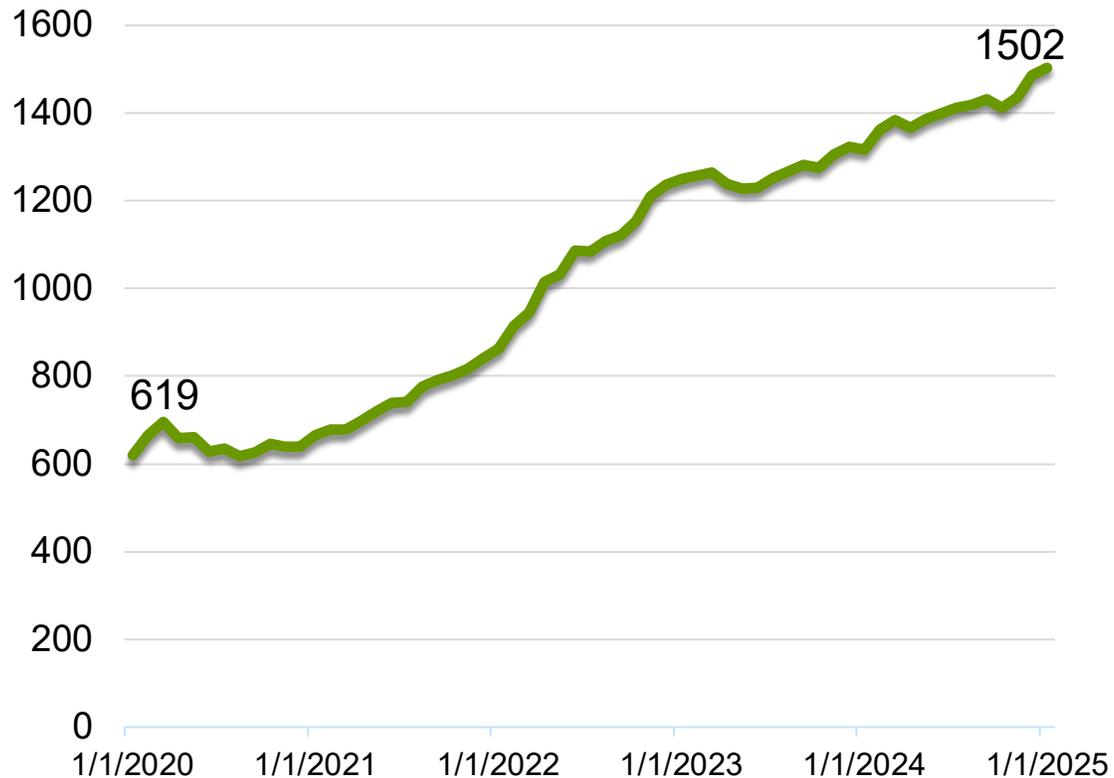
- Person experiencing a mental illness is a **danger to self or others**, or **unable to meet basic needs**

Guilty except for insanity

- Person with a **qualifying mental disorder cannot understand the criminality of their actions**

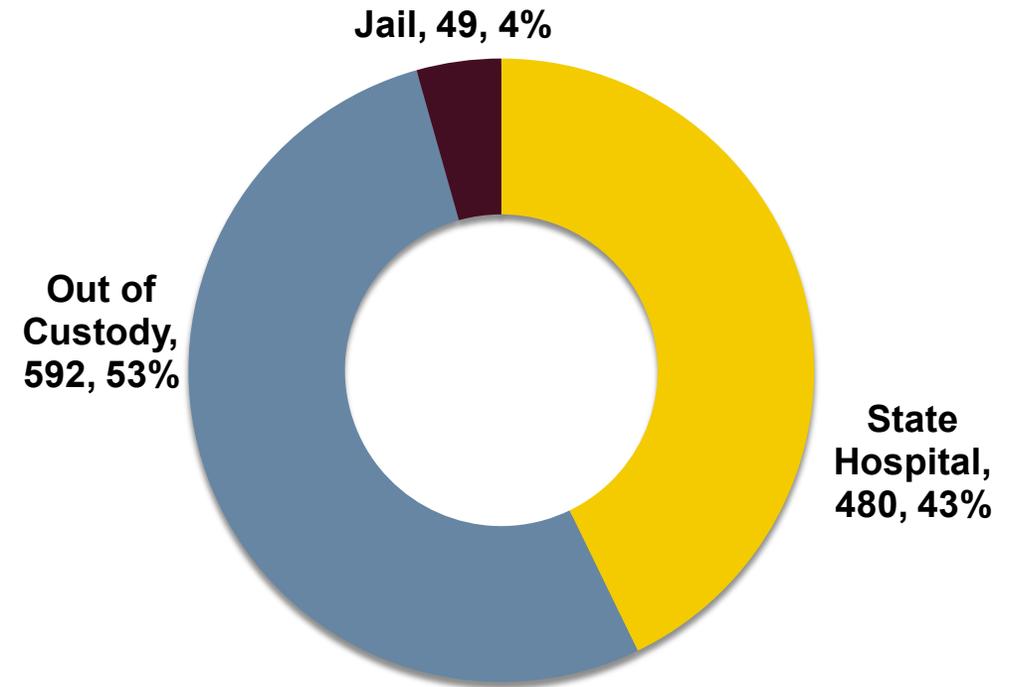
Aid & Assist Caseload Continues to Increase

Aid & Assist Caseload



Data through Jan. 14, 2025

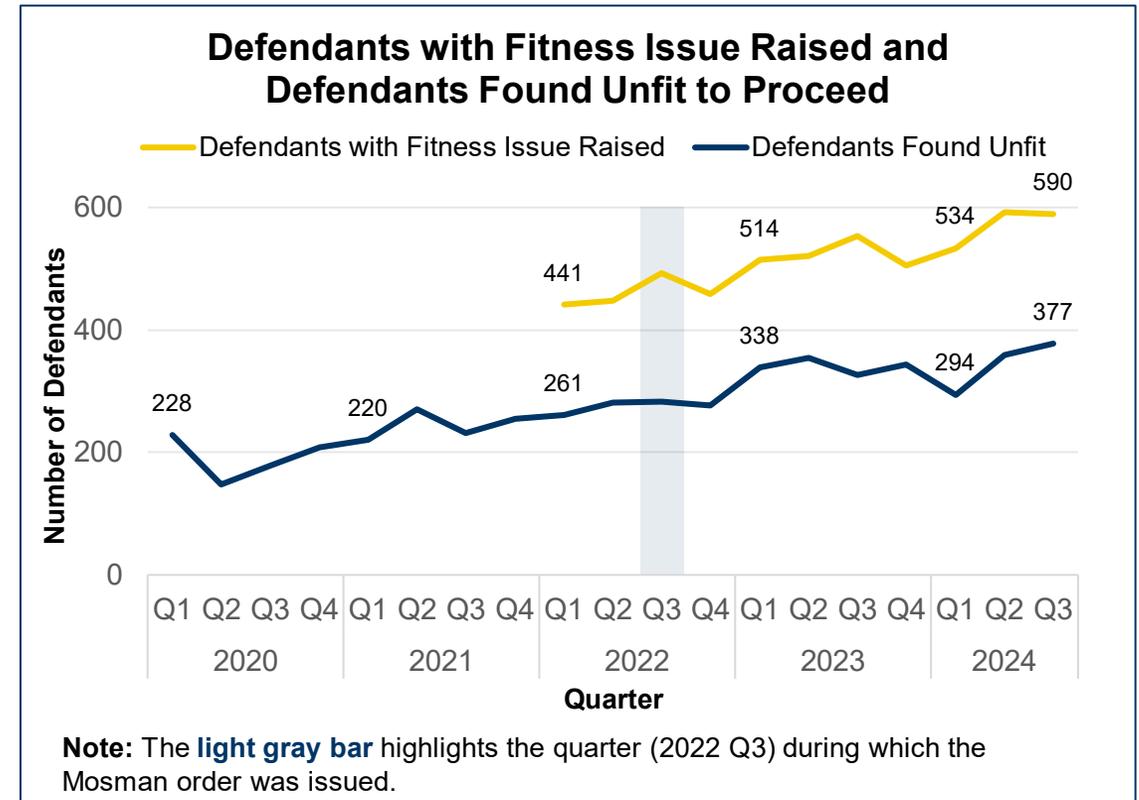
Most Recent Court-Ordered Placement, for Individuals Currently Unfit to Proceed



Growing Aid & Assist Caseload

More efficiency & rapid response required

- Rapidly increasing aid & assist caseloads and hearing volume
- Truncated timelines for Oregon State Hospital restoration



Courts Respond to Growing Needs

Courts need help to meet increased demands:

- Developing specialized dockets
- Mapping community resources
- Coordinating with system partners statewide
- Creating specialized forms & business processes
- Training to work with people in behavioral health crisis





Court Services Spanning Multiple Case Types

- Support for self-represented litigants
- Set-asides and expungements
- Jury services
- Language access
- Access to justice
- Collaboration with system partners

Courts and Continuous Improvement

Partner engagement helps drive court improvement

Committees dedicated to:

- Inclusion and fairness
- Civil justice
- Behavioral health
- Criminal justice
- Juvenile court improvement
- Security and emergency preparedness
- Statewide protective proceedings
- Family law
- Tribal, state, & federal court partnerships
- Adult guardianship

Oregon Family Law

Guide to Service Part 1: The Basics

Created by the Education Subcommittee of the State Family Law Advisory Committee (SFLAC)
May 2023

INSIDE:

A step-by-step guide for how to serve legal papers in family law cases in Oregon.



Self-Represented: Legal Resource Centers

- Operated by courts
- Facilitators help with court paperwork
- Legal resources
- Access to reference materials and legal databases through State of Oregon Law Library
- Services and hours vary by jurisdiction



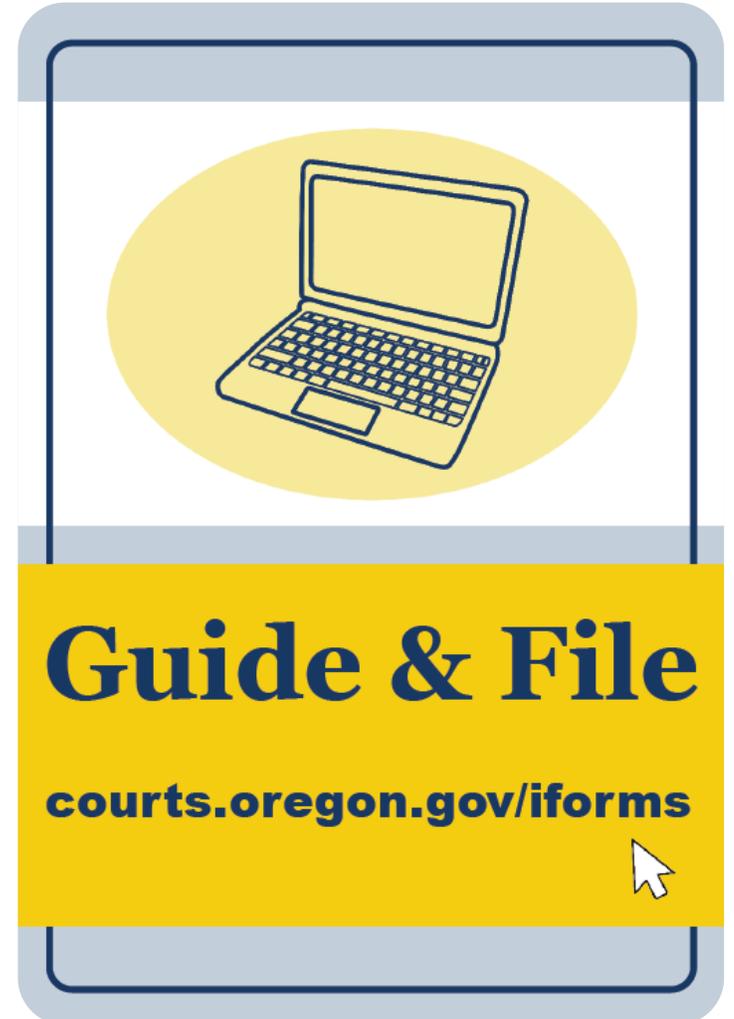
Self-Represented: Online Resources

Guide & File Forms

- Step-by-step questions to fill out forms online
- Can be electronically filed
- Available in many case types
- Some translated into Spanish

OJD's Self-Help Center

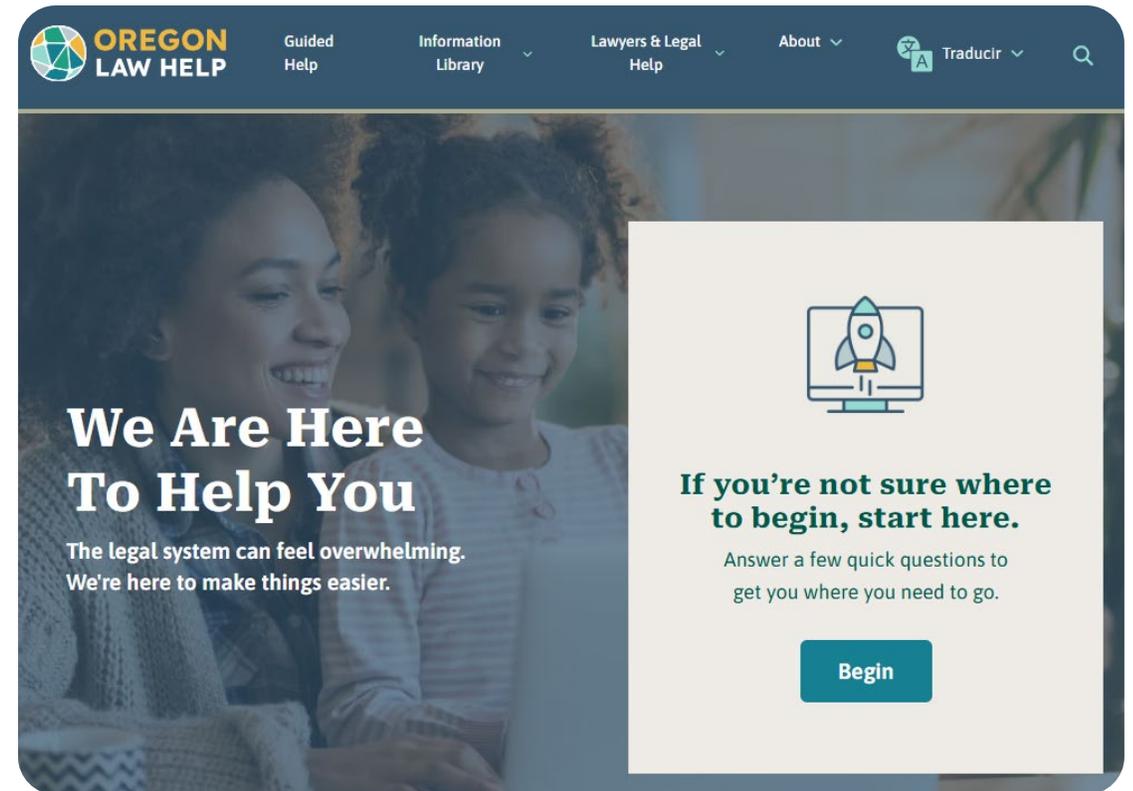
- English and Spanish links to resources



Self-Represented: Oregon Law Help

- Free legal information: user-focused redesign to provide a central access point for civil legal help
- Joint project with Oregon State Bar, legal aid organizations, and other nonprofit legal providers
- Information sorted by topic
- English and Spanish; Chinese and Vietnamese available spring 2025

www.oregonlawhelp.org



Set-Asides, Sealed Records, & Expungements

Set-Aside

- Applies to adult criminal records or evictions
- Legally, the arrest, dismissal, or conviction did not occur
- Court orders the official case records to be sealed

Sealed

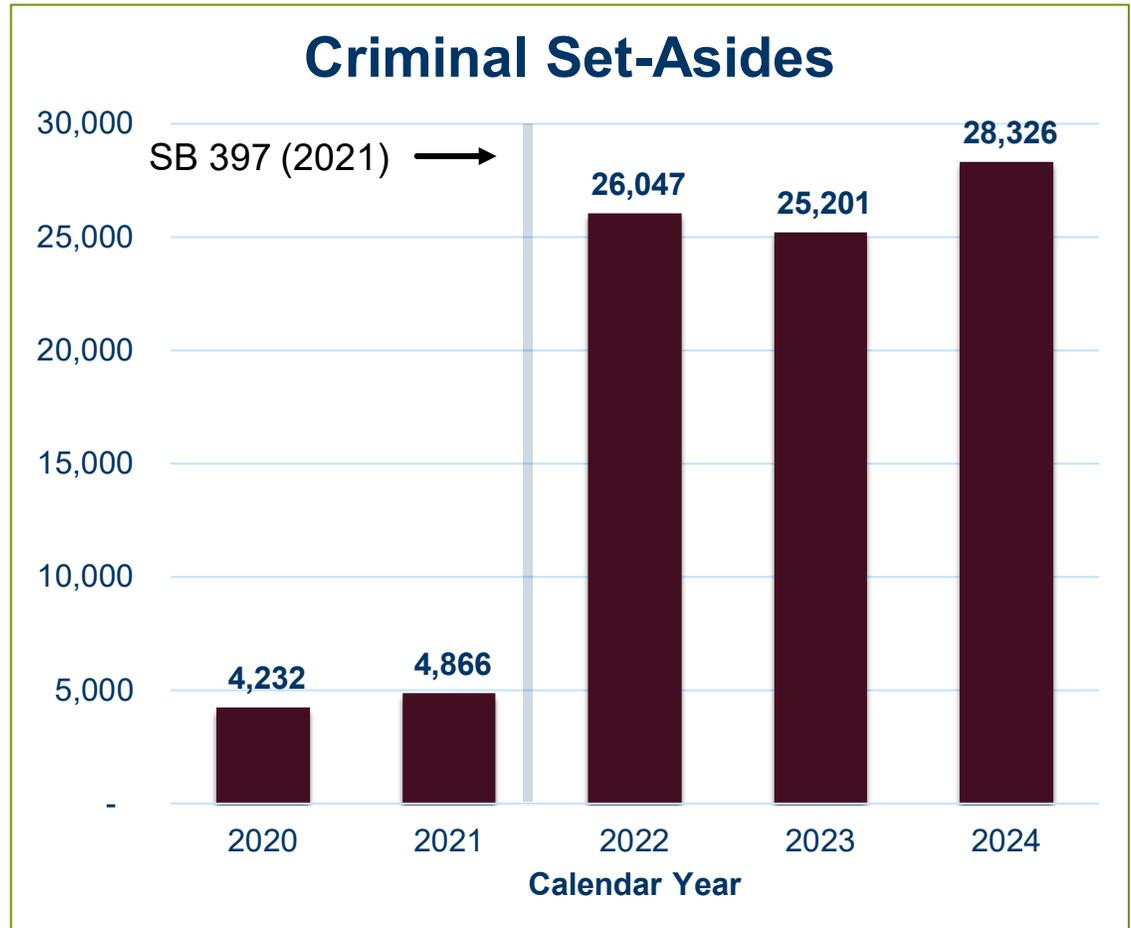
- Case is no longer available as a public record

Expunged

- Applies to juvenile records
- Legally, the arrest, dismissal, or conviction did not occur
- All agencies involved in the case must destroy or seal the record

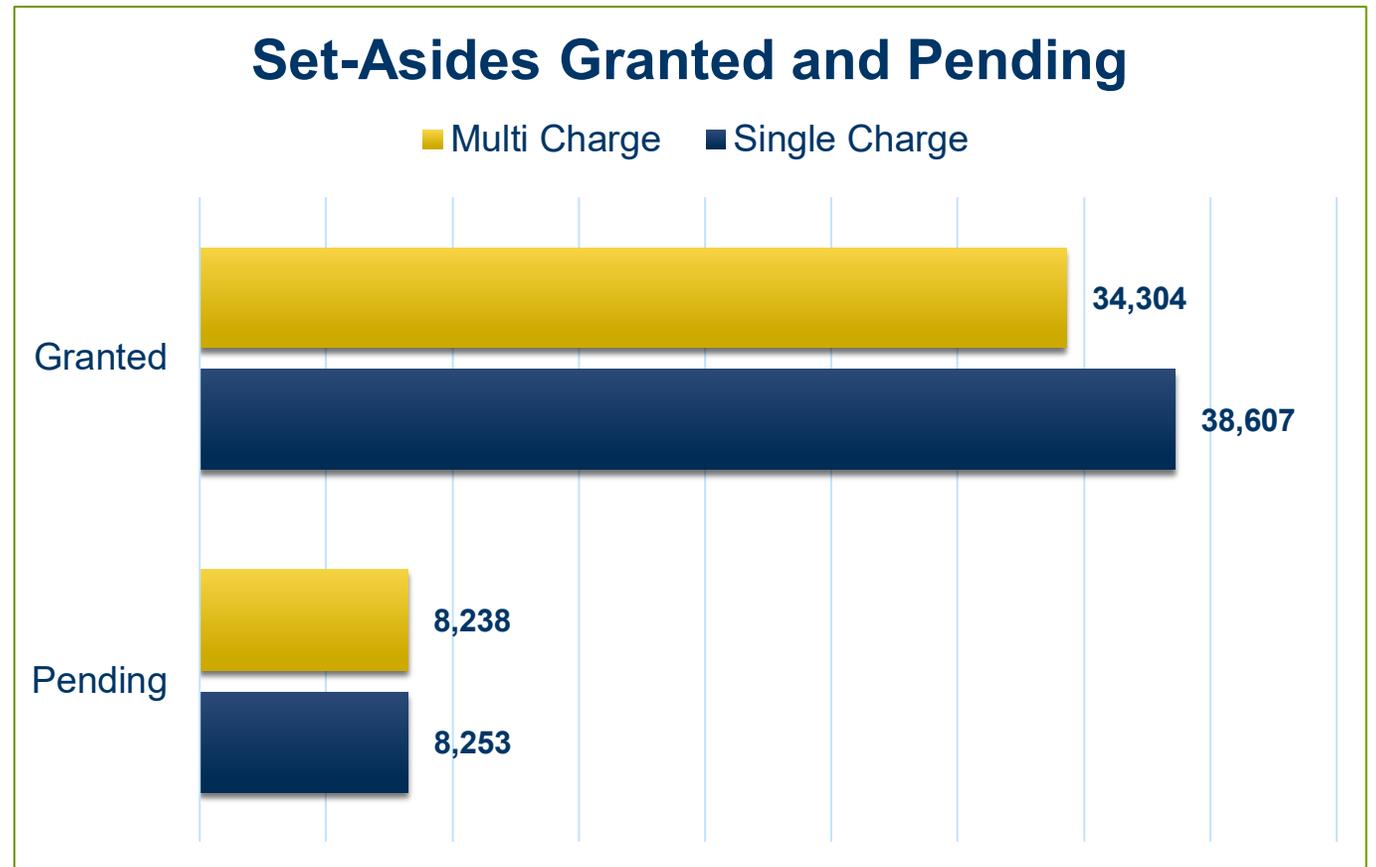
Set-Aside Filings Remain High

- Expunction requests more than quadrupled in 2022 and continue to increase
- SB 397 (2021) streamlined the process and expanded eligibility
- Criminal convictions can create life-altering barriers to employment and housing — clearing records quickly is critical



Set-Asides Add Significant Workload for Courts

- Process is currently manual and time-intensive
- Increase in set-asides significantly increased court workload
- Multi-charge cases (partial set-asides) require partial redaction of info and are extremely resource-intensive



Data through Jan. 14, 2025

Automated Solutions Require Time & Investment

- **Drug Enforcement Misdemeanor** (HB 4002 - 2024): Developing automation requirements
- **Residential Evictions** (HB 2001 - 2023): 47,000 eligible judgments set aside and sealed in 2024, with more coming each year
- **Marijuana Possession** (Gov. Brown Pardon - 2022): 47,140 cases sealed in 2023

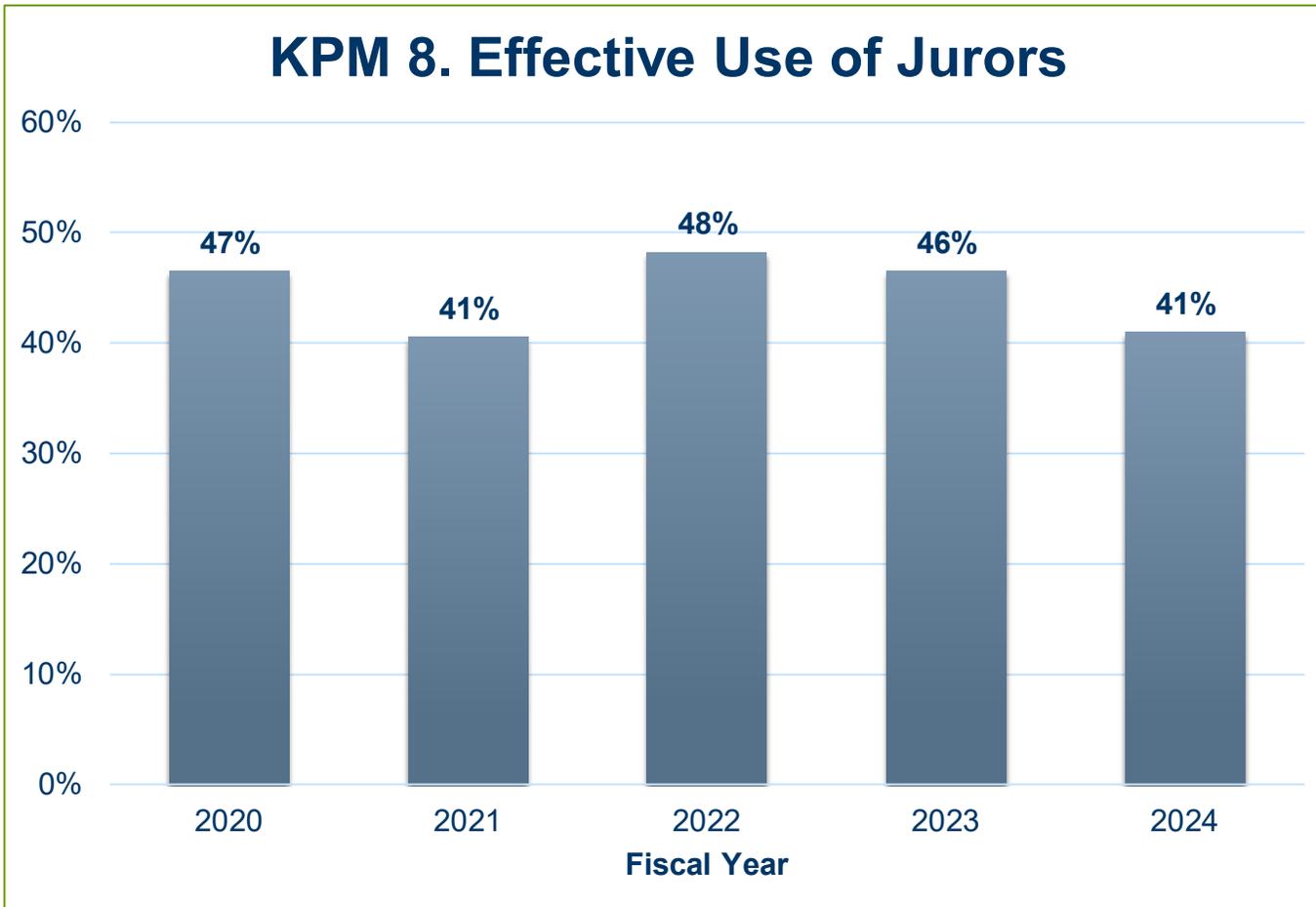
- OJD develops **automated solutions** to reduce court workload
- **Time, investments in technology, and data entry training** are required for courts

Jury Services

- The right to a trial by jury is a constitutional cornerstone of U.S. democracy
- This right extends to both criminal and civil cases



KPM 8. Effective Use of Jurors



Target: 53%

Percent of available jurors who are selected for jury duty are qualified and available to serve (jury yield)

Using Technology to Improve Juror Experience

**Jury
management
system
upgrade**

**New jury
summons
postcards**

**Juror
eResponse
Portal** for
taking care of
jury-related
tasks

**Electronic
equipment at
courts** for
people who do
not have
technology
access

Barriers to Service Limit Juror Participation

- Juror stipend has not changed for 20 years
 - \$10/day for first two days of service
 - \$20/day for any additional days
- OJD is working with legislators and hopes to convene a three-branch task force to explore potential solutions

Taking a day for jury service is difficult when:

- You can't afford to lose one day's salary
- You care for children and now must find childcare
- The courthouse is more than 100 miles away from your home
- You have no vehicle, and there's no public transportation between your home and the courthouse

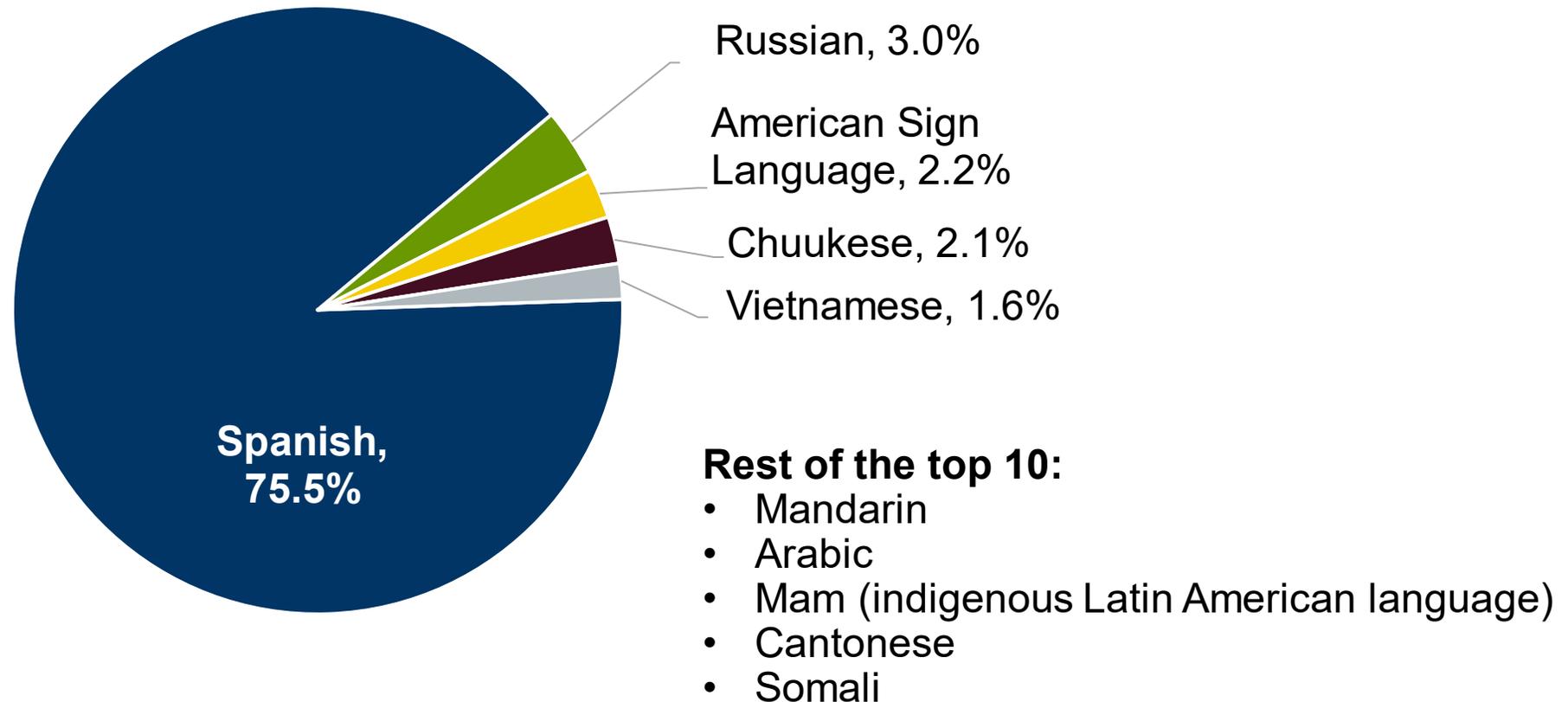


Language Access

- 5.4% of Oregon's population identifies as having limited English proficiency (LEP)
- Requests for interpreters at circuit courts have **more than doubled** in the last 5 years

Language Access

Top 5 Most-Requested Languages at OJD



Language Access: Interpreters

Increase in Requests Overall

- **105% rise** in interpreter requests since 2020
- From **23,688** requests in 2020 to **48,667** in 2024

Severe shortage of Spanish interpreters

- **10% reduction** in number of certified interpreters since 2020

Meeting Court Needs

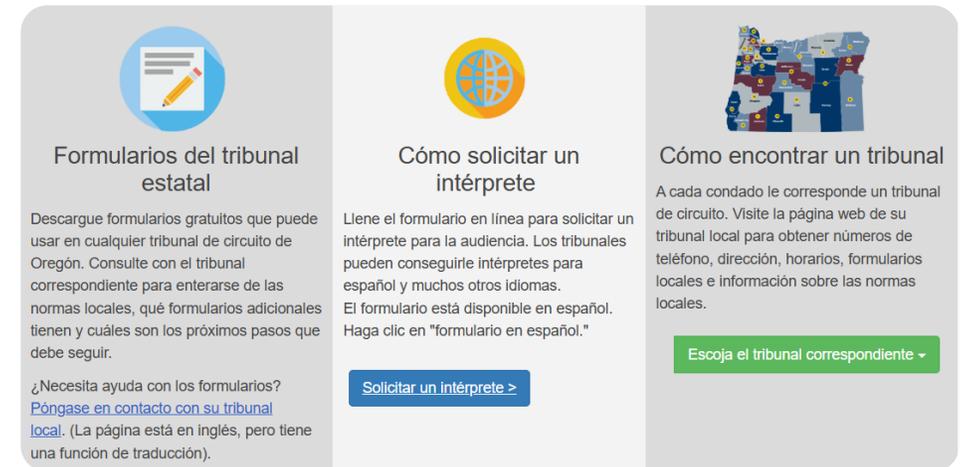
- **99.9% fill rate** by Court Language Access Services



Language Access: Translation

With limited resources, OJD has translated:

- Online guided interview form for application of appointment of counsel
- Self-help website for guardians and individuals in need of guardianship
- Court emergency and closure notices
- Online self-help center
- Online information about set-asides and pardons
- Some local court signage



Formularios del tribunal estatal

Descargue formularios gratuitos que puede usar en cualquier tribunal de circuito de Oregón. Consulte con el tribunal correspondiente para enterarse de las normas locales, qué formularios adicionales tienen y cuáles son los próximos pasos que debe seguir.

¿Necesita ayuda con los formularios? [Póngase en contacto con su tribunal local.](#) (La página está en inglés, pero tiene una función de traducción).

Cómo solicitar un intérprete

Llene el formulario en línea para solicitar un intérprete para la audiencia. Los tribunales pueden conseguirle intérpretes para español y muchos otros idiomas. El formulario está disponible en español. Haga clic en "formulario en español."

[Solicitar un intérprete >](#)

Cómo encontrar un tribunal

A cada condado le corresponde un tribunal de circuito. Visite la página web de su tribunal local para obtener números de teléfono, dirección, horarios, formularios locales e información sobre las normas locales.

[Escoja el tribunal correspondiente >](#)

The rising number of **people whose English is limited** means courts need more **translated documents, signs, and online resources.**

Language Access: The Translation Gap

- Federal guidance requires translation of “documents that create or define legally enforceable rights or responsibilities”
- Most of OJD’s online forms and processes fall within federal guidance

Current Translation Falls Short

Not translated:

- 79% of forms
- 92% of webpages



Access to Justice

Meeting people where they are and making services accessible to all

Access and Fairness Survey

- Biennial survey
- Solicits feedback from people who come to court in person or remotely, or visit the OJD website
- 2,118 responses in 2024

If you have interacted with the state circuit courts...



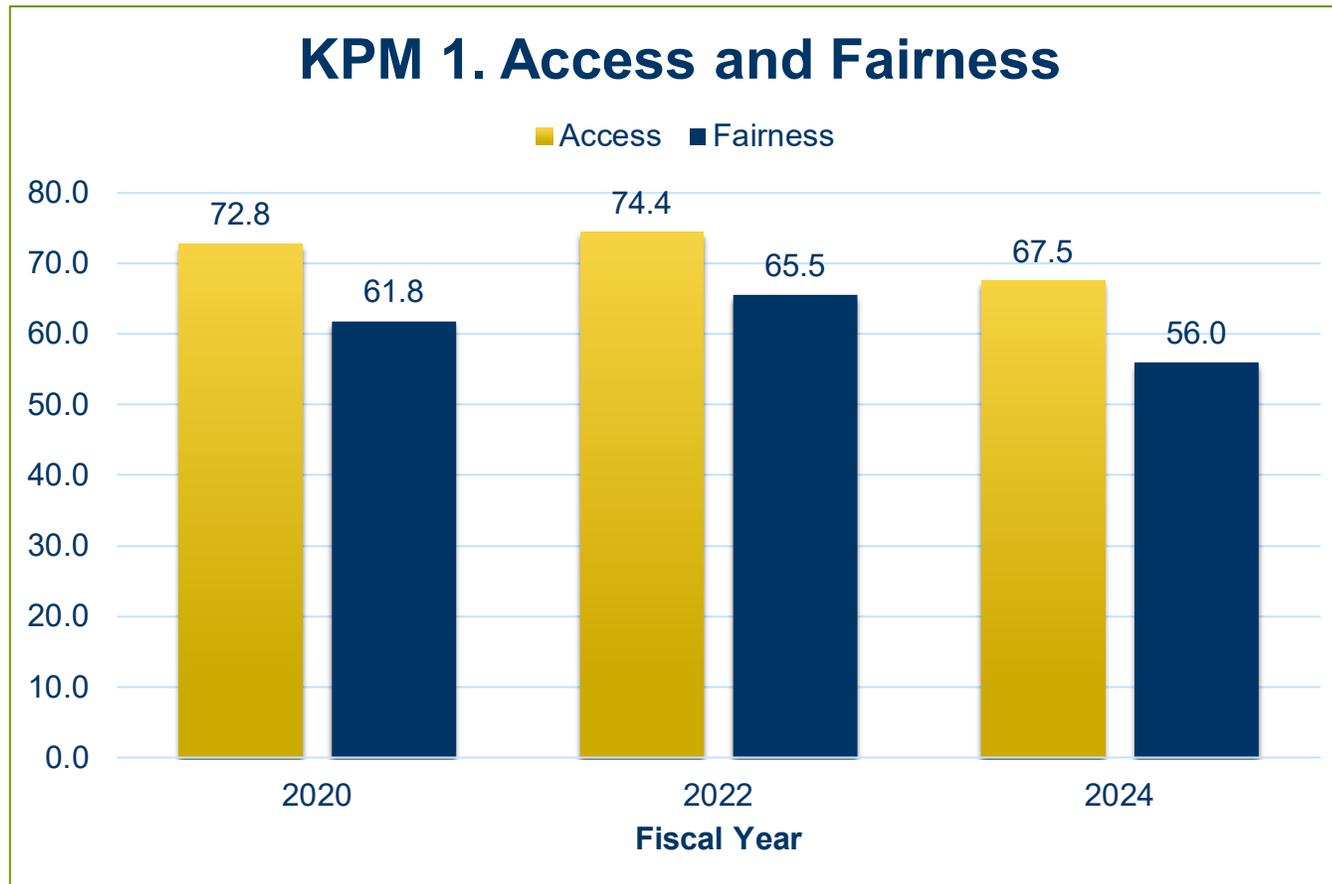
Did we make things easy to understand?

Did we treat you with respect?

Did we make you feel safe?



Key Performance Measures (KPM)



Target: 85%

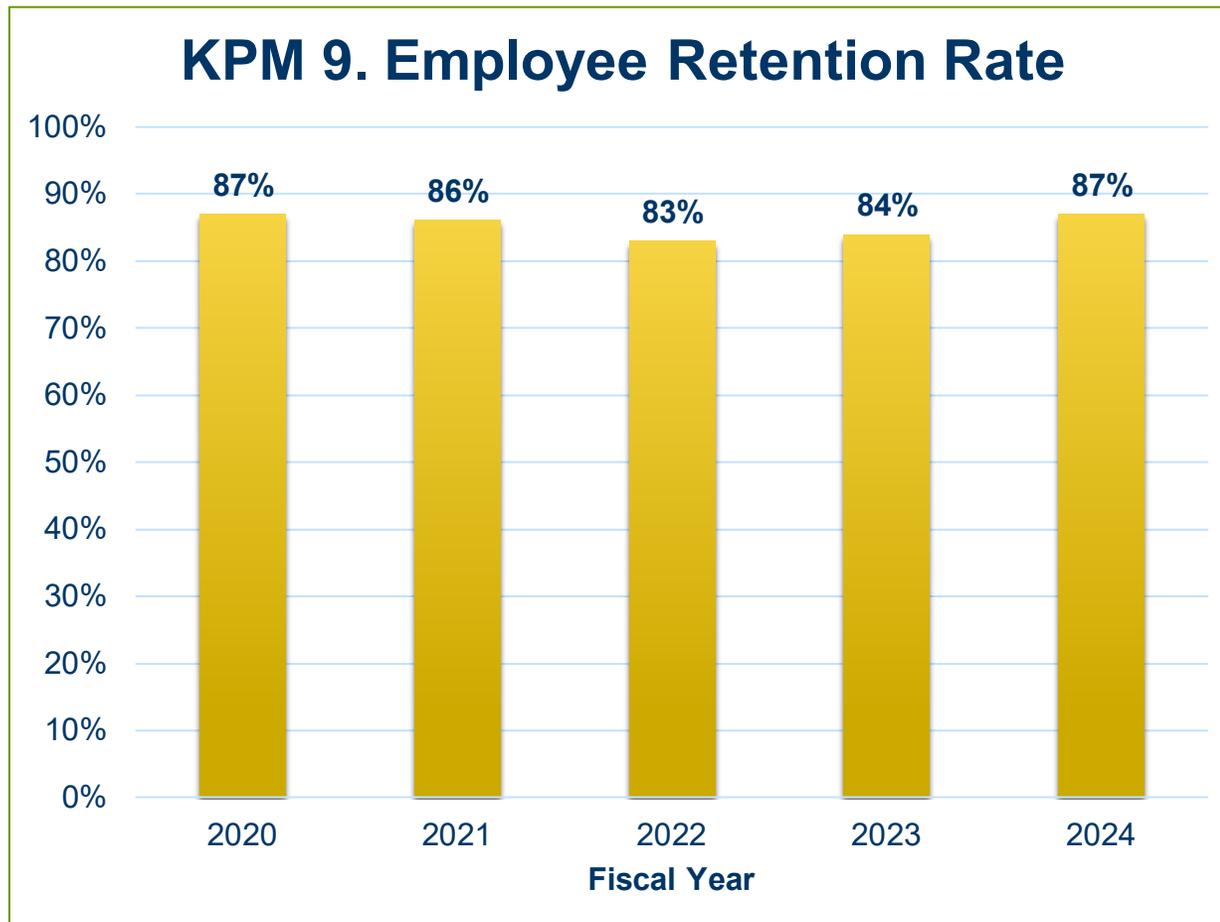
Rating of court users' perception of access and fairness in the courts

Signature Customer Experience Training

- Helps staff and judges better serve customers by considering their specific needs
- Ensures that all court users are treated respectfully
- 10 courts have completed it so far
- Courts that completed the training scored higher in the access survey



KPM 9. Employee Retention Rate



Target: 88%

Percentage of employees retained by OJD

Key Performance Measures (KPMs)

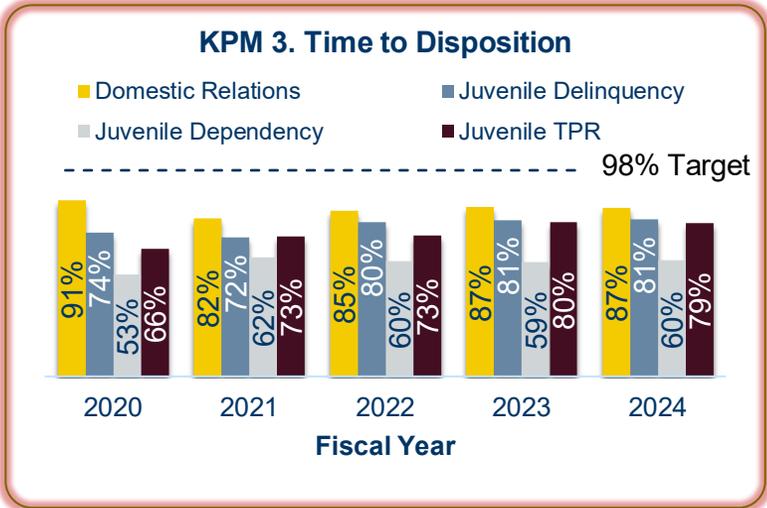
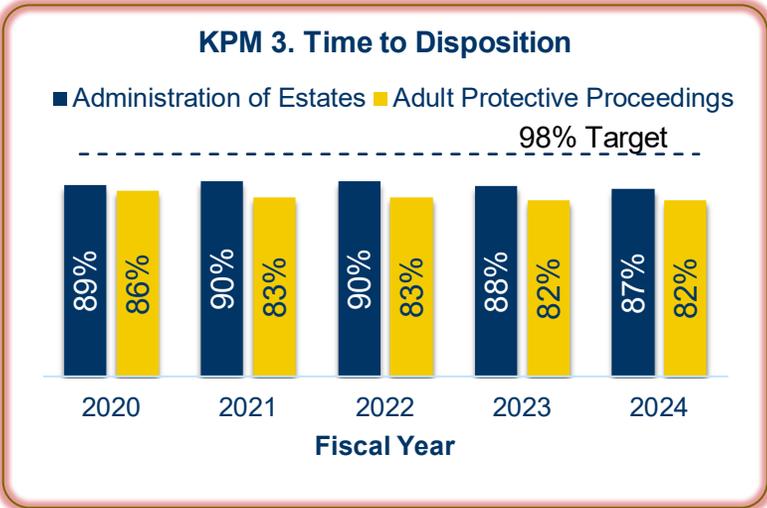
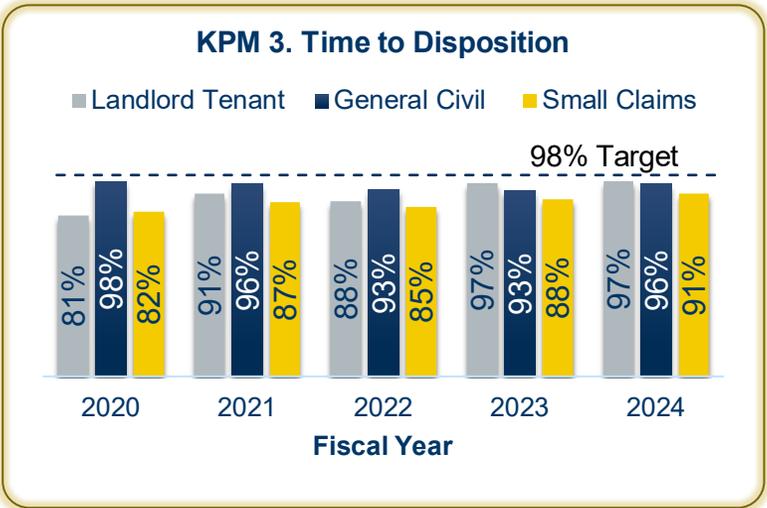
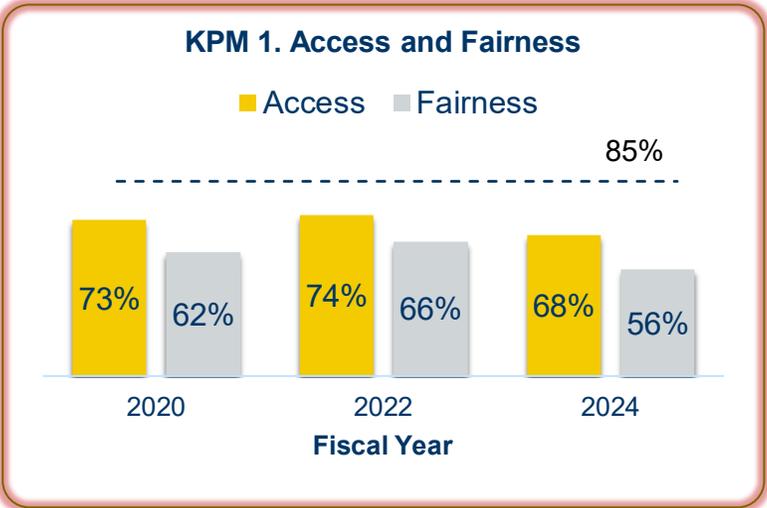


Key Performance Measures (KPM)

Target to -5%

Target -5% to -15%

Target > -15%

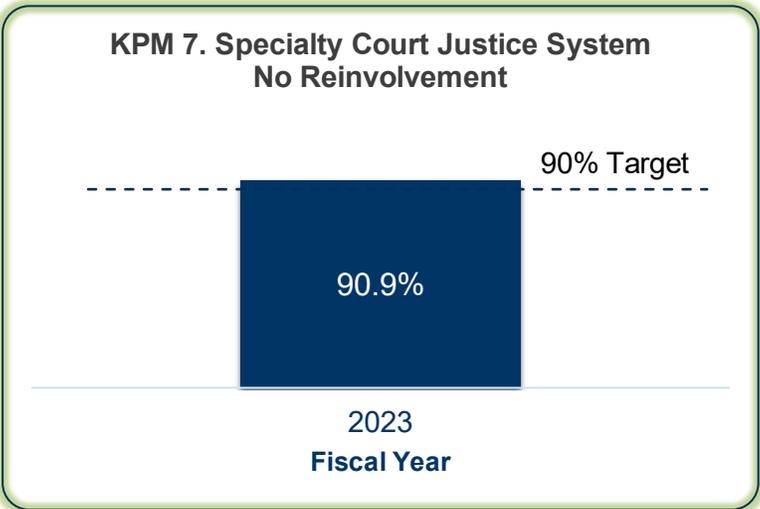
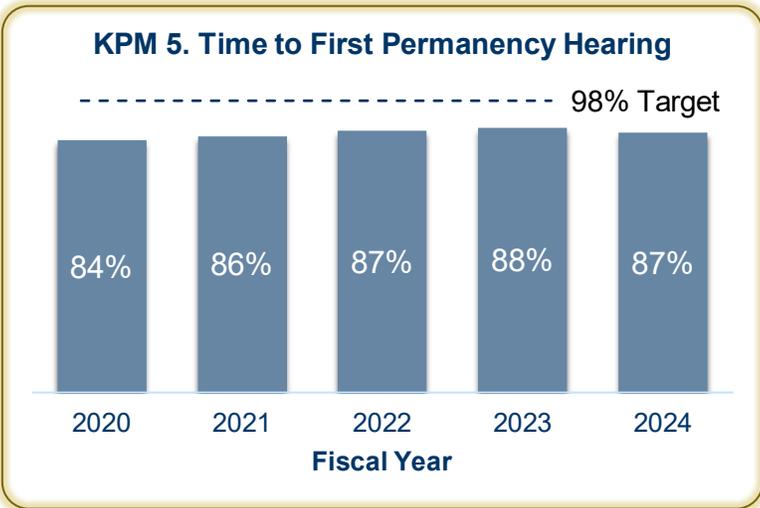


Key Performance Measures *continued*

Target to -5%

Target -5% to -15%

Target > -15%





Presentation Overview



Day 1

- The Judicial Branch
- The Justice Campaign
- State Courts Overview
- Circuit Courts Caseload Data
- Dive into Case Types

Day 2

- Continued Dive into Case Types
- Key Performance Measures
- Access to Justice

Day 3

- Revenue, Collections, and Budget
- 10% Reductions
- Policy Option Packages to Reduce Risks and Address Gaps

Day 4

- Public Testimony





Revenue, Collections, & Budget

Fines & Fees 101



Courts do not keep most revenue they collect



Ability to pay considered where statutorily authorized



Legislature restructured fines and fees in 2011



Fees waived for litigants who are financially eligible



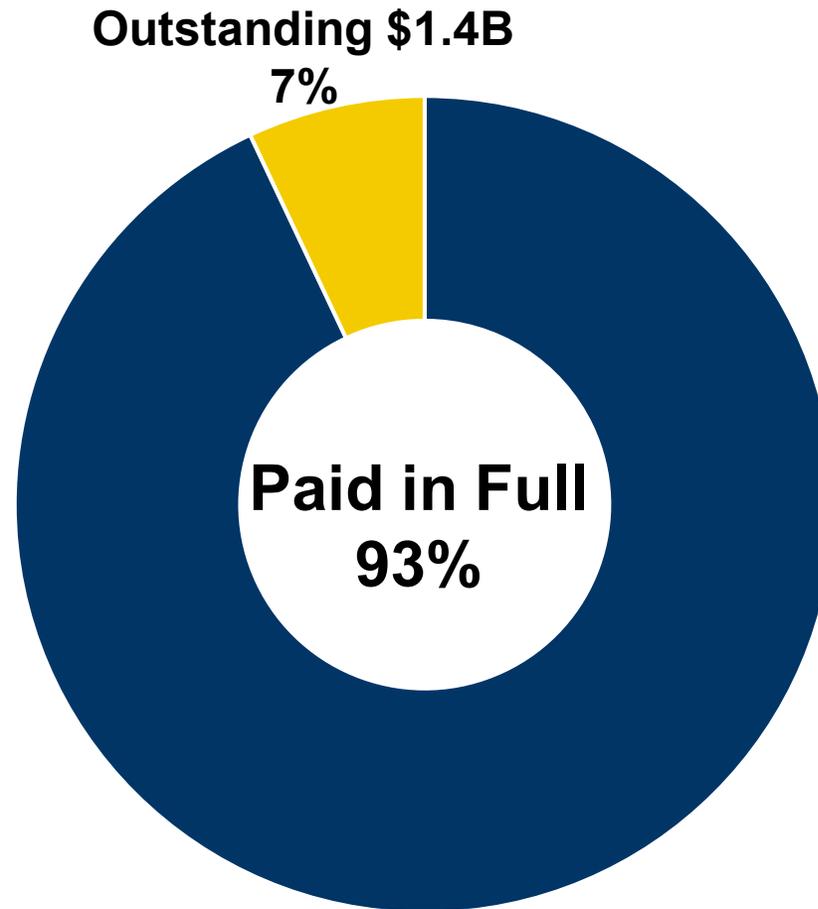
Courts primarily funded by General Fund to maintain impartiality



Fees and costs continually evaluated and adjusted



In Most Cases, Fines and Fees Paid in Full



Restitution is 40% of Outstanding Debt



How Courts and Third Parties Collect

OJD offers:

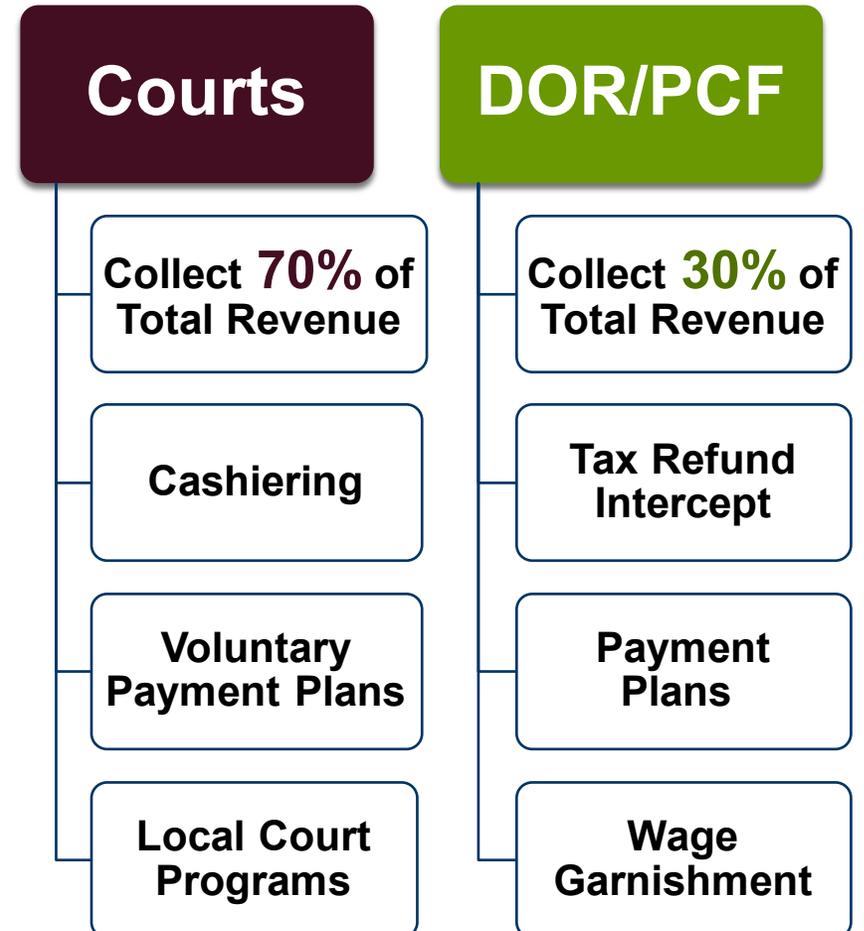
- Electronic text payment reminders
- Recurring payment options
- Electronic violations bureau — people can enter pleas and receive reductions online

Statewide automated collections process:

- Sends reminder notices
- Allows people a year to pay in full (rather than 60 days)

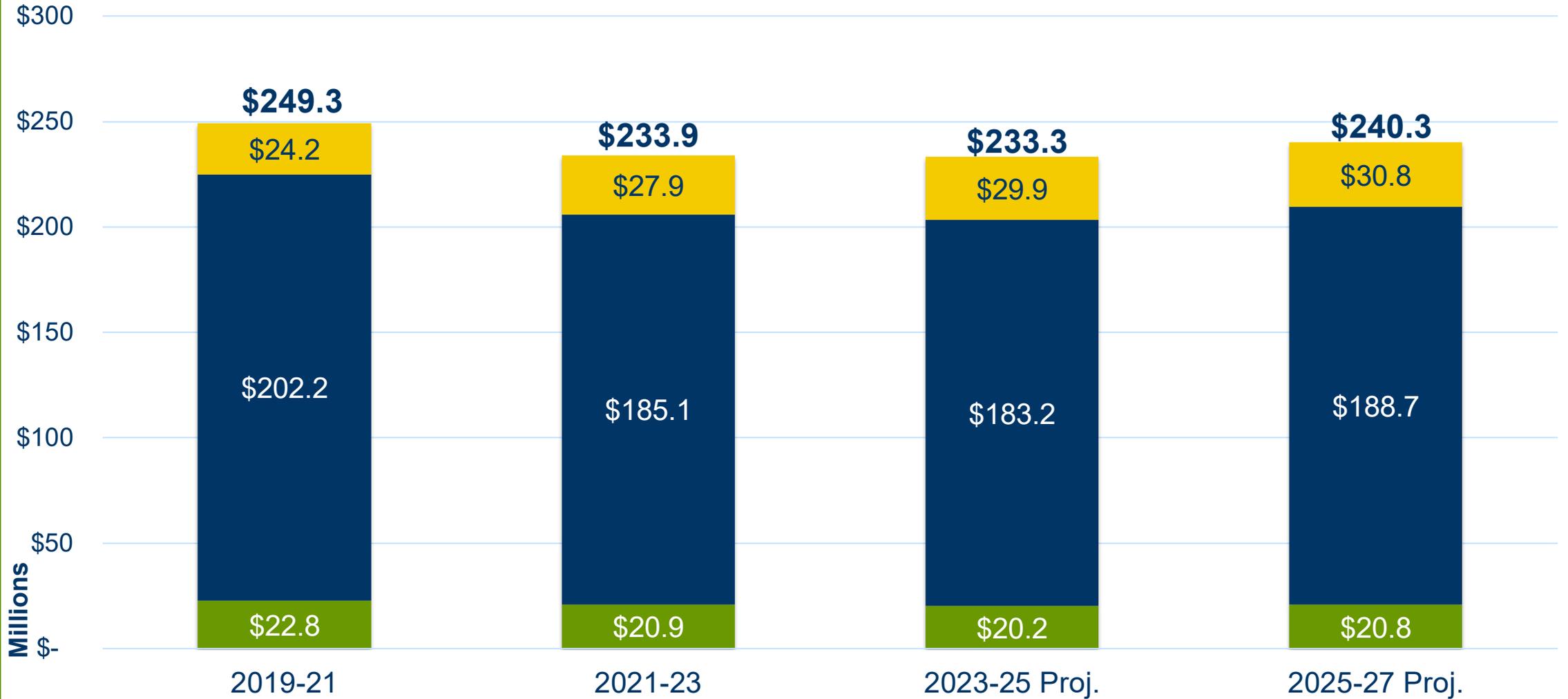
State only pays for revenue collected by third parties:

- For every \$1 spent on third party collection, the state collects more than \$4

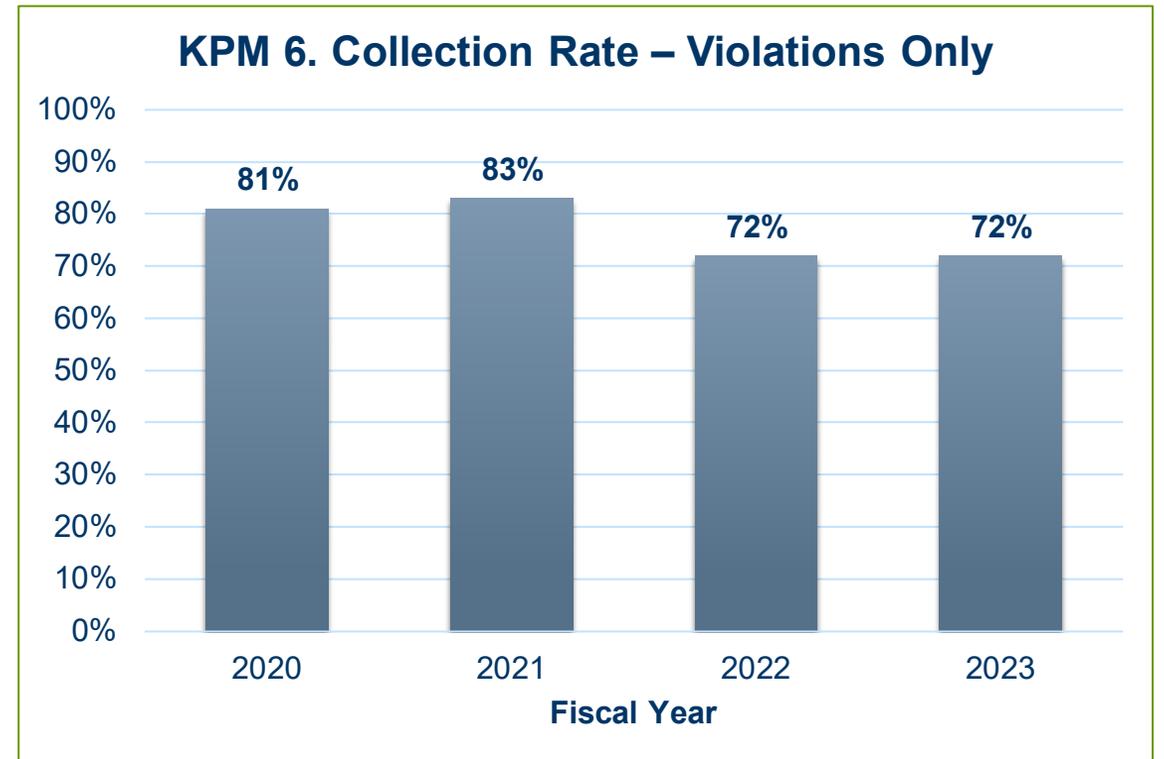


OJD Collections and Revenue History

Local State Victims



Violation Filings and Collection Rate

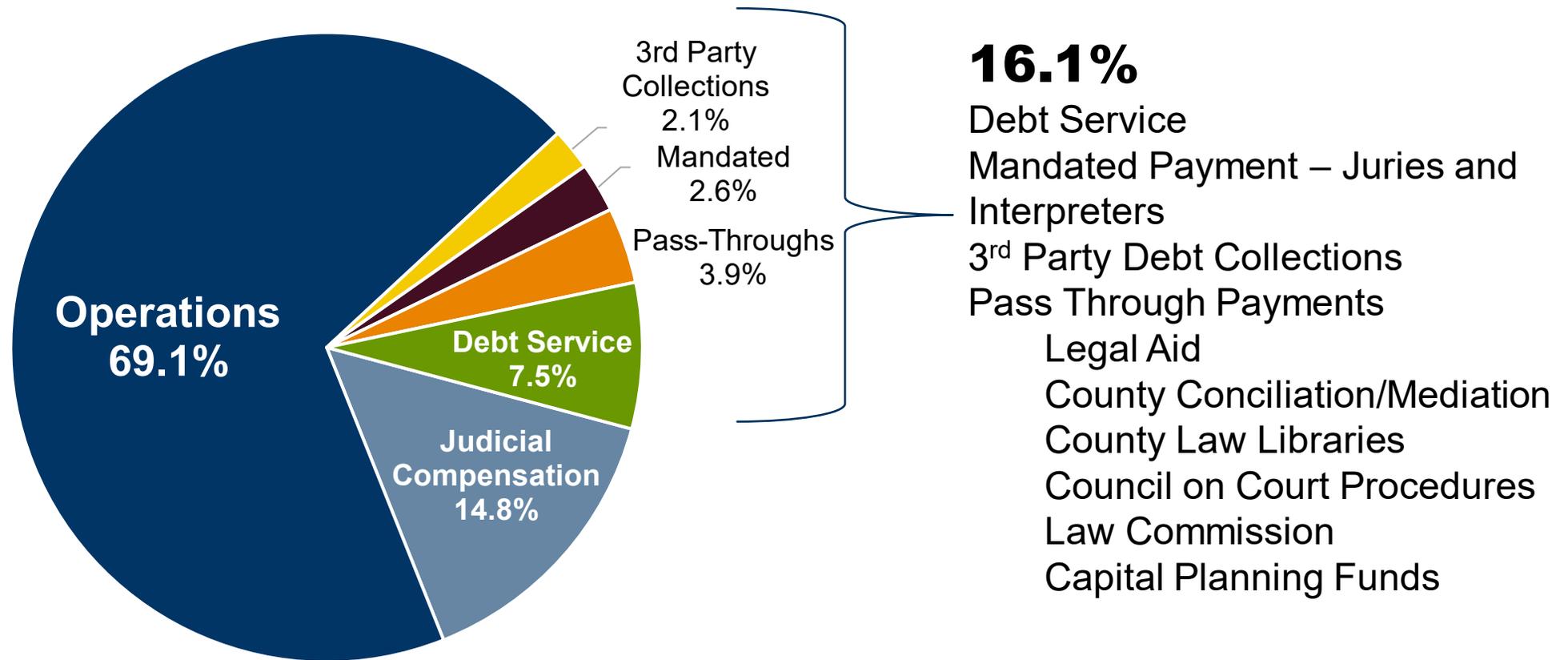


Target: 90% of cases paid in full within 365 days of judgment

Budget Overview

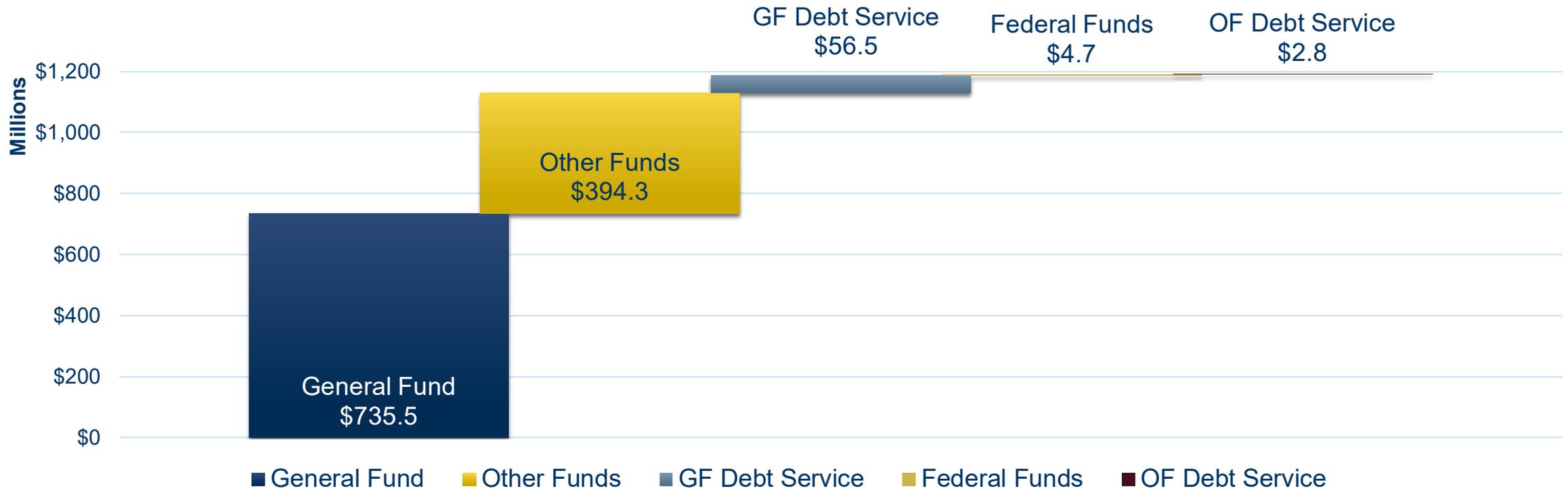


OJD General Fund Components



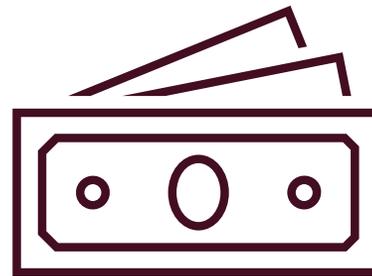
2023-25 Legislatively Approved Budget - \$1,193.8M

2023-25 LAB - \$1,193.8M

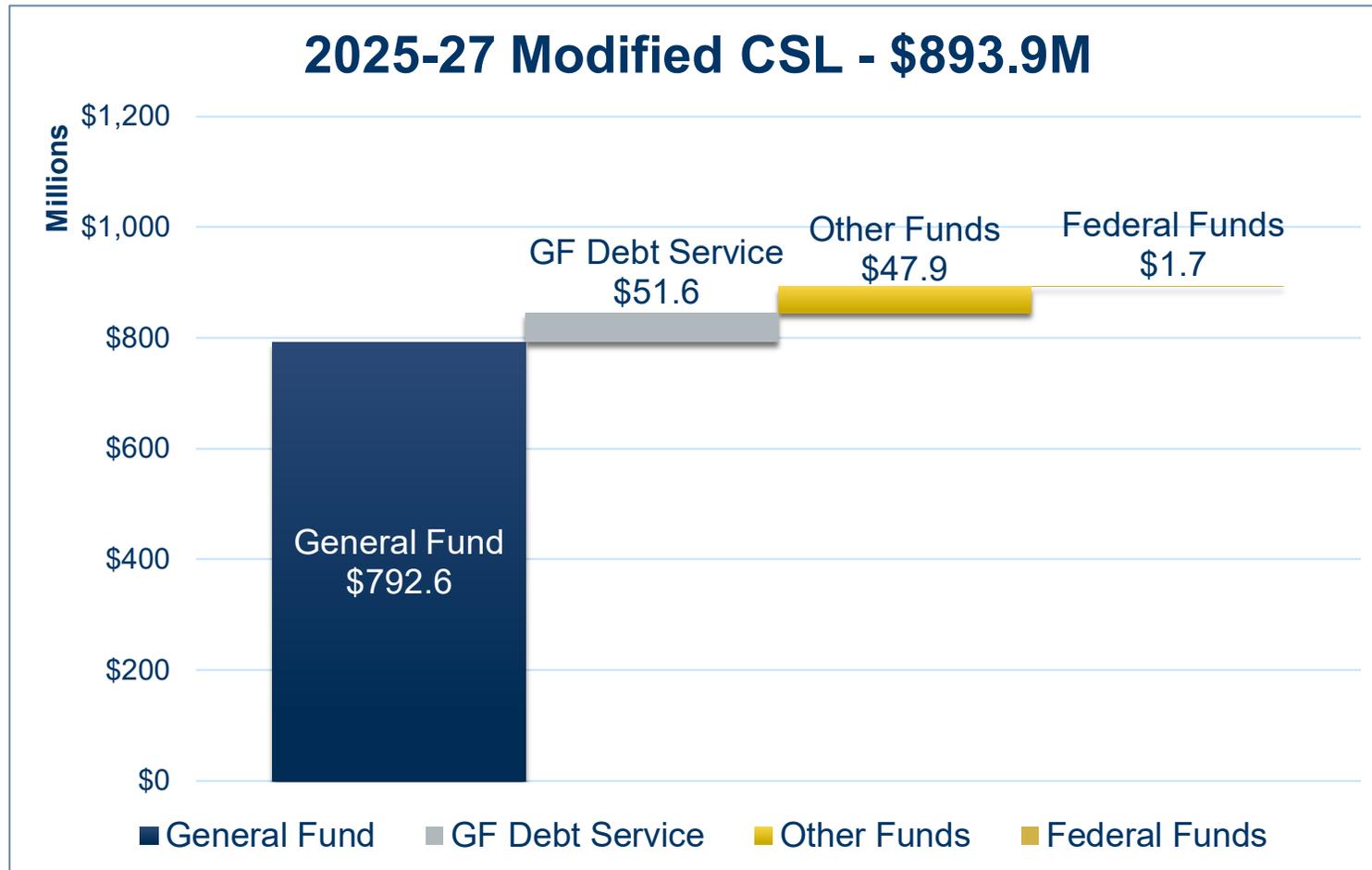


Budget Drivers

- **Addressing systems in crisis**
 - Public defense
 - Behavioral health
 - Housing & homelessness
- **Service provider shortages**
 - Interpreters
 - Court visitors
 - Mediators
- Turnover, training, and personnel costs
- Workload increases & changes in law
- Technology & security costs
- County courthouse projects
- Debt service & inflation



2025-27 Current Service Level - \$893.9M (All Funds)



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

2025-27 CSL Would Mean Cuts to Operations

Revenue Shortfalls \$12.2M

- **POP 122 - \$2.4M** Application and Contribution Program Revenue Shortfall
- **POP 123 - \$7.5M** Mandated Revenue Shortfall
- **POP 125 - \$2.3M** State Court Technology Fund Revenue Shortfall

Without revenue shortfall packages, OJD would have to cut 2% from court operations staff

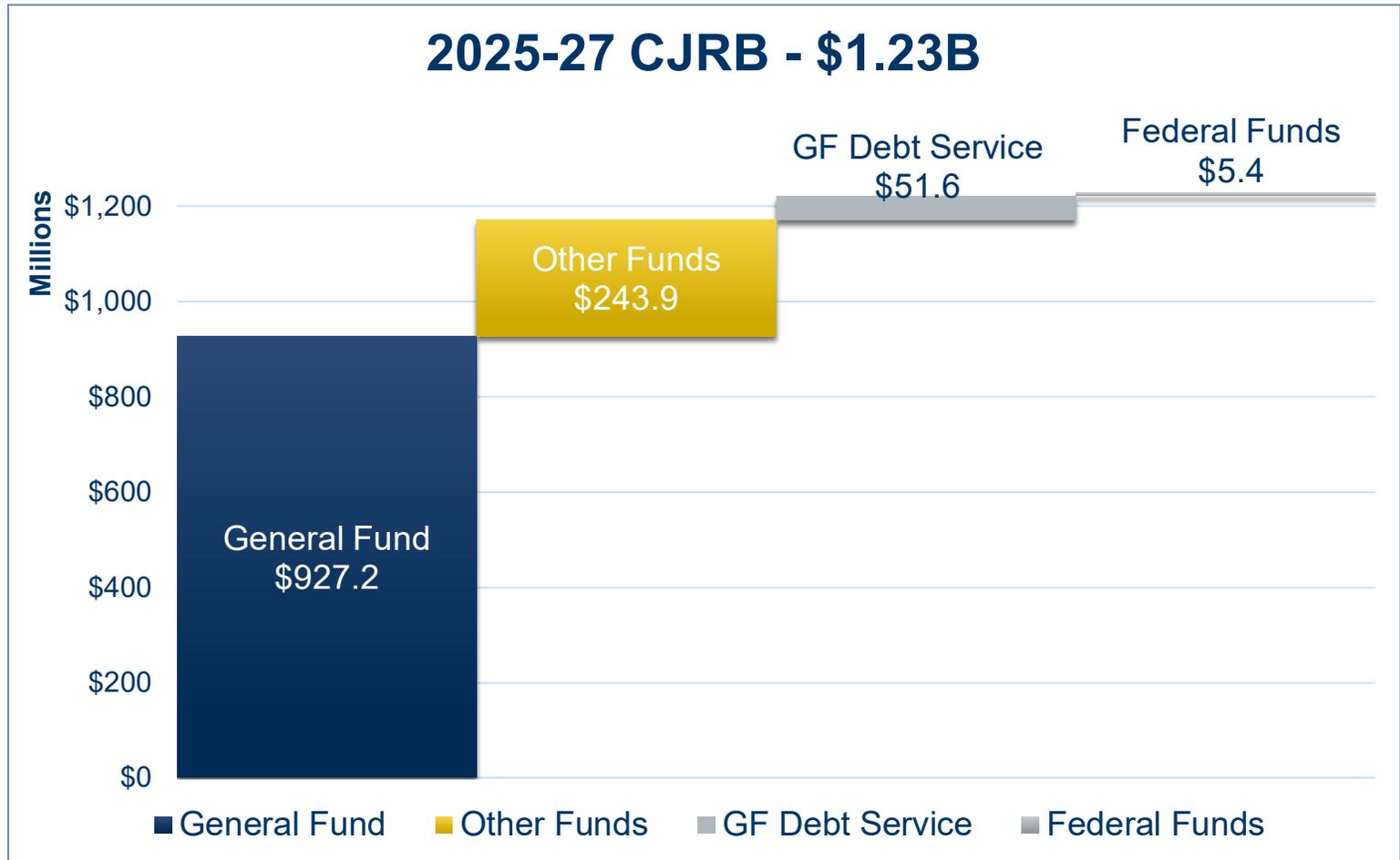
Equivalent of:

- **42+** people laid off (more than **2%** of staff) or
- **14+** court closure days

2025-27 Chief Justice's Recommended Budget - \$1.23B

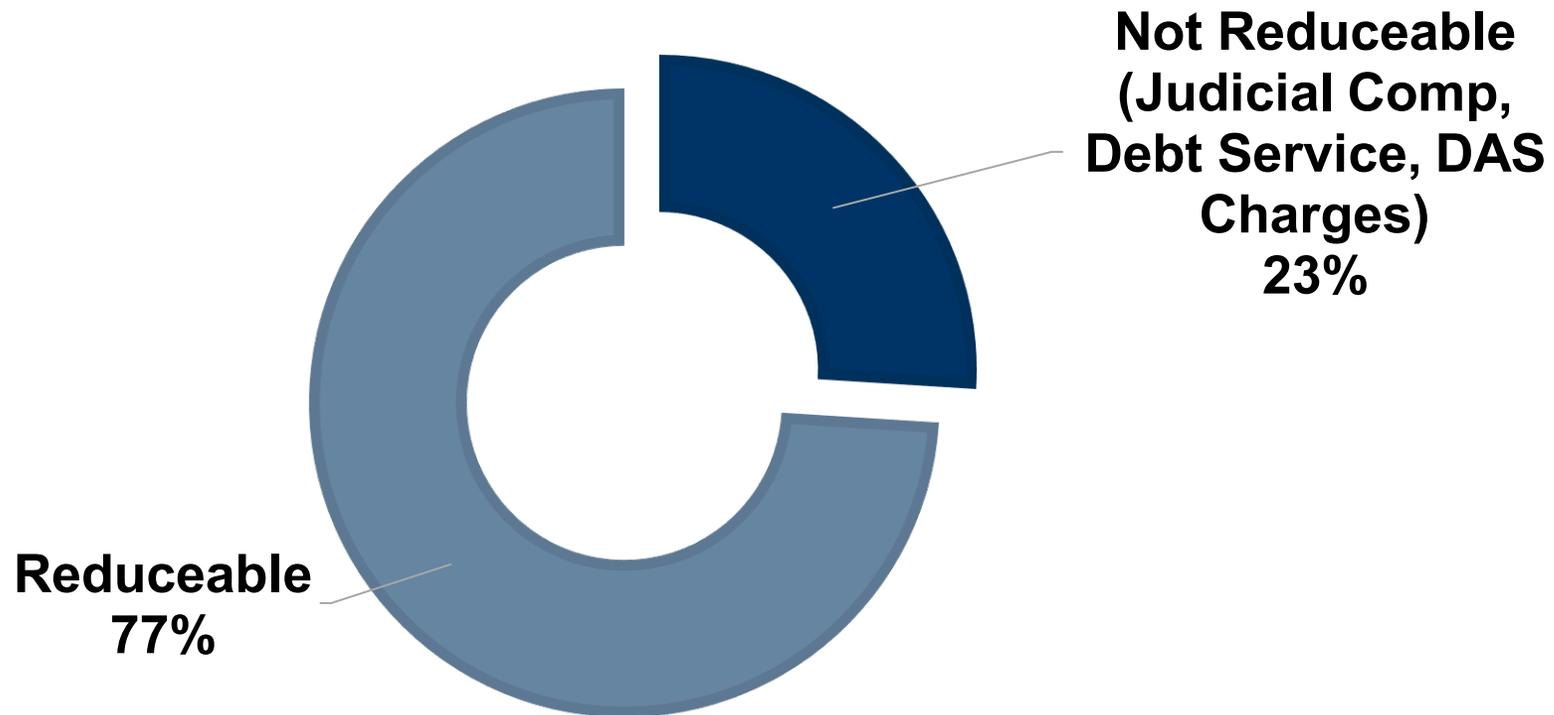
Includes critical policy option packages needed to continue successes and advance shared priorities:

- Safe courthouses
- Adequate judicial compensation
- Maintaining timely justice
- Consistent technology and training



General Fund Reduction Considerations

OJD General Fund Budget



10% Reduction = 13.5% Cut to Operations

Judicial Compensation, Debt Service, and DAS Charges cannot be cut

Judicial Compensation - \$125 million

- 10% cut = **\$12.5M** that would have to be cut from court operations (52+ staff or 15+ court closure days)

Debt Service - \$51.6 million

- 10% cut = **\$5.2M** that would have to be cut from court operations (22+ staff or 6+ court closure days)

DAS Charges - \$24 million

- 10% cut = **\$2.4M** that would have to be cut from court operations (10+ staff or 3+ court closure days)



10% Reduction Would Be Devastating

13.5% Cut to Court Operations: \$79.3M

Equivalent of:

- **262+** people laid off (more than **14%** of staff)
- or
- **95+** court closure days

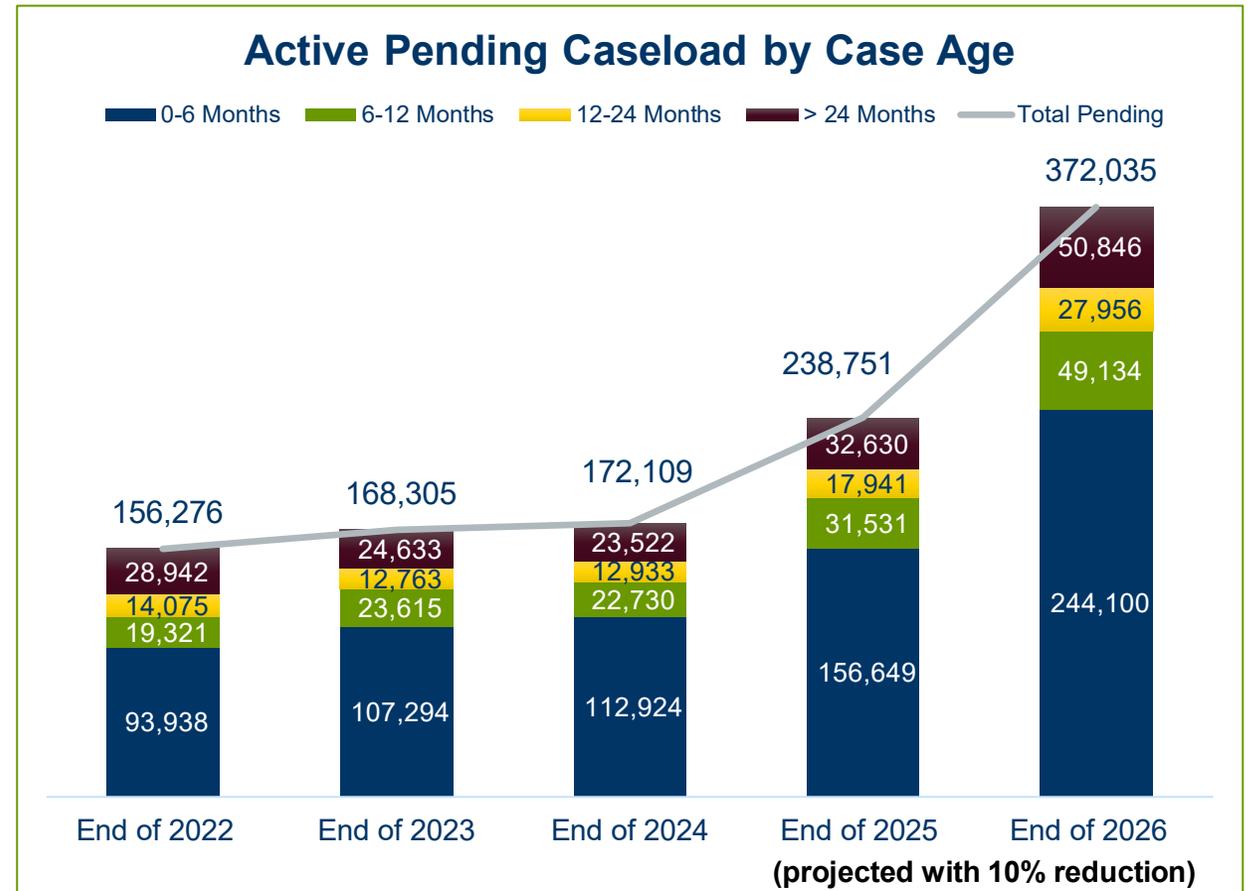


Backlog Skyrockets After 10% Budget Reduction

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

In addition to existing delays:

- **26,404+** more people waiting longer than **6 months**
- **15,023+** more people waiting longer than **1 year**
- **27,324+** more people waiting longer than **2 years**





10% Reduction Would Damage Key Statewide Initiatives



- Remote proceedings and facilitation
- Resources for self-represented litigants
- Statewide child support docket
- Statewide case management systems
- Efficient record set-asides and sealing
- Automated solutions
- Data dashboards
- Treatment courts
- Improvement of conservatorship auditing, pretrial programs, juvenile delinquency





10% Reduction Would Harm Communities



- Significant court backlogs
- Delayed justice for victims
- Stalled civil case resolution
- Reduced services to people with limited English proficiency
- Reduced funding for ADA accommodations and juror compensation
- Reduced criminal fines account revenues



Reductions to “Pass-Through” Services

- 
- Court security, mediation, and law libraries: **\$1.7M**
 - Legal aid: **\$1.5M**
 - Third party debt collection: **\$1.8M**
 - Possible **\$8.7M** in lost revenues for the General Fund and Criminal Fines Account
 - Department of Revenue and private collection firms
 - \$1 spent = approx. \$4 in revenues



Justice Delayed is Justice Denied

Will my mom go to jail?

Will my dad get the mental health treatment he needs?

Where will we live?

Will I be safe?

Which parent will my child be with next weekend?

People need certainty to take their next step.

How much money will we have to spend next month?

Will I be able to get the restraining order?

Who will own the business?



Legislation & Policy Option Packages

OJD POPs – Most Critical Budget Requests

Community & Courthouse Safety

POP 101

Adds security screening in 8 courts to protect court users, judges, and staff

Judicial Compensation

POP 102

Raises circuit judge salaries to \$240,048 — equivalent to senior lawyers at Oregon Public Defense Commission or Department of Justice

Maintaining Timely Justice

POPs 103-108, 114-117, 123

Add court staff, judges, and statewide positions to improve access to justice and procedural fairness

Technology & Training

POPs 109, 111, 113, 114

Add technology, staff, and training statewide to help users access courts and ensure judges and staff deliver best services

OJD Bills - 2025 Legislative Session

SB 95: New Judges & Support Staff

Adds circuit court judge positions in Lane (2), Douglas, Clackamas, Crook/Jefferson, and Umatilla/Morrow counties

SB 96: Judicial Compensation

Raises circuit judge salaries to \$240,048 — equivalent to senior lawyers at Oregon Public Defense Commission or Department of Justice

SB 97: Mediation in Family Law Cases

Requires counties to report how they spend state pass-through funds for conciliation and mediation services. Allows counties to increase marriage and domestic partnership fee

SB 98: Housekeeping & Technical Fixes

Technical fixes, clarifications to statutory language, and improvements to court processes

POP 101

Community & Courthouse Safety

21.16 FTE (31 positions) | \$6.4M GF | \$2M OF

- Add security screening at 8 courts (pilot program, \$4.6M GF)
- Add 7 positions in the OJD Marshal's Office (\$1.8M GF)
- Fund court grants for security screening (\$2M OF)

Screening Protects Everyone

- Jurors reporting for civic duty
- People seeking protection from stalkers or abusers
- Crime victims
- Landlords and tenants
- Children and families
- Attorneys, judges, and staff

POP 101

Community & Courthouse Safety: The Problem

- People can **bring guns and knives** into many circuit courts more easily than into concerts or sporting events
- **17** Oregon circuit courts have **NO** regular entrance security screening
- **Violence and threats** against judges and court staff are on the rise in Oregon and nationwide
- Many courts have **little or no law enforcement** presence

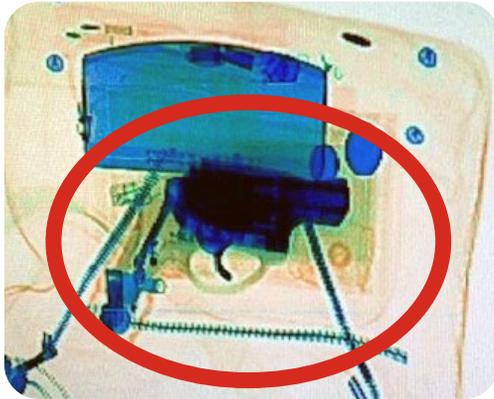


A woman came in recently to file a restraining order against her husband. “While I was reviewing her paperwork, she saw her husband out my window. He had tracked her to the courthouse and was waiting for her by her car. ... We waited for him to leave and, after giving her some time to relax, had a deputy walk her out to her car.”

Circuit court family law facilitator

POP 101

Community & Courthouse Safety: The Impact



Courthouse With Screening

- 3 guns (at least 1 loaded)
- 662 edged weapons

Found by screeners, Jan.-Oct. 2024

Courthouse Without Screening

- ?? guns
- ?? edged weapons

Unknown because only a sign warns people not to bring weapons inside

POP 101

Community & Courthouse Safety: Next Steps

- **Add security screening at 8 courts**
 - Metal detectors and x-ray machines
 - 24 new positions to screen and monitor people and buildings for weapons or explosives
 - Coos, Curry, Grant, Harney, Jefferson, and Polk counties in 2026; and Clatsop and Linn counties in 2027
- **Add 7 positions in Marshal's Office**
 - Emergency operations & business continuity
 - Manage screening personnel
- **Court grants** for security devices, upgrades, and entry renovations



POP 102

Judicial Compensation

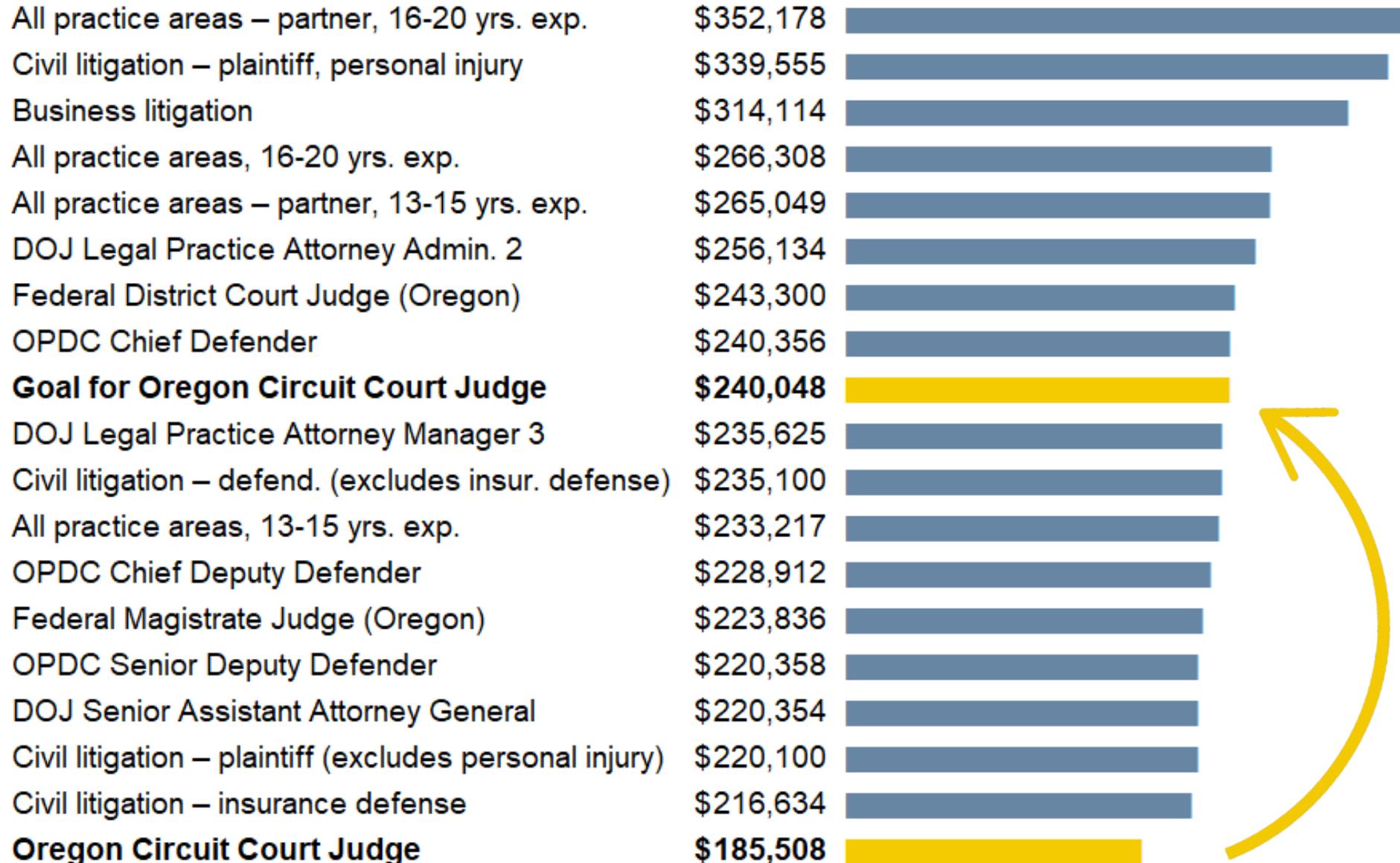
\$33.3M GF for 2025-27 biennium

- Increases circuit judge salaries to \$240,048 — equivalent to senior lawyers at Oregon Public Defense Commission or Department of Justice
- Judges have not had a salary increase since 2019 (other than COLAs)

Experienced judges are incentivized to leave the bench

- Increasingly complex needs require skilled judges
- Recruiting and retaining judges is difficult due to statutory salaries set well below other public legal sector work
- Judges are leaving the bench early, and more than half are within 10 years of retirement

Judicial salaries are 30% below competitive rates for Oregon



POP 102

Judicial Salary Issue Impacts Everyone

Experienced judges have the skills & training to stabilize Oregon's system of justice by:

- Connecting landlords and tenants with resources to avoid evictions
- Helping people navigate out of addiction
- Preserving families and keeping kids safe
- Ensuring that people's rights are protected
- Giving victims a voice in legal proceedings
- Issuing protective orders for vulnerable people
- Holding people accountable to the law



POP 103 Customer Service Needs in Protective Order & Family Law Cases

20.74 FTE (24 positions) | \$5M GF

- Add family court facilitators in 8 counties
- Add 2 remote facilitation program managers
- Add 14 court operations staff
- Staff needed to help large number of self-represented litigants



Staff would help people coming to court for:

- Protection orders
- Custody and parenting time orders
- Other family-related case assistance

POP 103

Customer Service Needs: The Problem

Increasing Family Law Case Filings

- **6%** overall increase since 2021
- More than **45%** of filings are protective orders

Majority of People Have No Lawyer

- **86%** of family law cases have at least one self-represented party

Not Enough Attorneys

- More family law attorneys needed
- Some rural counties have no practicing family law attorney

Not Nearly Enough Help Available

- Litigants rely on court staff and facilitators to help them navigate
- Lack of family law staff limits facilitator availability

POP 103

Customer Service Needs: Next Steps

7.5 Family Court Facilitators

Help self-represented litigants complete forms, understand court processes, get services

14 Court Operations Staff

- Process increased filings, particularly in protective order cases
- Provide customer service for people seeking protection while experiencing trauma and stress

2 Regional Remote Facilitation Program Managers Serving 23 Counties

Grow regional remote facilitation so people can get help without having to travel to the courthouse

POP 104 Court Services to Address Housing Crisis

16.34 FTE (19 positions) | \$4.5M GF

- Expand facilitation services to eviction cases
- Implement eviction mediation
- Divert cases away from formal court proceedings
- Support efficient use of court resources and improve customer service



“There is NO WAY I could have navigated this by myself.”

Facilitation customer

“This experience eased my mind in the most challenging and scary time in my life.”

Facilitation customer

POP 104

Eviction Cases: The Problem

Eviction filings skyrocketing

- 50% increase in residential eviction filings from 2019 to 2024

Majority of people have no lawyer

Self-represented:

- 92% of tenants
- 56% of landlords
- Not nearly enough staff to meet their needs



POP 104

Eviction Cases: More Help Needed

- **Court facilitators:** help with forms, provide information about law and court procedures, connect people to services
- **Mediation:** helps resolve immediate dispute, repair relationships, reduce future conflict
- **Eviction improvement:** help landlords and tenants find alternatives to litigation through mediation, service connection, community partnership

“Mediation has been a valuable asset for many years. I hope there will always be funding for this.”

Housing provider

Mediation “literally saved my home and started mending/healing with my landlord.”

Renter

POP 105

Additional Staff to Process HB 4002 (2024) Caseloads

15.46 FTE (18 positions) | \$4.2M GF

- Court operations staff and hearings referees in courts with greatest workload
- Staff and referees needed to process additional drug enforcement misdemeanor cases and seal records

OEA projects significant filing increases in 2025-27 due to HB 4002:

- 34.4% increase in misdemeanors
- 18.4% increase in probation violations
- 8.4% increase in felonies

POP 105

Implementing HB 4002

- Significant work increases
- Delays in case resolution and set-asides without additional staff
- **Courts also working with partners to:**
 - Develop specialized conditional discharge dockets
 - Identify public defense attorneys for eligible people
 - Efficiently seal records
 - Create clear processes for deflection, conditional discharge, treatment court programs
 - Coordinate data elements collected for reporting purposes

Deflection programs vary by county:

- Some programs operate outside of the court process
- Others involve court cases
- Some counties do not have a deflection program

POP 106

Continue Funding to Address Unrepresented Crisis

9 FTE (9 positions) | \$2.5M GF

- Analysts to help manage the unrepresented persons crisis in nine circuit courts with the highest needs
- Essential monitoring and reporting work to provide accurate, updated information to partners

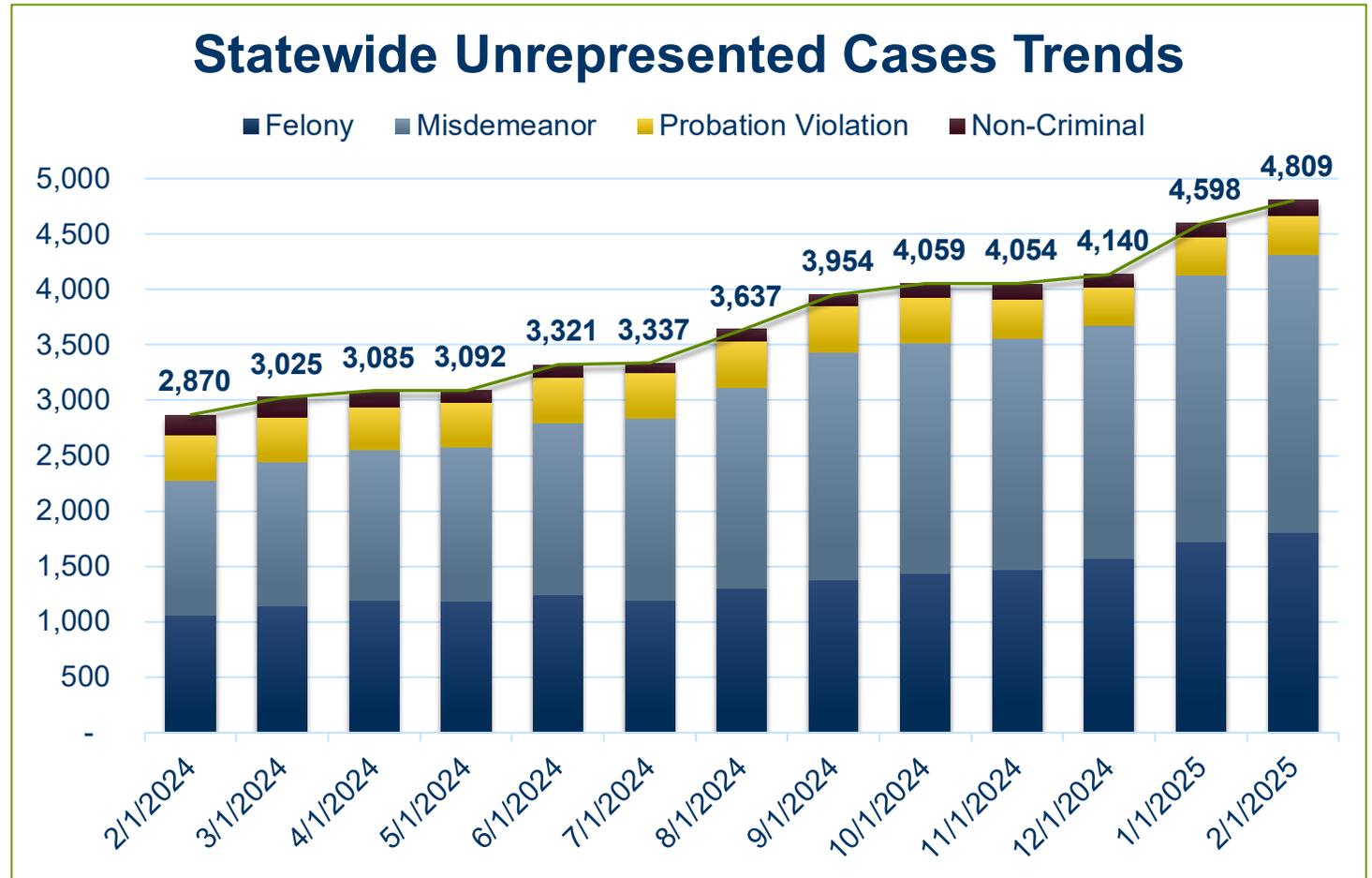
Counties with most unrepresented persons, as of Jan. 14:

- Multnomah
- Jackson
- Marion
- Washington
- Douglas
- Coos

POP 106

Unrepresented Crisis: The Problem

- Crisis is at an all-time high – **4,809** as of Feb. 1
- Average number days an out-of-custody felony case was unrepresented **grew 39% in 2024 to 110 days**
- **731** individuals unrepresented for **more than 6 months**



POP 106

Unrepresented Crisis: The Solution

Analysts will:

- Monitor and analyze the court's unrepresented list
- Review and ensure accuracy of unrepresented dashboard
- Monitor local defense providers' capacity
- Communicate with OPDC, jail, and justice system partners
- Reach out to other local attorneys to take cases
- Track in-custody individuals subject to *Betchart* release
- Implement business processes and data entry protocols to improve data collection and tracking

POP 107

Court Management & Supervisory Positions

12.32 FTE (14 positions) | \$4.5M GF

What We Need

11 supervisory positions in circuit courts

1 deputy trial court administrator, Deschutes County

1 trial court administrator, Lake County

1 Court of Appeals office manager to oversee court operations, judicial assistance, analysts

Why It's Important

High staff-to-supervisor ratios **strain court operations, compromise data, and cause burnout**

Only **large court** without a deputy TCA, despite **growing population & caseloads**

Lake currently **shares TCA** with Klamath (90 miles away); rising case filings mean the court needs on-site leadership.

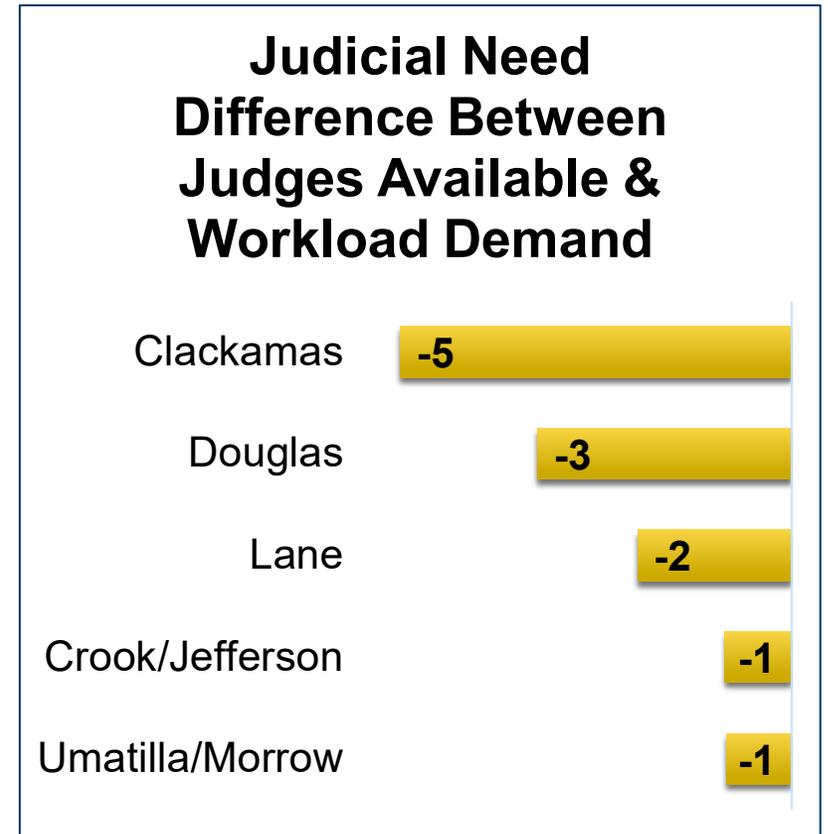
Busiest intermediate appellate court in the country requires more support

POP 108

New Judges and Support Staff

26.13 FTE (30 positions) | \$8.3M GF

- 6 circuit court judges and support staff in 5 counties of greatest need
- Adequately resourced courts are critical to access to justice and timely decisions



POP 109

Consistent Technology Statewide

19.36 FTE (22 positions) | \$6.9M GF

- **12 audio / video IT positions in trial courts** – support expanded use of remote proceedings
- **9 central IT positions** – expand web services, support server and network infrastructure, night and weekend support
- **1 central analyst in Court Language Access and Services** – support remote translation, website and forms translation

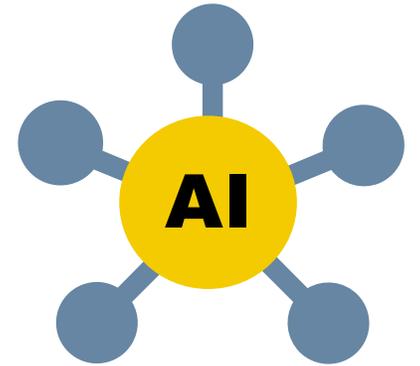
- Increasing demand for **24/7 access to court services**
- Increasing demand for **remote proceedings**
- Only **15%** of OJD's online resources are **translated**

POP 110

AI Security, Evaluation, & Planning Staff

3.52 FTE (4 positions) | \$1.3M GF

- Ensure Oregon's courts are prepared to **understand and manage impacts of AI**
- **Data security and privacy protection** – courts handle sensitive information
- **Planning to develop strategic roadmap** as AI tools evolve
- **Mitigating risks of automation** – including replacing human judgment with machine decisions
- **Cost management and efficiency** to prevent wasted resources



POP 111

Core & Advanced Training for Judges & Staff

20.24 FTE (23 positions) | \$6.7M GF

Judicial Education:

- 3 positions centrally to provide consistent training statewide

Staff Training:

- 20 positions to serve statewide staff training needs



POP 111

High Staff Turnover Requires Efficient Training

- **Increasing expectations** for courts to manage law changes, implement new programs, improve customer service and access to justice
- Average annual **staff turnover** of 15% means **constant training and re-training** needed



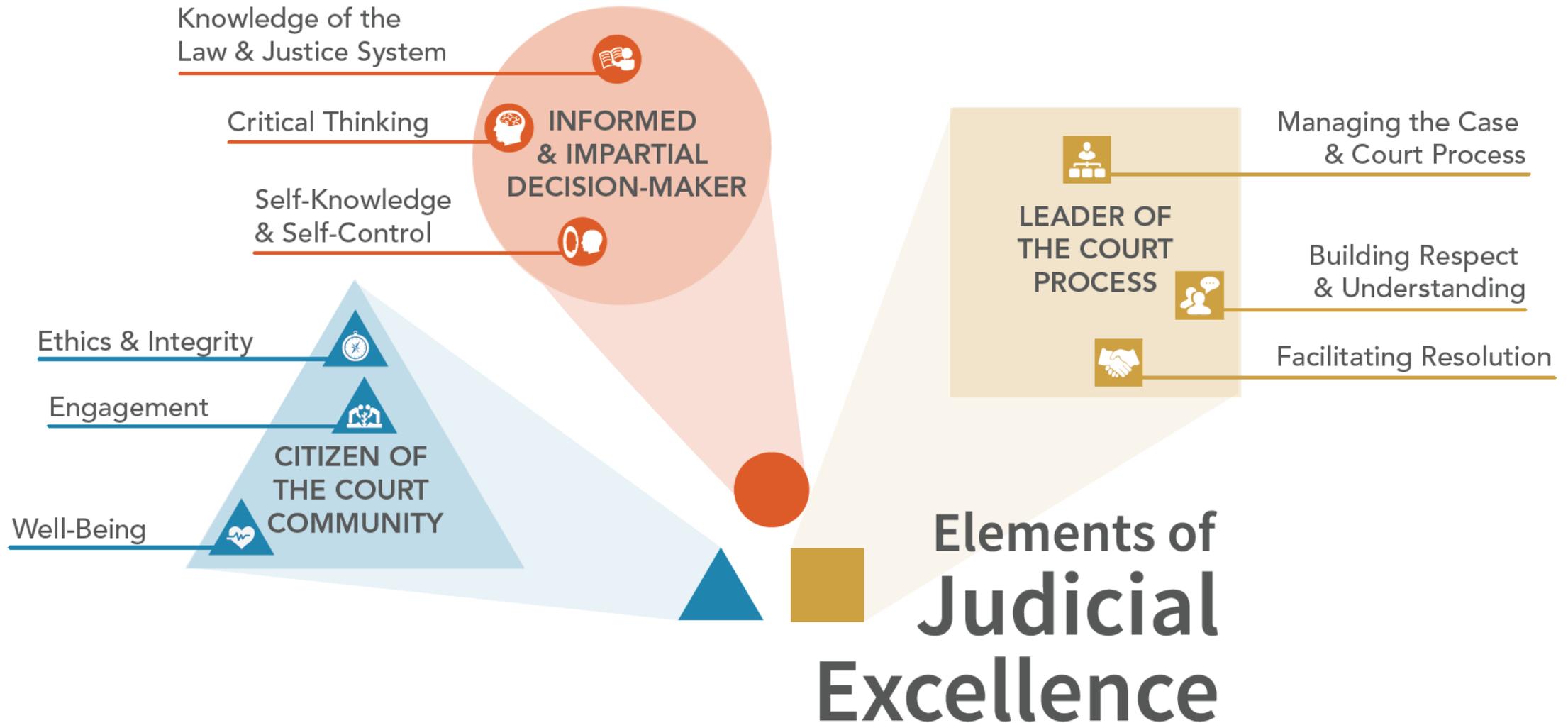
POP 111

Judicial Education Goals

- Minimum judicial education standards
 - Include continuing education
 - Promote accountability
 - Improve justice services
- Education designed *for judges*
 - Scenario-based
 - Includes decision-making, critical thinking, and interpersonal skills
 - Guided by structured framework



National Center for State Courts: Guiding Framework for Judicial Education



POP 113 Technology Software Licensing Costs & Equipment Lifecycle Replacement

\$13.3M GF

What We Need

Why It's Important

Network Upgrade (\$7.5M)

Numerous replacements and additions for end-of-life tech, firewalls to protect network, internet upgrades

Enterprise Software Licenses & Maintenance Costs (\$4.2M)

Treatment courts, pretrial release, public portal upgrade for eCourt, grand jury & digital evidence systems

Multnomah Equipment Lifecycle Replacement (\$1.6M)

More than 5,000 info technology assets at end of life. Scale of tech required for modern courthouse much higher than old courthouse

POP 114

Expanding Pretrial Programs

18.48 FTE (21 positions) | \$4.7M GF

- **19 Release Assistance Officers** in 9 counties
 - **2 central analysts** to support case management system and to research and implement statewide electronic monitoring
- **Gives every court a minimum of two RAOs** to complete interviews and release reports
 - **Expands monitoring** in courts with established programs to improve public safety and reduce non-appearance
 - **Develops standards** for monitoring across the state

POP 115

Core Services in Budget, HR, Audit, & Contracts

5.28 FTE (6 positions) | \$1.8M GF

What We Need	Why It's Important
1 budget analyst	Currently only have 1 for entire branch
1 human resources analyst	To help with Workday & Paid Leave Oregon implementation, plus all other HR duties
1 internal auditor	To ensure resources are used properly and risks are managed (OJD only has 2)
1 analyst and 2 attorneys for contracts	To contract services from vendors for technology, security, courthouse construction and improvement

POP 116

Positions for Statewide Courts

8.80 FTE (10 positions) | \$2.8M GF

Positions to address growing caseloads at Tax Court and case backlog at Court of Appeals

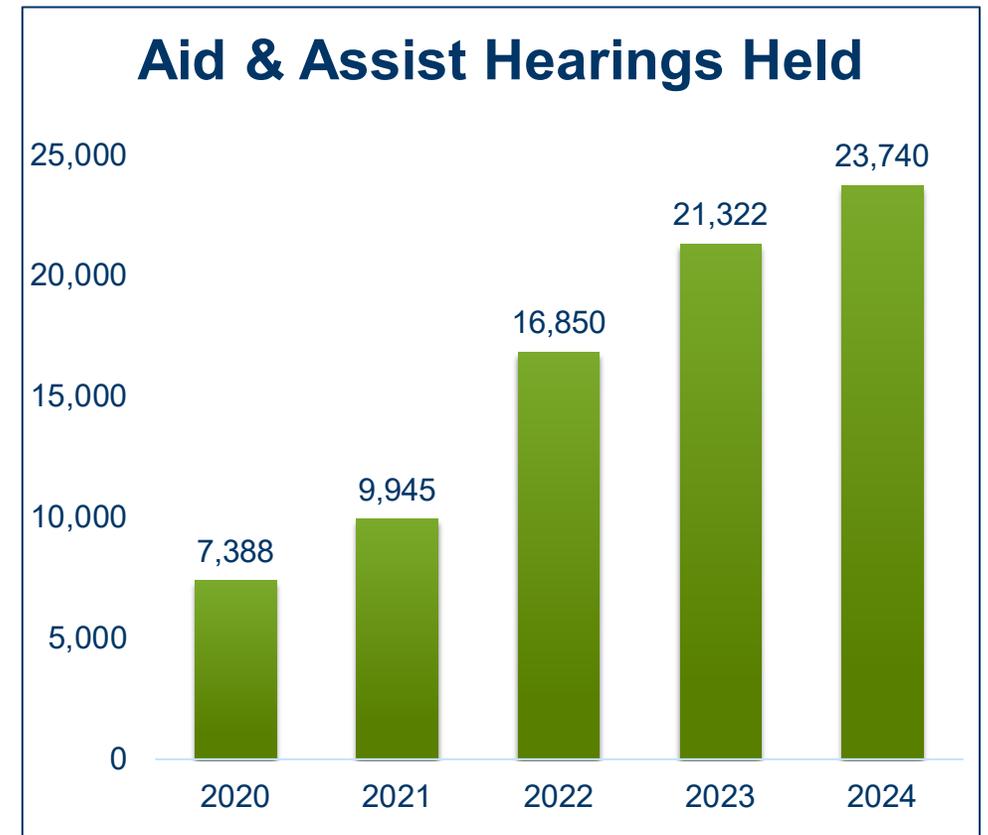
- **1 senior staff counsel** – address sustained increases in case filings
- **3 paralegals** – for Appellate Court Services Division, to meet needs of self-represented litigants and avoid processing delays
- **6 limited duration law clerks** – resolve pending backlogs and move to front-loaded case management model

- **Tax Court caseloads** have increased **20%** since 2021
- **Court of Appeals lacks necessary staffing** to address backlog of filings and cases
- Adequate staffing allows courts to be **timelier and more efficient**

POP 117 Behavioral Health Staff to Support Increased Aid & Assist Caseloads

1.76 FTE (2 positions) | \$563,000 GF

- **2 statewide analysts:**
 - Develop/update forms & business processes
 - Support aid & assist coordinators in circuit courts
 - Train judges, staff, & system partners
 - Develop/maintain resources for courts
 - Improve efficiency in civil commitment and aid & assist cases
 - Develop strategies to respond to behavioral health issues in pretrial programs



POPs 118, 119, 120

Planning, Construction & Improvement for Courthouses

POP 118: Planning for Future OCCCIF Projects | \$2.9M GF

- Planning for courthouse replacement projects in Lincoln, Malheur, Polk, Washington, Tillamook

POP 119: Courthouse Improvement Projects | \$13.3M GF

- Repair/improvement projects for courthouses in Coos, Douglas, Jackson, Wasco

POP 120: Construction Bonds for Future New Courthouses | \$105.6M OF

- Courthouse construction projects in Clackamas, Crook, Morrow, and Umatilla (plus Hood River, \$85.8M)

POP 121

Grant Positions

18.5 FTE (19 positions) | \$2.2 OF, \$3.7M FF

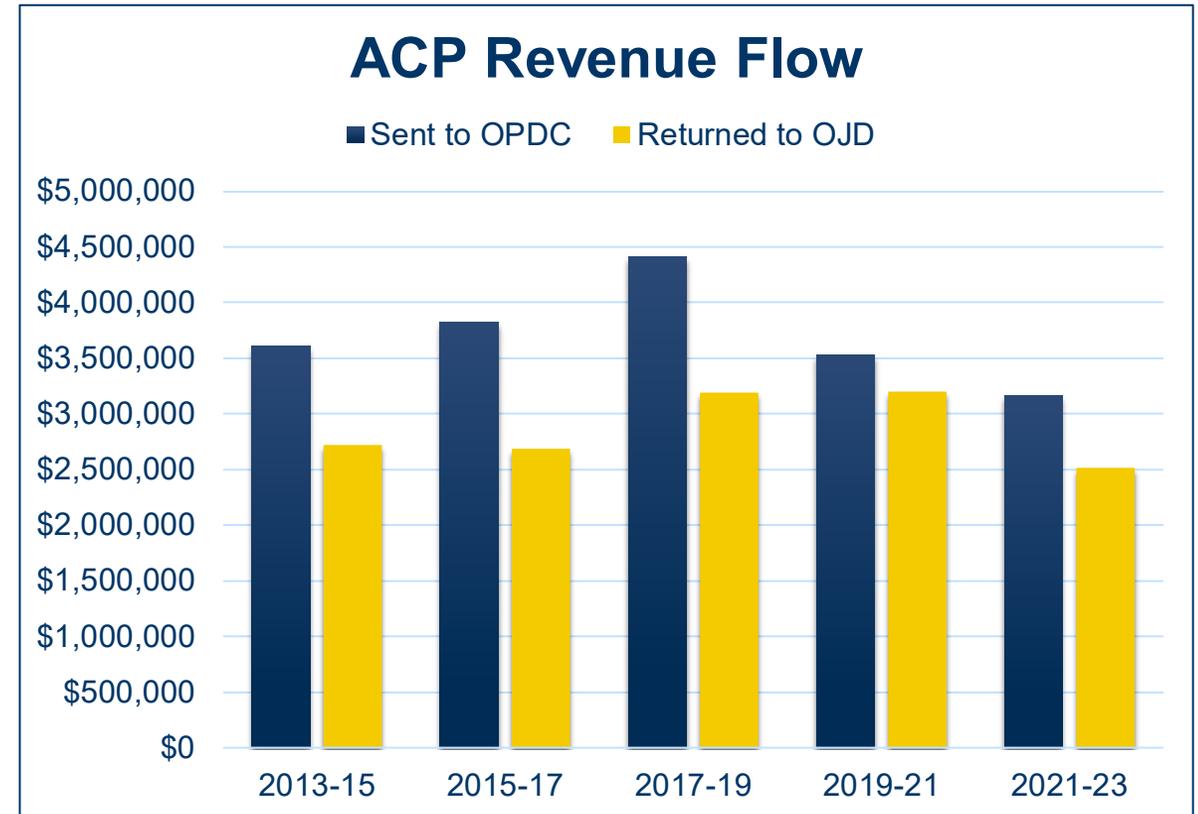
- Adds limited duration positions to SCRs for resources expected to be financed through grants or agreements
- OJD has several federal and non-federal grants that have been approved and will be active in 2025-27 biennium
- Also included in this package: intergovernmental agreements (IGAs)
OJD enters into with local governments

POP 122

Application Contribution Program Revenue Shortfall

Fund shift, net \$2.4M GF

- **Propose General Funding Positions, revenue transfer continues to OPDC**
- Need \$2.38M to close gap between revenues and costs
- Eliminate transfer of ACP revenues back from OPDC to OJD
- Change funding on 42 existing ACP positions from OF \$5.1 million to GF (budget value of OF components of positions in ORPICS)



POP 123

Mandated Revenue Shortfall

\$7.5M GF

- Language interpreters
- Costs of grand and petit juries
- Mandated arbitration in civil cases when judicially waived
- Assistive devices required by ADA

Interpreter Needs

- Costs increased **89%** from 2018 to 2023
- Requests increased **73%** from 2020 to 2023
- Number of certified Spanish interpreters decreased about **25%** since 2011
- Stiff competition with other non-state governmental entities that offer higher contract rates

POP 125

State Court Technology Fund (SCTF) Revenue Shortfall

Fund shift, net \$2.3M GF

SCTF shortfall – gap between revenues and costs

Transfer program to General Fund

- Propose that OF revenues flow directly to the state and the program is moved to general fund
- 30 positions
- Pays approximately **25%** of IT costs at OJD
- Revenues have not kept pace with expenditures
 - Shortfall packages were required in 2017-19, 2019-21, 2023-25, and 2025-27

SCTF: Legislatively established in 2013

- Developing, maintaining, & supporting state court electronic applications, services, & systems
- Providing access to & use of applications, services, & systems
- Providing electronic service & filing services

POP 127

Pass-Through to Oregon Law Commission

\$50,000 GF

- Supports two current workgroups and three proposed workgroups
- More information available on public testimony day

Oregon Law Commission

- Assists legislature, executive agencies, and judiciary
- Keeps the law up-to-date through proposed law reform bills, administrative rules, and written policy analysis

POP 129

Pass-Through Domestic Relations Mediation Funding

Appropriates \$11.9M GF (\$3.2M GF increase)

- Aligns funding with actual cost of services for domestic relations mediation
- Improves equity of court services and access to justice for families navigating divorce or separation
- Supports judicial efficiency by reducing number of cases that need to go before judge

Each judicial district is required to provide mediation orientation and, where appropriate, mediation services in cases where child custody, parenting time, or visitation are in dispute

POP 129

Domestic Relations Mediation Funding

With funding:

- More families access mediation
- Courts meet minimum statutory requirements
- Mediation available consistently statewide
- Co-parenting conflict reduced
- Judicial efficiency enhanced
- Cases resolved in more timely manner
- Court-approval process provides mediator accountability



POP 130

Pass-Through for Legal Aid

Appropriates \$9.85M GF

- Passes through funds to the Oregon State Bar (OSB) for Legal Services Program
 - Supports civil legal aid to low-income Oregonians
 - Provides legal representation for immigration matters
 - OSB requesting additional \$9.85M to continue and expand these services
- **Additional \$4.35 million requested for civil legal aid** – to retain experienced staff & improve intake and service delivery
- **\$5.5 million requested for immigration legal services** – to sustain the program and expand beyond the 1,800 low-income Oregonians already served

- OSB provides **fiscal and regulatory oversight** of statewide legal service providers
- **Civil legal aid program** funds legal advocacy in eviction, domestic violence, and other civil matters



OJD: Key Takeaways



State Courts Are Problem-Solvers

- Remote proceedings and facilitation
- Resources for self-represented litigants
- Statewide child support docket
- Statewide case management systems
- Efficient record set-asides and sealing
- Automated solutions
- Data dashboards
- Treatment courts
- Improvement of conservatorship auditing, pretrial programs, juvenile delinquency



State Courts Still Need Your Investment

- Aging facilities and lack of security
- Recruiting skilled judges is difficult due to insufficient pay
- On the front lines of Oregon's public health and safety challenges
- Understaffing leads to backlogs and inability to meet demand for services
- Too few judges, supervisors, and staff
- Changes in law and court processes require continual training
- Training needed to improve customer experience
- Soaring technology costs
- IT security and stability needed to provide reliable technology services
- Limited audit capacity



State Courts Are a Good Investment

- Data-driven
- Transparent
- Commitment to continuous improvement
- Tackling Oregon's most difficult challenges
- Creating trust and confidence in Oregon government
- Working to ensure access to justice for all



Respected on the National Stage

National Assoc. for Court Management

- **Perkins Award** – Mae Swisher, Multnomah County Circuit Court
- **Communications Committee Award** for contributions to Court Security Standards – Evan West, Chief Marshal

National Center for State Courts

- **Warren E. Burger Award** for Excellence in Court Administration – Liz Rambo, Lane County Circuit Court
- **William H. Rehnquist Award** for Judicial Excellence – Nan Waller, Multnomah County Circuit Court
- **Court Statistics Project – Excellence in Data Reporting** – Oregon Judicial Department



Your Decisions Make a Difference

Courts work every day to serve litigants and their families, jurors, lawyers, victims, law enforcement, and communities.

We changes lives and improve communities.





Presentation Overview



Day 1

- The Judicial Branch
- The Justice Campaign
- State Courts Overview
- Circuit Courts Caseload Data
- Dive into Case Types

Day 2

- Continued Dive into Case Types
- Key Performance Measures
- Access to Justice

Day 3

- Revenue, Collections, and Budget
- 10% Reductions
- Policy Option Packages to Reduce Risks and Address Gaps

Day 4

- Public Testimony



Public Testimony



Thank You!

Oregon Judicial Department

www.courts.oregon.gov



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