



Law Offices

BUTLER, LOONEY & MARTINSEN, P.C.

Charles W. Swan 1900-1994

Rob't D. Butler

H. Clifford Looney

R. David Butler II\*

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Louis E. Butler \*\*

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January 28, 2025

JOINT COMMITTEE: WAYS AND  
MEANS / PUBLIC SAFETY  
C/O JUDGE LUNG S. HUNG  
MALHEUR COUNTY CIRCUIT  
COURT

RE: Malheur County Courthouse  
Location: 251 B St. West  
Vale OR 97918

Dear Reader:

**Butler, Looney & Martinsen, P.C.** is a firm of "Eastern Oregon Sagebrush Lawyers," to use the term coined by our founder, Charlie Swan. The firm established its roots in 1936 when Charlie moved to Vale from the Willamette Valley. Bob Butler began practicing with Charlie in 1967. Cliff Looney joined the firm in 1970. David Butler, Bob's oldest son, joined the firm in 1997. Dustin Martinsen joined the firm in 2014. The firm then added Louis Butler, Bob's youngest son, in 2022. We have a long history of being a strong, stable law firm with attorneys licensed in Oregon, Idaho, and Washington.

This letter is authored by David Butler, on behalf of Butler, Looney & Martinsen, P.C. and in support of funding to develop a new courthouse facility.

While I joined this law firm in 1997, I began practicing in the legal field in 1989 in the State of Idaho. I have appeared in countless courthouses in Idaho and Oregon. My field of practice includes domestic relations, criminal defense, Guardianships and juvenile law matters. Accordingly, there are few weeks pass by that I am not in court in Oregon or Idaho!

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Here are my day-to-day observations of the Malheur County courthouse and how it functions:

- 1) Malheur County only has one court room that can handle a jury trial: Courtroom #1. Its acoustics challenge the hearing abilities of all involved in the courtroom. Cases are “shuffled” between Courtroom #1 and Courtroom #2, causing routine confusion for attorneys and the public. I often hear the reply why someone was late to court: “I was in the other courtroom and unaware my hearing was shifted...”
- 2) The “attorney conference rooms” are so small that you cannot change your mind, let alone your client’s mind, in those rooms. The rooms are effectively “inaccessible” to anyone with a physical disability, which includes me. Consequently, “confidential client communications” cannot occur in the Malheur County courthouse. Those communications occur routinely in the “hallway” and are anything but “confidential.”
- 3) There used to be a law library available to attorneys. That became “Courtroom #3.” I have attended court and settlement conferences in “Courtroom #3.” My clients complain about that facility: they would readily settle the matter as opposed to being held much longer in “Courtroom #3.” Maybe that’s a benefit.
- 4) Restroom facilities on the second floor – where the courtrooms are located. The public is not supposed to use the men’s restroom on the second floor. Because I cannot use the stairs, going to the first floor for a restroom is not practical. I suppose I will be held in contempt some day for using the second floor facilities. This is ridiculous.
- 5) On occasion I meet in a Judge’s chambers with other counsel. One must work your way through the labyrinth created to accommodate the Court clerks and staff. The number of staff have grown a bit over the years, but the space devoted to their job has not. I admire our courthouse staff, who routinely perform miracles for attorneys and the public. How they can navigate the labyrinth is also miraculous.
- 6) One of my favorites: I have been involved in cases with upwards of eight (8) attorneys participating. There are only two tables in courtroom #1. You either have to find an attorney friendly to your cause and sit at a table with them or balance your file in your lap and sit in the jury box. Or somewhere else. Imagine shuffling your notes and exhibits in your lap while you conduct your portion of the case. I have done it. This is also ridiculous.

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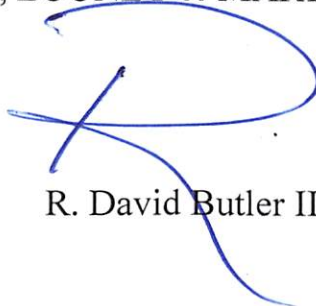
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I believe the current Malheur County Courthouse would make a fine "Admin. building" for County agencies and services. County Court (we are one of the few Counties that holds County Court) could remain in the current courthouse. The second floor could be reorganized to allow the agencies and departments crammed into the first floor space to "spread out." Malheur County needs a courthouse facility that meets the needs of current judicial demands.

I fully support devoting legislative funding to developing a comprehensive plan for a new courthouse in Malheur County. The other shareholders of Butler, Looney & Martinsen, P.C. are also on board!

Very truly yours,

BUTLER, LOONEY & MARTINSEN, P.C.

A handwritten signature in blue ink, appearing to be "R. David Butler II", written over the typed name.

R. David Butler II

RDBII