

FIVE RIVERS LAW, P.C.

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*Admitted to practice in
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Association of Oregon Counties

Malheur County is seeking \$250,000 to plan for and design a new courthouse. Our current courthouse is painfully and unconstitutionally inadequate to meet the needs of our community, existing juvenile dependency workloads and the relentless and steadily increasing numbers of children that need protection. These are investigated fact-based petitions filed in Malheur County Circuit Court. Juvenile delinquency cases and criminal case numbers steadily increase as well.

Critical mass

Malheur County, with a population of about 30,000, has the same number of filed cases regarding endangered children as Deschutes County. The City of Bend has about 100,000 people and Deschutes County has 11 judges. Malheur County has 2 judges. Snake River Correctional Institution has an inmate population of 3,000. It is the largest prison in Oregon. When felonies, including murders, occur at the prison these lengthy cases along with other prison felonies are tried at the Malheur County Courthouse. We have ONE courtroom that can accommodate these proceedings. We often have 3 shelter care hearings for children at risk of harm in a week.

Fairly recently I had a conference with the executive director of the Deschutes County Public Defender's Office. He indicated that it took about 23 months to complete a juvenile dependency case and have the child or children safely returned home. In Malheur County it takes about 36 months to have children safely returned home. 11 judges verses 2 judges. Many courtrooms verses 2 courtrooms (one large and one small). Large defense attorney pool verses small defense attorney pool. Dependency cases are very complex. there are no other comparable areas of law. Broad psychological and psychiatric knowledge is needed along with varying tailored modes of treatment based on historically accurate backgrounds and expert diagnoses and recommendations often of a sequential nature.

On juvenile delinquency days it is difficult to walk through the court hallway in front of the solitary full-sized courtroom to one of the 2 three foot by 6 foot attorney client meeting rooms. A sexually abused child cannot discuss the details of the incident with her parents or guardian and her lawyer in such a meeting room or the crowded hallway. To protect them we often delay a mandated protective shelter care proceeding so that a private and painful privileged conversation can occur.

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These children have also been denied the greater services mandated by the legislature in 2014. When it adopted the Parent Child Representation Program the goal was to reduce the numbers of children placed in foster care and reduce the length of time children spend in foster care away from their homes or a safe home. Only 10 of Oregon's 36 counties have the Parent Child Representation Program. Malheur county is not one of the 10 counties with PCR.

A new courthouse with sufficient numbers of functional courtrooms and meeting rooms to satisfy CURRENT and FUTURE projected needs is past the point of critical mass.

Five Rivers Law, PC



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Of lawyers for the defense