



INFORMATION  
541-682-4020

## Lane County Circuit Court

February 24, 2025

The Honorable Floyd Prozanski, Chair  
Senate Judiciary Committee  
900 Court St. NE S-413 Salem, OR 97301

Re: Senate Bill 95

Dear Chair Prozanski, Vice Chair Thatcher and Members of the Committee,

As the Presiding Judge of the Lane County Circuit Court, I am writing to respectfully ask your support for the Chief Justice's request for two new judicial officers for the Lane County Circuit Court. More than forty years have passed since the legislature last allocated a new Circuit Court judge to serve Lane County. It is beyond time to adjust that number.

Lane County is a unique place. We are geographically the sixth largest county in Oregon which places us squarely among Oregon's rural counties in terms of number of square miles the county covers. But we're also the fourth largest county in terms of population, only trailing the three metro counties in number of residents. This means that Lane County has all the benefits and all the challenges of both rural and urban Oregon. This is reflected in our rank as the third busiest court in Oregon measured by number of cases filed in 2024. The difference between Washington County as the district with the second highest number of cases filed and Lane County as the third highest was less than 300 cases out of more than 60,000 combined cases filed between the two districts.

Lane County's population has grown over 30% since 1983 without any adjustment to the number of judges assigned to the Lane County Circuit Court. Consequently, we do not have any slack in our workload. If one judge is sick, another judge must do twice the work. If we need to rule on a case in writing, that work either will get done weeks, if not months, later or the judge must do that work late at night or on the weekends because there is no sustained bloc of time during the day. As our aid and assist workload has increased, we've had to shift a judge away from our treatment courts to preside over our newly created behavioral health docket. This leaves one judge doing what was formerly the work of two judges.

Lane County's current bench wants to continue the innovative work that Lane County Circuit Court has been known for. Our Treatment Court was one of the first substance abuse treatment courts in the United States and has grown to provide services for veterans, juveniles, and the mentally ill. In 2024, fifty-four people graduated from our treatment court programs. Thirty-two of those graduates started the program with prison sentences hanging over their heads. Our very

large number of self-represented litigants in family law cases are served by judicially led status conference dockets that help them navigate the court system without an attorney. We want to do more but it is far, far more likely that, without new judicial positions, we'll be looking at reducing not increasing services.

Our judges have the expertise to improve existing systems and create innovative programs to address our community's needs. More than half of our bench worked as both criminal and civil attorneys prior to coming to the bench. Nearly every judge on the Lane County bench has a "wish-list" of programs that the court could implement to help reduce recidivism, keep families together safely, address our growing housing crisis and better serve the mentally ill who find themselves involved in the system. But without your investment in the right sizing of the Lane County bench, we may not be able to sustain our current work and services provided much longer. At this point adding anything to the work that we currently do is impossible.

If you have any question whether investing in two new judges for the Lane County Circuit Court will pay off, consider that our judges and attorneys have worked together to stave off the worst of the unrepresented defendant crisis in criminal cases. Unlike most districts our size, Lane County's public defense crisis has consistently been limited to a small number of unrepresented defendants. Lane County has been able to manage and maintain a low number of unrepresented persons due to several factors, including timely investment by the legislature, public defense providers that effectively and responsibly managed their caseloads, a District Attorney's Office that experienced an employment crisis and a court case management system that allows for efficient and flexible resolution of criminal cases. In addition, Lane County judges chaired community partner workgroups addressing defense attorney qualification and education, communication with the court, discovery and behavioral health. Each workgroup was composed of a broad spectrum of community partners and was charged with proposing specific potential solutions to the unrepresented crisis.

It is also without question that the high level of collaboration and coordination that occurs in Lane County between public defense providers, law enforcement and the court allows our crisis to be managed. For example, on April 15, 2024, 57 protesters were arrested for closing down I-5 just north of Eugene to highlight the situation in Gaza. The court began coordinating with Pre-Trial Services, the Lane County District Attorney's Office, Public Defender Services of Lane County and the Defense Consortium within ten minutes of learning of the protest. First, to allow blanket remote appearances for parties traveling to court that may be impacted by the protests and then to ensure that the 200% increase in the number of criminal cases handled by our local criminal justice system in a normal day did not break us. Within twenty-four hours, all the protesters had release decisions, an offer of resolution from the District Attorney, a next hearing date from the court and an attorney. Every protester who qualified for court appointed counsel left court with an attorney.

We all know that finding consensus and building relationships between groups with different interests is vital for doing the important public work that is entrusted to us. The judges on the Lane County Circuit Court have undertaken that task and that work has paid off in real and measurable ways. We also know that it is a lot of work to build consensus and relationships

must be constantly maintained. This is a single example of one of the many “outside the courthouse” leadership roles that adds to our judges’ already unsustainable workload.

Please consider Lane County’s request for two new judges. Forty years ago, a timely investment in the Lane County Circuit Court had long lasting benefits for the citizens of Lane County and for all Oregonians. I respectfully ask that you again invest in our community by authorizing two judicial positions for the Lane County Circuit Court. Your investment will be the deciding factor in whether our community is able to maintain our current level of judicial services. We want to be able to do good work. We, like our colleagues forty years ago, will make good use of your investment.

Thank you for your time.



The Honorable Jay A. McAlpin  
Presiding Judge, Circuit Court-2<sup>nd</sup> District  
125 E. 8<sup>th</sup> Ave. Eugene, OR 97401