



WASHINGTON COUNTY CIRCUIT COURT

Courthouse
150 North First Avenue
Hillsboro, OR 97124

April 21, 2025

Chair Kropf, Vice Chairs Chotzen and Wallan, and members of the committee:

My name is Rebecca Guptill, and I am the Presiding Judge of Washington County Circuit Court. I am here to support SB 710 in concept in my individual capacity and based on my experiences as a judge who has presided over dockets involving family law, criminal law, and other areas involving and impacted by both domestic and sexual violence. I also previously served on the board of the Family Justice Center of Washington County for five years. Prior to taking the bench my practice included family law, criminal defense, and juvenile law.

Domestic and sexual violence are all too common and the trauma and cyclical trauma caused by both can be seen in all types of cases that come before the court. There is currently no mandated training specific to educating judges on how best to handle these matters. Occasionally a training may occur on these issues or touch on these issues, but not all judges likely attend for a variety of reasons, often a lack of time.

Currently judges have the same continuing legal education or CLE requirements of all other practicing attorneys. Often times, meeting those requirements requires spending time engaging in CLEs that are not at all specific to judges and what we do. Often judges are teaching those CLEs and getting credit as a result of doing so. The CLE requirements do not include a requirement for domestic and sexual violence education and even if they did it would be unlikely to provide skill-based education geared toward the needs of judges.

It is my opinion that judges would benefit from their own judicial education standards for continuing education rather than the current requirements that do not provide high value specialized training for judges. The proposed mandatory training regarding domestic and sexual violence should be part of that judicial continuing educational requirement and should include evidence-based and trauma-informed education that provides specialized practical training for judges.

Domestic and sexual violence and the trauma it causes impacts every type of case coming before the court and not all judges have a legal background that has provided experience or education on recognizing or dealing with trauma. I am lucky to have practiced in legal areas that provided me with exposure to and some education related to domestic and sexual violence, but it still was not specific to judicial educational needs. This can become most obvious in the area of family law where many cases directly involve domestic violence in a home. Currently 86% of family law cases in Oregon have at least one self-represented party. It is common that a court might have a self-represented litigant who presents differently based on past trauma and the stress of the courtroom experience, particularly if that litigant is sitting in the same courtroom and up against someone who was abusive to them. Recognizing that dynamic and understanding it is crucial to being able to manage the courtroom and proceedings in those situations and to being able to make accurate credibility determinations, ensure that necessary information is obtained through the process, and to provide a more trauma-informed courtroom experience.

This really necessitates judicial training that is ongoing and recurring to both teach initial skills and also to help judges refine those skills to ensure they are being applied effectively in the courtroom. This training should be developed to be judge specific but also be in collaboration with community partners and an advisory committee formed by the Chief Justice.

Currently there is a one-hour session during the New Judge training seminar related to domestic and sexual violence and OJD recently had two one-hour sessions on the dynamics of domestic violence at its judicial conference. In addition, the State Family Law Advisory Committee has

developed FAPA and ERPO benchbooks and benchcards for judicial use, but those materials don't necessarily address the courtroom dynamics judges must understand and manage in cases involving domestic and sexual violence.

Judges are in need of additional more specialized professional training on domestic and sexual violence and in particular skill-based and evidence-based training to include training related to understanding trauma responses and also how to manage those dynamics in a courtroom. This level of training will improve the experience of litigants and others who come into our courtrooms, provide better access to justice, improve our ability to make accurate credibility determinations, improve outcomes, and quite simply help judges to do our incredibly important job better. Mandated training will help promote accountability to our independently elected judicial officers. This level of training requirement will also need be adequately funded so that we can truly provide professional and effective training to our judges. Judges need to have practical ongoing education and training that is geared toward what we do every day and not the current CLE requirements that don't provide training focused on judicial educational needs.

I hereby provide my support for SB 710 and its concept of providing mandated specialized education to judges in the important area of domestic and sexual violence.

Thank you,

A handwritten signature in black ink, appearing to read 'Rebecca D Guptill', with a long horizontal stroke extending to the right.

Rebecca D Guptill

Presiding Judge

Washington County Circuit Court

RDG:jab