

**74<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2007 Regular Session  
BUDGET REPORT AND MEASURE SUMMARY**

**MEASURE: SB 5519-A**

**JOINT COMMITTEE ON WAYS AND MEANS**

**Carrier – House: Rep. Cameron  
Carrier – Senate: Sen. Nelson**

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**Action:** Do Pass as Amended and Be Printed A-Engrossed

**Vote:** 18 – 0 – 3

House– Yeas: D. Edwards, Galizio, Garrard, Hanna, Jenson, Morgan, Nathanson, Nolan, Shields

– Nays:

– Exc:

Senate– Yeas: Carter, Devlin, Gordly, Johnson, Morse, Nelson, Schrader, Westlund, Whitsett

– Nays:

– Exc: Bates, Verger, Winters

**Prepared By:** Erica Kleiner, Department of Administrative Services

**Reviewed By:** John Borden, Legislative Fiscal Office

**Meeting Date:** 2/9/07

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**Agency**

Commission on Judicial Fitness and Disability

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**Biennium**

2007-09

**Senators:** Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson,  
Schrader, Verger, Westlund, Whitsett, Winters

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Senator Kurt Schrader, Co-Chair

**Representatives:** D. Edwards, Galizio, Garrard, Hanna, Jenson,  
Morgan, Nathanson, Nolan, Shields

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Representative Mary Nolan, Co-Chair

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Representative Chip Shields, Public Safety Subcommittee Chair

**Budget Summary\***

	2005-07		2007-09			Percentage Committee
	Legislatively Approved Budget (1)	Governor's Budget	Committee Recommendation	Difference from Governor's Budget	Change from Governor's Budget	
General Fund	\$ 243,032	\$ 181,290	\$ 181,290	\$ 0	0.0%	
Total	\$ 243,032	\$ 181,290	\$ 181,290	\$ 0	0.0%	

**Position Summary**

Authorized Positions	1	1	1	0
Full-time Equivalent (FTE) Positions	0.50	0.50	0.50	0.00

(1) Includes adjustments through the December 2006 meeting of the Emergency Board

\* Excludes Capital Construction expenditures

**Summary of Revenue Changes**

There were no revenue forecast changes, fee ratifications, revenue source changes or other significant revenue actions approved by the Subcommittee.

**Summary of Subcommittee Action**

The Commission on Judicial Fitness and Disability investigates and acts upon complaints of judicial misconduct or disability. The basis for a finding of misconduct is a violation of Oregon’s Code of Judicial Conduct. The Commission does not have formally approved administrative rules, but has rules of procedure.

The Commission has jurisdiction over the following categories of judges: justices of the peace (30), circuit court judges (173), appellate court judges (18), temporary or pro-tem judges (approximately 100), senior or “Plan B” semi-retired judges (approximately 50), and judicial referees (24). In total, the Commission’s jurisdiction extends to approximately 395 of Oregon’s state judges. A 2003 Supreme Court decision determined that the Oregon Constitution does not give the Commission jurisdiction over local municipal court judges.

The Subcommittee approved a budget of \$181,290 General Fund and one position (0.50 full-time equivalent) for the Commission, which is the essential budget level. The Subcommittee’s budget is unchanged from the Judicial Branch’s recommended budget.

The Subcommittee made one change separating the Commission’s budget into two separate appropriations. The first appropriation limits agency administrative costs, while the second limits the amount that can be spent on the investigation and prosecution of judges.

## **Summary of Performance Measure Action**

See attached Legislatively Adopted 2007-09 Key Performance Measures form.