



**JACKSON  
COUNTY**  
Oregon

**JACKSON COUNTY JUSTICE COURT**

505 OAK STREET CENTRAL POINT, OREGON 97502  
Phone:(541) 774-1286  
Fax: (541) 774-1288  
Jackson County Justice of the Peace Joe Charter

April 5, 2013

Rep. Jeff Barker, Chair  
Oregon House Judiciary Committee

Re: House Bill 2857; 4/10/13 1:00 p.m. Judiciary Committee Hearing

Dear Rep. Barker:

I am writing you on behalf of the Oregon Justice of the Peace Association (OJPA). Thirty two Justices of the Peace serve twenty one Oregon Counties, handling routine criminal and civil matters such as misdemeanors, traffic violations, FED actions, and small claims.

**HB 2857** is the HB 2712 (2011) “fix-it” bill to reduce the State’s priority payment in criminal and violations actions from \$60 to \$45. A study conducted of several Justice Courts by the OJPA in the fall of 2012 indicated a significant shift of revenues from the Counties to the State as a result of HB 2712. In Jackson County, the State’s revenue share consistently doubled. For violations written by State officers (OSP and ODOT) the State’s priority payment has tripled. Local governments do not receive *any* court revenues until the State’s priority payment is paid in full. If a Justice Court collects only \$60 on a fine, the County receives nothing. **OJPA strongly supports this bill.** An important part of the bill is the provision to **restore parity** so that the State and local jurisdictions share equally in fine distributions as fines are collected.

For example, in 2011, before HB 2712, Counties paid \$44 in assessments (Unitary, LEMLA, and Court Security) to the State for a \$190 “C” violation. For 2012, Counties paid \$60 to the State for a \$160 “C” violation, resulting in a 32% revenue reduction to the counties on each “C” violation (\$100 vs. \$146). As a result of this revenue squeeze, Jackson County announced on September 5, 2013 that it would close its Justice Court unless the legislation was changed. (Mail Tribune, 9/5/12).

The Jackson County Justice Court contributed an average of \$545,000 to the State in revenues over each of the last four fiscal years, at absolutely no cost to the State for administration of local court facilities. All of the matters handled by Justice Courts (some 15,000 cases per year in Jackson County) free up resources for the Circuit Courts to handle more serious criminal and civil matters. Justice Courts provide a cost free revenue stream to the State and handle routine matters more efficiently, and at less cost, than Circuit Courts. However, their ability to do so is being strangled by the changes wrought by HB 2712. Parity in fine

Rep. Jeff Barker, Chair  
Oregon House Judiciary Committee  
Page Two

distributions would recognize that the Counties are equal partners with the State in local law enforcement and administration of justice. The stated intention of HB 2712 was that it would be “revenue neutral.” The Legislative Fiscal Office (LFO) has now acknowledged that the legislation has shifted revenue to the State and the original intention of the legislature requires a return to the pre-HB 2712 revenue structure.

On behalf of the OJPA, thank you for taking up this very important legislation regarding court revenues. From where I sit, and based on undisputed data, the very survival of local courts across the State is at stake.

Very truly yours,

/s/Joseph M. Charter  
Jackson County Justice of the Peace  
President, Oregon Justice of the Peace Association

cc: Rep. Peter Buckley  
Rep. Dennis Richardson