

**TESTIMONY ON HB 2337
BEFORE THE HOUSE JUDICIARY COMMITTEE
FEBRUARY 25, 2015**

**PRESENTED BY: THE HONORABLE JAMESE RHOADES, PRESIDING JUDGE,
MARION COUNTY CIRCUIT COURT**

Chair Barker and committee members, my name is Jamese Rhoades and I am the presiding judge for Marion County Circuit Court. I am here to support the Oregon Judicial Department's request for new judgeships.

There is certainly statistical information to support that our counties have become more populated, and we are struggling to meet statewide standards for timely disposition of all case types. Due to increased civil filings, Marion County now runs three master calendars to handle the daily onslaught of criminal cases, juvenile cases and miscellaneous civil cases. This means that fewer judicial resources are available to handle individual calendars. We see:

- 1500 hearings per month (conservatively) at our criminal court annex
- 400-500 hearings per month at our juvenile court
- 550 hearings per month on our civil miscellaneous docket, not including 450 ex parte orders and judgments that are submitted for review every month

Our current need is for approximately 2.5 judge positions, but the addition of even one judge will have a significant positive effect on case processing by decreasing case backlogs and improving timely case disposition.

Our concern is not just on the quantity of services, but also the quality of services that we provide to our citizens in Marion County.

The Marion County Circuit Court is solving problems, not just processing cases. To that end, we manage six treatment courts - adult and juvenile drug courts, two child welfare dependency courts, an adult mental health court and a Veteran's court. As a result:

- Collectively, our judges devote .5FTE of an elected position on treatment courts.
- This means other cases are handled with fewer available judicial resource hours for general case processing and trials.
- There is grant funding for parts of these programs but the judicial resources ("judges' time") are provided only through our general fund budget.
- This is well worth it given all we know about the benefits of treatment courts to clients and the system as a whole. But this is not sustainable without additional judicial resources.

The quantity, quality, and complexity of work we perform as judges in Marion County is also affected by the fact that we sit in the state's capitol. This makes our docket somewhat unique:

- Marion handles many complex civil cases, including the vast majority of challenges to legislative actions, elections issues, and claims against state agencies.
- Over one-third of Oregon state prisons (5 of the 14) are located in Marion County, including Oregon's death row. Death row litigation is extremely time-consuming for our judges.
- The Oregon State Hospital is also within our jurisdiction. Consequently, we handle a significant number of civil commitment hearings. We expect a rise in these numbers as more clients are moved to the State Hospital with the upcoming closure of a Portland facility.

We have seen other changes that have increased our need for additional judges:

- Marion County has consolidated its Justice Courts, which will now only handle violations. Without additional resources, Marion County Circuit Court now has the responsibility for processing the increased criminal filings (with the right to court appointed counsel and jury trial) in circuit court primarily in the form of DUII prosecutions.
- Over time, major civil and criminal cases (as well as case law and statutory law) have become more complex, and the lawyering more sophisticated, with the result that cases require more judicial time.

Thank you for your time and for considering our proposal.