

OREGON LAW CENTER

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Testimony in Support of SB 5514
Joint Committee on Ways and Means SubCommittee on Public Safety
March 5, 2015

Co-Chairs Shields, Williamson, and Members of the Committee,

My name is Robin Selig, and I am a legal aid lawyer. On behalf of the Oregon Law Center (OLC), thank you for the opportunity to testify this afternoon in support of Senate Bill 5514 and the critical funding it provides to support courts, judges, and court-related staff. I am here to speak for our clients and the 90 legal aid lawyers who are serving low-income Oregonians statewide from offices located in 17 communities. Our mission is to achieve justice for low-income, vulnerable populations.

By way of background, I have represented and worked on behalf of domestic violence victims for more than thirty years. My areas of focus are family law and other laws that protect victims.

Courts Provide Protection for Families in Crisis: Legal aid knows firsthand the fundamental role courts play every day in addressing the needs of Oregon's vulnerable families and children. About 40% of legal aid's cases involve domestic violence. For domestic violence victims, the courts are their portal to vital remedies that will help them and their children achieve safety and stability.

Timely Access: Timely access to the courts is essential for victims seeking a variety of emergency restraining orders. Without reliable access to orders of protection when needed, victims and their children may suffer serious, detrimental consequences. Safety is the issue, and sometimes lives are at stake. In Oregon, reports of domestic violence homicides occur with alarming regularity. Ongoing, adequate funding will ensure that that our clients never again encounter court closures or limited access during furlough days.

Achieve Access and Fairness for Self-Represented Litigants: Available information indicates that as many as 86% of family law matters involve at least one self-represented party, and both sides are self-represented in almost half of family law filings. Litigants trying to navigate the court system on their own, without the help of an attorney, are a permanent aspect of family court. In my experience, self-represented parties are overwhelmed, frightened, and sometimes frustrated as they attempt to find, complete, and file forms, and negotiate court proceedings. Court support for individuals representing themselves is necessary to ensure access to justice

and the efficient administration of the courts.

- Where available in local courthouses, family law facilitators assist litigants as they complete and file forms. They are a friendly face to help parties understand court rules and procedures.
- In the past at the statewide level, centralized family law staff developed and updated simple forms and materials that guide self-represented litigants through the process. Such staff also played a key role in supporting judges and training facilitators – keeping them abreast of law changes and ensuring uniform, high-quality services.
- Specialized staff is also crucial in the development of interactive family law forms, a long-time goal of eCourt. I was delighted in January when I learned that interactive restraining order forms are now available via the OJD website to victims throughout the state. Interactive forms are easier for litigants to use and provide a number of efficiencies for judges and court staff. The application of this innovative technology to other family law forms is the next step in adequately meeting the needs of self-represented litigants. Family law staff to support that effort is essential.
- Over the years, legal aid has worked closely and productively with local facilitators and centralized family law staff. We have been impressed by their high-quality work and dedication. Unfortunately in the last several years, funding has been inadequate to support family law services essential to self-represented litigants. The numbers of facilitators in local courts have dropped precipitously, and the Family Law Program in the State Court Administrator’s Office was eliminated. These services have been sorely missed by our clients and legal aid staff, and we have been unable to fill the gap.

Adequate Funding for Courts. While we understand that you must make difficult budgetary decisions, we urge you to prioritize adequate funding to ensure timely and meaningful access to the courts for self-represented family law litigants, victims of domestic violence, and other low-income Oregonians. In particular, we ask you to expand support for family law facilitators and centralized family law staff.

Thank you for the opportunity to testify.