

Citizens' Campaign for Court Funding

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Testimony of Michael Haglund, Citizens' Campaign for Court Funding in Support of SB 5514 Before the Ways and Means Subcommittee on Public Safety

March 5, 2013

Co-Chairs Shields and Williamson, and members of the Committee:

My name is Mike Haglund. I'm an attorney with Haglund, Kelley LLP, and I'm writing to you today on behalf of the Citizens' Campaign for Court Funding; a group of business leaders, community leaders, and bar leaders who are concerned about the continued under-funding of the third branch of Oregon's government: the courts. We support SB 5514 and encourage the committee to provide the necessary funding to ensure a well-functioning court system.

Over the last decade there have been significant reductions in our state court budget that has called into question whether the courts can uphold their constitutional duty to administer justice completely and without delay. While the number of judges has not decreased, the clerks and support staff they depend on to make the courts work effectively were cut substantially. The 2013-2015 budget addressed many of the worst shortfalls, and ensured that our courts were open every business day, however the legislature's continued commitment to restoring a healthy court system in Oregon is integral to the future of the courts.

Courts offer safety for the public in resolving criminal cases, certainty for businesses in disputes with customers, competitors and the government, and resolution to families in crisis. Our constitution and statutes rightly require courts to deal with certain kinds of cases like criminal matters and many juvenile cases before others. Lower priority cases – such as civil disputes – fall to the back and move forward only as permitted by resolution of the cases at the front of the line. Without sufficient funding, those civil cases can languish, waiting for an opening in an overcrowded docket.

Business in Oregon need predictability, clarity, and timely decisions from its courts. Oregon's courts not only handle business-to-business disputes, they also handle disputes between businesses and third parties. Without a fully

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funded court system, it will be more difficult to enforce contracts, establish debts, hear tax appeals, and resolve employment issues from discrimination cases to disputes over confidentiality, non-solicitation and non-competition agreements.

Even in the face of significant funding challenges, Oregon's courts are improving management of civil cases. Oregon's eCourt system has gone live in 14 counties, including Multnomah County, allowing for online filing and document access. The Oregon Complex Litigation Court continues to be an option for complex civil court cases such as construction-defect, insurance coverage, intergovernmental agreements, and cases with large numbers of parties or lengthy trials. These projects, and many more, such as the

proposals for new judicial positions in Marion, Multnomah, and Washington counties and investment in the courthouse replacement projects move the courts in the right direction. The Citizens' Campaign looks forward to working with the courts and the legislature to ensure that Oregon's court system receives the support it deserves.

Respectfully Submitted,

Mike Haglund