



JUDICIAL BRANCH

Oregon Judicial Department

Public Safety Subcommittee of Joint Ways & Means
Phase II Presentation
April 28, 2015

Presentation Agenda

- **Policy Option Packages**
 - Chief Justice Priorities include:
 - Oregon eCourt Program and Support (POPs 301,302,311)
 - Judicial Compensation (POP 305)
 - Central Family Law (POP 307)
 - New Judgeships (POP 306)
 - Drug Court Coordinators (POP 308)
 - Courthouse Projects and Security (POPs 313, 314, 303, 304)
 - Other Important POPs
- **Closing Remarks**



Chief Justice Budget Priorities

IMPROVE ACCESS TO THE COURTS AND TIMELY JUSTICE BY:

- Maintaining courts open every judicial day and operating at effective levels of case processing, with adequate judicial resources
- Completing implementation of Oregon eCourt in remaining 17 Circuit Courts and the Tax Court and institutionalizing maintenance by funding infrastructure support
- Funding Judicial Compensation at POCC recommended level + CPI
- Increasing court staff support for families, self-represented parties, and protected persons
- Funding permanent court staff for drug and other specialty courts
- Providing safe and suitable court facilities

OJD Reduced Requests Summary

- **Reduced debt service by \$5.7 million GF**
 - Better bond interest rates
 - Smaller Oregon eCourt bond sale – March 2015
- **Reduced courthouse bond request by \$5.2 million (Bonds)**
 - Lower projected costs
- **Reduced local court security request by \$1.5 million (OF/CFA)**
 - Updated local revenue projection shows growth
 - Focus on most critical needs

Oregon eCourt Program POPs

- **Complete Program Implementation**

- POPs 301 / 302 – Oregon eCourt Bonds, Debt Service, and Cost of Issuance. Restructure bond sale schedule to:
 - Eliminate \$2.9 million GF debt service by spending operations GF and delaying reimbursement until late bond sale
 - Increase Cost of Issuance to \$292,900 for all 2015-17 bond sales
 - Limitation of \$17.3 million OF
 - Fund final development and implementation activities through 2016

- **Outcomes**

- Reduce 2015-17 Debt Service by restructuring bond sale
- Finish end user training; local court business process reviews; and configuration for court implementations
- Finish statewide implementation of Odyssey in all courts by June 2016; and mandatory eFiling by October 2016

continued...

Oregon eCourt Program POPs

- **POP 311 – Permanent Oregon eCourt Support**
(Adjusted fund sources: \$1.2 million GF, \$3.3 million OF)
 - Permanent support for technology, business process changes, training, central accounting
 - ETSD: Testing, Help Desk, and system support
 - OETO: Training and communication to OJD and external users, business processes revisions for statewide consistency, maintain and upgrade eFiling, develop and maintain interactive forms (iForms)
 - BFSD: Comprehensive person-based centralized accounting, collections, and revenue management

continued...

POP 311 – Permanent Oregon eCourt Support

• **Outcomes**

- Complete the transition from implementation to maintenance stage
- Ensure viability and response times of this new system
- Sustain benefits of this new system by continuing to:
 - Test and implement software patches and upgrades
 - Provide prompt user support, training, and communication of issues and changes
 - Improve statewide consistency / efficiency (e.g. eFiling; iForms)
 - Achieve efficiencies from centralized accounting
 - Review and respond to law changes in electronic systems

Judicial Compensation

POP 305 – Judicial Compensation (\$4.9 million GF)

Enacts Public Officials Compensation Commission recommendations with a cost-of-living adjustment for Oregon's 194 elected judges, who remain among the lowest-paid state judges in the country.

(Statutory Vehicle: 2015 HB 2338 – currently in Ways & Means; also related SB 446 Judicial COLA)

Outcomes

Ensure that the State of Oregon can continue to attract and retain qualified candidates, and promote a diversity of legal expertise among Oregon's trial and appellate judges.



continued...

Judicial Compensation (Cont.)

CIRCUIT COURT JUDICIAL SALARIES

(July 1, 2014 – NCSC)

Ranking	State	Amount
1	District of Columbia	\$ 199,100
2	Hawaii	\$ 189,456
3	Illinois	\$ 187,018
4	California	\$ 184,610
---	US Average	\$ 159,334
26	Arizona	\$ 145,000
27	Iowa	\$ 143,907
41	West Virginia	\$ 126,000
42	Kentucky	\$124,620
49	Oregon	\$ 119,468*

POP #305
\$144,342

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*Oregon salaries increased to \$124,468 effective 1/1/2015

Helping Families Access Justice

POP 307 – Centralized Family Law Program (\$0.5 million GF, 3.0 FTE)

Restore central resources to support Family Law and Protected Persons programs administered in circuit courts.

Outcomes

- Increase support for state court programs for self-represented and self-help persons in areas of domestic relations, other family law, guardianship, and conservatorship (protected persons) cases
- Create consistent and up-to-date tools, materials, and forms to support court program operations in family law and protected person cases
- Coordinate improvement efforts for OJD, public agencies, and citizen volunteers in family law and protected person cases
- Enhance coordination between OJD and public agencies on intersecting processes and programs (e.g., DOJ Child Support, parenting, and visitation)
- Oversee mandated Appropriate Dispute Resolution and Family Law Mediator qualifications and rules

Improve Court Services (Judicial Resources)

POP 306 – New Judgeships and Support Staff (\$0.8 million GF, 3.36 FTE)

While increased judicial resources would be beneficial in multiple counties around the state, this package funds three new judicial positions and support staff in courts with long-standing needs.

(Statutory Vehicle: 2015 HB 2337 – currently in Ways & Means)

Outcome

Improve timely access to justice and docket effectiveness by funding one new judicial position and support staff in Washington, Marion, and Multnomah Circuit Courts:

- Weighted judicial workload studies for over a decade consistently have ranked each courts' need as for two or more judgeships each, no matter the level of case filing fluctuations annually
- The last increase in elected judicial positions in these three counties was the 2001-03 biennium
- The last increase in any circuit court judgeships was in the 2005 session (elected position terms commenced Jan. 2007)
- Each of these courts currently has space for courtroom and offices for a new judgeship
- New judgeships go by election with Jan. 2017 term commencement

Fund Treatment / Specialty Courts

POP 308 – Continue Effective Circuit Court Programs (Drug Courts) (\$2.8 million GF, 15.75 FTE)

Outcomes

- Stabilized funding allows for retention of coordinator positions in successful and well-established Drug Courts in 14 Judicial Districts (17 counties) by making permanent positions in lieu of tenuous year-to-year grants
- Continue reductions in recidivism and prison population from successful drug court programs
- Joint CJC / OJD Drug Court Programs
(Presentation to Public Safety Subcommittee held 04/22/2015)

Safe and Suitable Courthouse Facilities

POP 313 – Restore Local Court Security Funding Levels (Adjusted: \$1.1 million OF)

Outcomes:

- Restore court security officers and services lost from funding shift from 2013 HB 2562
 - Maintain funding in selected courts with ongoing revenue losses
-

POP 314 – County Courthouse Improvements (\$3.7 million OF)

Outcomes:

- Funds priority projects identified by OJD and AOC (Association of Oregon Counties)
 - Focus on life/safety, ADA access and critical improvements
 - *Examples:* Fire alarms and sprinklers (Malheur / Wallowa counties); Roof and critical system repairs (Wallowa county); Replace electrical panel (Wasco county)
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POPs 303 / 304 – State Matching Funds for Courthouse Replacement

(Adjusted: \$29.2 million bonding; \$0.12 million debt service, \$0.61 million OF COI)

Outcome:

- Courthouse replacements presented to Public Safety Subcommittee (W/M) 04/27/2015

Important Policy Option Packages

POP 309 – Support Effective Circuit Court Programs (Family Law / Pro Se Facilitation) (\$1.1 million GF, 8.85 FTE)

Outcome: Provides trial court resources to assist Oregonians in accessing the courts when they choose to be self-represented.

POP 310 – Circuit Court Public Service Staff (\$2.3 million GF, 18.4 FTE)

Outcome: Provides funding to achieve minimum service-level requirements at the local court level.

POP 316 – Judicial Resources Pro-Tem and Hearings Referees (\$2.7 million GF, 4.55 FTE)

Outcome: Provides funding for additional resources in circuit courts in the form of Pro Tem judge support and new Hearings Referees to reduce case backlog and days to trial. These judicial resources are in addition to requests for new judgeship positions in POP #306.

POP 315 – Supreme Court Building Preservation and Seismic Retrofit (\$19.8 - \$29.8 million)

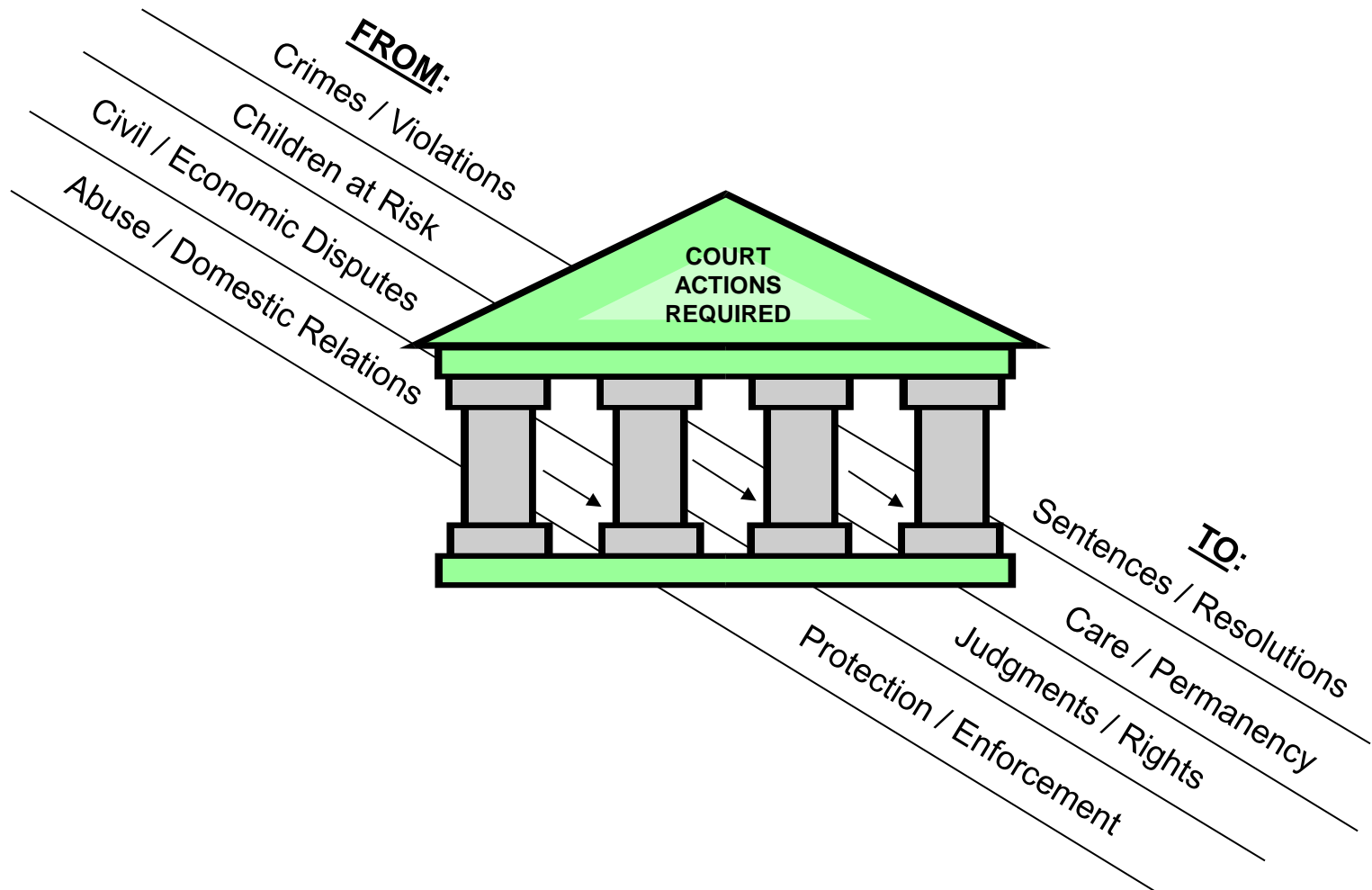
Outcome: Provides Capital Construction funds and bonding authority to perform major system upgrades and provide seismic protection to the Supreme Court Building.

10% Reduction Summary

- A 10% reduction of Operational, Mandated, Collection, and Pass-through funding would be over \$33.5 million and a reduction up to 178 FTE
- This level of reduction falls most heavily on the Circuit Courts (63%) and jeopardizes the Department's constitutional requirement to administer justice for Oregonians "completely and without delay"
- The Department also has Judicial Compensation (constitutionally protected) and Debt Service which are non-reducible in nature; if these reductions have to be absorbed in operational areas a 10% impact is effectively a 13% reduction
- The Department's summary of the 10% impact, by area, is located in the Appendix

COURTS ARE AT THE CORE

of the Critical Path to Preservation of Public Safety, Protection of Families in Crisis, and Economic Stability of Oregon





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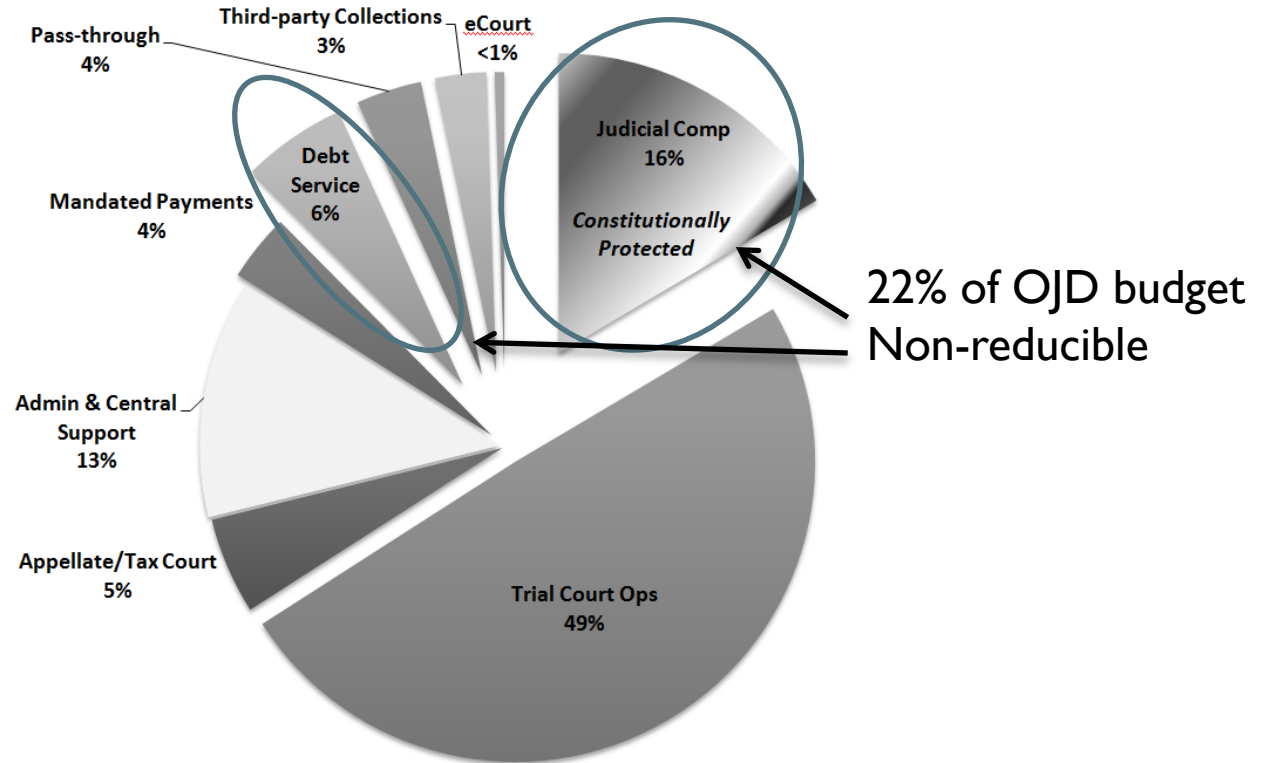
APPENDIX

Legislation with Fiscal Impact

- **OJD has completed more than 340 fiscal impact estimates this session**
- **Bills with greatest impact are:**
 - SB 384-A – Reporting of Aggravated Murder Proceedings
 - Cost to appoint reporter for trial and other proceedings
 - SB 822 – Recording Grand Jury Proceedings
 - Significant equipment and staff costs to create and manage recordings
 - SB 871 – Recording Grand Juries on Police Deadly Force
 - Court ensures stenographic reporting in grand jury proceedings on police use of deadly force; provides transcripts
 - HB 2621 – Expand Photo Radar in Portland
 - Large increase in Multnomah County Circuit Court citation caseload
 - Corresponding revenue increase
- **Initial committee has recommended referral of each bill to Ways & Means**

10% General Fund Reduction

2015-17 CSL Budget – General Fund By Area



Area	10% Reduction	Requirement
Judicial Compensation	(\$7,088,510)	Constitutionally Protected (non-reducible per in office)
Debt Service	(\$1,850,852)	Bonding requirement (non-reducible for sold)

10% General Fund Reduction

Area	10% Reduction	Impact
Circuit Courts	(\$21,267,578)	Reduction of approximately 138 FTE; reductions in service hours, case processing, specialty courts, and/or statewide delays from closure / consolidation of court locations
Appellate / Tax Court	(\$2,247,194)	Reduction of approximately 11 FTE; significant delays in case processing and public services
Administration & Central Support	(\$5,513,074)	Reduction of approximately 29 FTE; impacts budget, juvenile programs, Oregon eCourt system security and maintenance, legal, Legislative, HR, and court support functions or services and public services
Oregon eCourt Ops / Maintenance	(\$222,867)	Contractual maintenance costs paid from this appropriation would have to be covered by another account resulting in it's further reduction
Mandated Payments	(\$1,558,837)	Delayed and reduced number of jury trials and loss of Federal / State protected service access to the courts for non-English speaking individuals and ADA services
3 rd Party Debt Collection	(\$1,185,690)	Possible reduction in general fund revenue of \$7.2 million, reduction in payments to DOR
Pass-Throughs	(\$1,514,239)	Reduction in funding for mediation / conciliation services, local law libraries, Law Commission, and Council on Court Procedures
Total	(\$33,509,479)	Reduction of minimum 178 FTE; \$7.2 million in collections, cumulative service disruptions, revenue reduction, closures, and significant impacts to the public

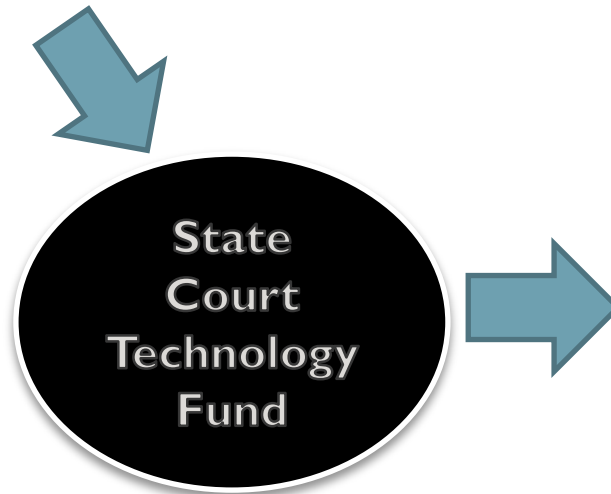
Technology Fund Overview

Authorized under ORS 1.012 – can be used to:

- Develop, maintain, and support circuit court electronic applications, services and systems, and to provide access to and use of those applications, services and systems
- Provide electronic service and filing services.

Funding from:

- 4.75% of Court Filing Fees
- Information subscription
- ePay Fees



Pays For

- ePay Convenience Fees
- eFiling Fees
- Personnel Support Costs
- Network Costs

Technology Fund Overview

2015-17 Fund Projections

State Court Technology Fund
Beginning Balance
\$4.8 million

Projected Revenues

- Filing Fees = \$3.4 million
- Computer Services / ePay Fees = \$4.8 million

= \$8.2 million total

Projected Costs

- eFiling Fees = \$5.1 million
- ePay Convenience Fees = \$0.5 million
- Personnel Support Costs = \$3.6 million
- Network Costs & Supplies = \$0.9 million
- POP 311 OF Support = \$3.3 million

= \$13.4 million total

Technology Fund projected to break even in 2015-17