

OREGON TRIAL LAWYERS ASSOCIATION

319 SW Washington Street, #607

Portland, OR 97204

www.oregontriallawyers.org

503-799-1017

**Testimony in Support of SB 131
Before the Senate Judiciary Committee
Arthur Towers
March 13, 2017**

Thank you for the opportunity to testify before you today. The Oregon Trial Lawyers Association is opposed to SB 131 as introduced, but the -2 amendments satisfy our concerns.

The amended version of the bill seeks to clarify when telephonic testimony can be used in a court of law. In-person testimony provides for the fairest outcomes. In-person testimony equips the decision-maker, be it judge or jury, with the greatest ability to determine the credibility of the witness. We are hoping that a legislative record can be established that remote location testimony should be the rare exception not the rule.

We appreciate that a tougher standard for the admission of remote location testimony in jury trials is spelled out in Section 5 on page 3 of the amendment.

We also believe that video testimony – while not nearly as helpful as in-person testimony – is better than telephonic testimony, and the -2 amendments reflect that hierarchy.

We do not believe that there is a crisis with the current law in this area, but Senate Bill 131, with the -2 amendments, does provide clarity regarding the extremely limited use of remote location testimony. We appreciated the chance to be part of the group that hammered out the proposed amendment.

We urge the adoption of the -2 amendments, and passage of the amended bill.