

Steering Committee

Ed Harnden, *Barran Liebman LLP*
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**Testimony of Ed Harnden, Citizens' Campaign for Court Funding
in Support of HB 5013**

Before the Ways and Means Subcommittee on Public Safety

March 16, 2017

Co-Chairs Winters and Stark, and members of the Committee:

My name is Edwin Harnden. I'm an attorney with Barran Liebman in Portland, and I'm speaking 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 impact of under-funding of the third branch of Oregon's government: the courts. We support HB 5013 and encourage the committee to provide the necessary funding to ensure a well-functioning court system.

Our 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 – including many civil disputes – fall to the back of the line and move forward only as crowded court dockets permit. Without sufficient funding, those civil cases can languish, causing real world problems for Oregon's citizens and businesses.

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 funded court system, it is 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.

Oregon's courts have taken some steps to improve management of civil cases and minimize the impacts of past funding shortfalls. Oregon eCourt is now live in all 36 Oregon counties, 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.

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,

Ed Harnden