
MEMORANDUM

Legislative Fiscal Office
900 Court St. NE, Room H-178
Salem, Oregon 97301
Phone 503-986-1828
FAX 503-373-7807

To: Senator Richard Devlin and Representative Nancy Nathanson

From: Steve Bender, Legislative Fiscal Office
(503) 986-1836

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Subject: Local Courts Report

Local Courts Report

ORS 1.860 directs the Legislative Fiscal Office (LFO) to provide the Joint Committee on Ways and Means with summary data on municipal and justice courts (together commonly referred to as “local courts”) each biennium. The statute directs the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC) to collect and supply data to LFO for this purpose. LFO is directed to identify, in consultation with LOC and AOC, the data needed relating to caseloads, revenues and expenditures.

2016 Local Courts Report

LFO consulted with LOC and AOC, in September 2016, to identify the data needs for the 2016 Local Courts Report, and submitted draft data request forms to both organizations for review. The data requests were unchanged from those of two years earlier, when data was collected for the 2014 Local Courts Report. Courts were only asked to update, for the two most recent fiscal years, the data provided for the prior report. LFO directed LOC and AOC to distribute the data request forms to municipal and justice courts, respectively, as they had done for the 2014 report. Given the timing of the consultation, they were asked to return individual and compiled court data to LFO by October 31.

At the end of November, having still not received any court data back from either LOC or AOC, LFO contacted them again to request that it be provided. AOC responded that they were almost done collecting the data. LOC submitted data from ten municipal courts. At LFO’s request, LOC agreed to examine why the response rate from the municipal courts was so low.

LFO has still not received any data on justice court operations or finances, nor have we received any additional data on municipal courts, or an explanation of why only ten municipal courts provided data. Because LFO has no independent access to the data needed, we are regretfully unable to prepare the report that the statute requires.

Summary

LFO did not receive sufficient data on court operations or finances from the League of Oregon Cities, or from the Association of Oregon Counties, to prepare the report required by ORS 1.860. The League of Oregon Cities provided data from only ten municipal courts, and the Association of Oregon Counties provided no data on justice courts at all. We are therefore, regrettably, unable to provide the information required by statute on local court caseloads, revenues or expenditures. LFO can work with the Committee to develop alternative processes for providing reliable information on local court operations and finances.