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Via Email & US Mail
Representative Jeff Barker
900 Court St. NE, H-480
Salem, Oregon 97301
rep.jeffbarker@state.or.us

*Re: Washington County Circuit Court
Judicial Resource Needs*

Dear Representative Barker,

I am writing to you on behalf of the Lawyers' Association of Washington County (LAWC), the Washington County chapter of Oregon Women Lawyers (OWLS) in my capacity as chapter liaison to communicate our concerns regarding the lack of adequate judicial resources in Washington County and more specifically the need to fund the addition of more Circuit Court Judges.

I am an attorney at the Harris Law Firm and I have practiced primarily in Washington County in the areas of Family Law, Juvenile Law and previously Criminal Defense since September of 2005. I am a former president of and a current board member for the Washington County Bar Association and I am on the Washington County Bench Bar Committee as the Family Law representative. While I have focused my practice in Washington County, I appear regularly in other counties including Multnomah County, Clackamas County and Columbia County among others.

One of the ways that Washington County bridges the gap between their current judicial resources and the actual needs of the county is to rely upon attorneys volunteering their time as Pro Tem judges hearing various matters. I volunteer in this capacity and serve as a Pro Tem judge hearing various restraining order matters.

You will likely hear the statistics comparing the current Judges per capita for Washington County versus Multnomah County and other counties around the state more than once during this legislative session. You will hear how our county is growing fast and expected to continue to grow even faster. What I want to tell you about is what that really means for the people in Washington County.

Funding decisions are not easy ones to make. Financial resources are tighter than ever statewide and it can seem more important to prioritize funding other needs besides putting additional judges on the bench. Often the funding priorities may be education or

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other state-funded programs that help children, families, and the less fortunate in the state. That is not something I take fault with, but it is important to know and less obvious perhaps that judicial resource issues directly impact those same segments of Oregon's population.

I represent families and often even children themselves in serious matters effecting their day to day lives. Ensuring that a family's custody case is heard in a timely manner is important. The length of time a person must wait to have a criminal case heard that might result in them being incarcerated and separated from their family is also important. It matters how long a crime victim must wait for closure. But, it isn't just the length of time a person must wait to have their day in court, it is also about the amount of time designated by the court to hear their case when that day finally arrives.

Juvenile dependency cases involving families that have had DHS child welfare remove children from their homes are an example of the critical situation that Washington County finds itself in today. These are cases that dramatically impact families and children in our state. The impact on children when they are removed from their homes is significant and the need to make sure that the system is working properly, that the right decisions are being made involving child welfare, that children are being returned to their parents or removed appropriately, and to ensure there is sufficient judicial oversight of DHS child welfare decisions in these regards are some of the most critical things that the court system does.

Washington County has one Circuit Court Judge and one juvenile referee to hear *all* of the county's juvenile dependency cases within statutory timelines. This means that as a practical matter, the statistics involving judges per capita in Washington County versus Multnomah County* can be distilled down to this – a critical hearing in a Washington County juvenile dependency matter may have 15 minutes or half an hour of allotted court time compared with 2 hours or more in Multnomah County. That amounts to less time to hear from the parties and caseworkers and less time to decide what should happen. It means less time can be spent determining whether the parties and case workers are doing what they are supposed to be doing. It means that your experience and outcome in Washington County may be different than it would have been in another county. *That* is unacceptable for children and families in the state of Oregon.

A child going through tumult in her life whether due to her parents' divorce and custody dispute, or her father sitting in jail pending trial, or because she has been placed in foster care, is going to have that tumult negatively impact her ability to focus and succeed in school, her mental and even physical health, and every other aspect of her life. Resolving these cases more quickly is incredibly important, but so is having the time to adequately spend on each case in order to make sure that the right outcomes are happening for Oregon children and families. Washington County Circuit Court has been forced to become more and more efficient just to continue functioning with its current number of judges. As the county continues to grow as expected, something must give. If more judges are not added now, I am extremely concerned what that will mean in terms of not only case timelines, but also outcomes for families in Washington County.

What I hope you come away with from this letter is that when considering the allocation of funding for all the various programs and departments in the state, ensuring that judicial resources are adequate has a direct and serious impact on children and families that effects every other aspect of their lives. The need for additional judges in Washington County is critical and if additional judges are not added to the bench now, I fear the situation is perilous for families and children in the county who need to have their cases heard in a timely manner and to have an adequate and appropriate amount of time allocated to their case when it is heard. There is a limit to how efficient a court can become before efficiency overtakes justice. Now more than ever we must ensure that justice continues to prevail. In order to do so, Washington County must receive funding for at least one additional judge during this legislative session with a commitment to add additional judges regularly going forward, until parity is achieved with Multnomah County.

Thank you for your attention to this matter. Do not hesitate to contact me if you have any questions or if I can be of further assistance.

Very truly yours,

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*Statistics from the Portland State University Population Research Center, College of Urban and Public Affairs for 2017 indicate a 1/21,000 judge to population ratio for Multnomah County versus a 1/42,000 ratio for Washington County. The projections for 2050 based on population growth become 1/26,000 for Multnomah County with no judges added versus 1/65,000 for Washington County if no judges are added.