

Oregon Judicial Department

An Overview



Martha L. Walters, Chief Justice

Nancy Cozine, State Court Administrator



January 22, 2019

Judicial Branch Entities



Oregon Judicial Department



Commission on Judicial Fitness
and Disability

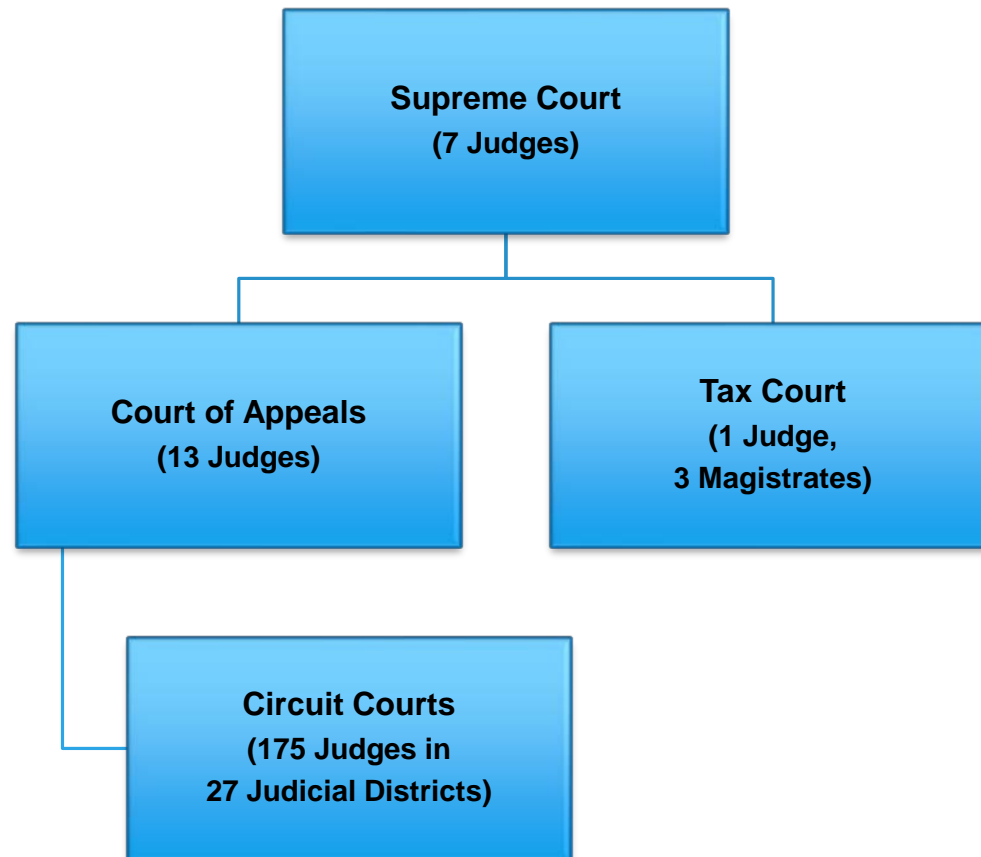


Office of Public Defense
Services

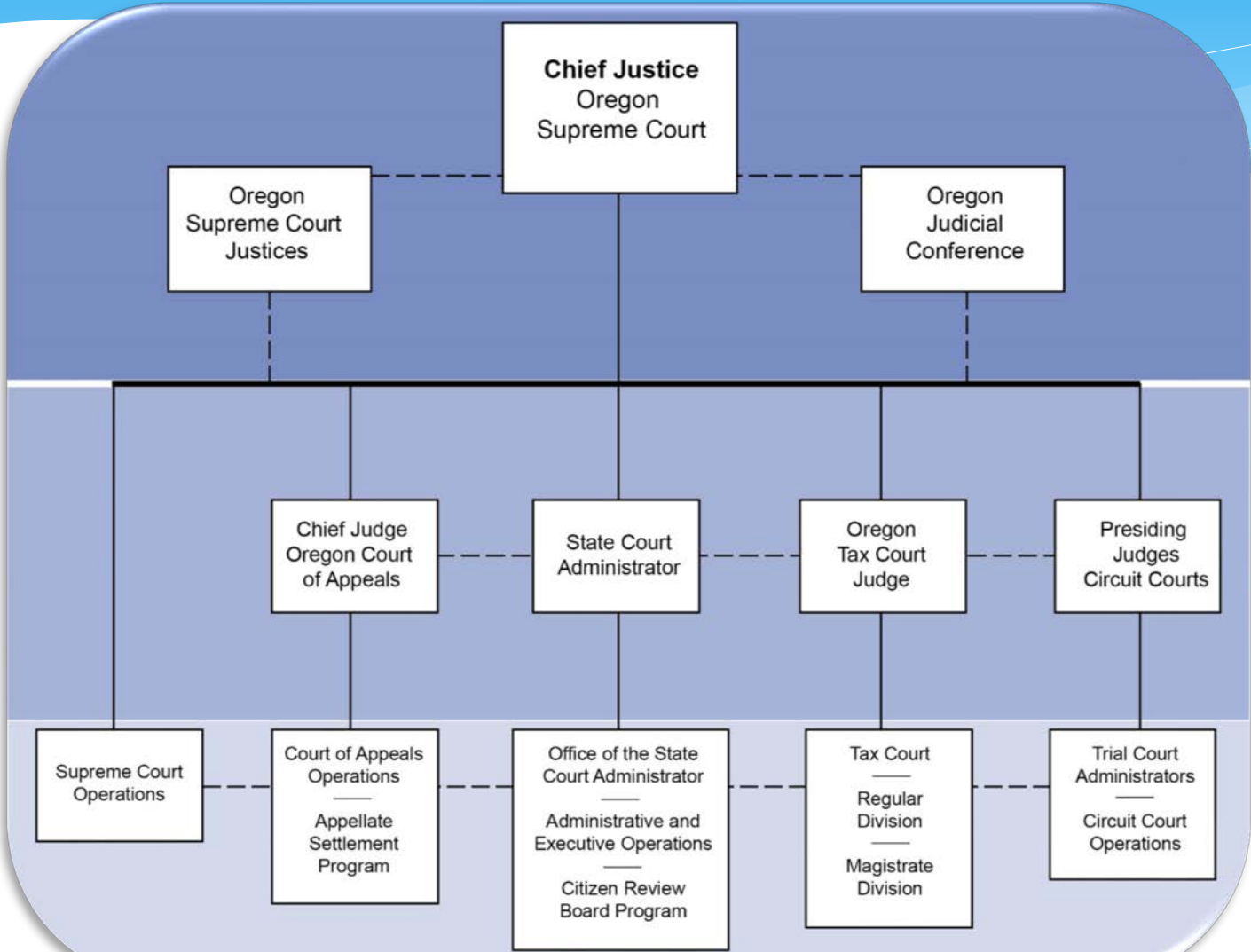


The Oregon State Bar is a public corporation and an instrumentality of the Judicial Department... (ORS 9.010(2))

A Quick Introduction to Oregon's State Courts



Administrative Structure



Statutory Responsibilities

Oregon's Chief Justice

(See primarily ORS Chapters 1, 3, 7-10, 21, 36, 151, and 174)

Statutory Responsibilities:

- * Serve as administrative head of the state judicial branch of government
- * Make rules and issue orders as administrative head
- * Require reports related to administrative supervision
- * Assign or reassign state judges on a temporary basis
- * Set staffing levels; assign and reassign staff for all state courts and operations
- * Establish time standards for disposition of cases
- * Establish budgets for the state court system, including the state courts
- * Establish statewide personnel rules and policies
- * Appoint presiding judges of the circuit courts, Court of Appeals, and Tax Court
- * Delegate administrative powers to presiding judges and State Court Administrator
- * Develop plan for obtaining and controlling property, materials, and equipment used by state courts
- * Establish rules for use of electronic applications in the courts
- * Conduct inquiries regarding alleged disabilities of judges
- * Designate principal locations for sitting of courts and transactions of state court business
- * Declare statewide court closures by Chief Justice Order
- * Chair the Oregon Judicial Conference
- * Serve as presiding judge of the Oregon Supreme Court
- * Oversee Oregon Judicial Department work with the Legislature and the Executive Branch
- * Appoint members to Judicial Conference, Judicial Department committees, and to external committees, boards, and commissions
- * Represent Oregon Judicial Branch in state and national associations, meetings, and activities
- * Make or approve, or both, Chief Justice/Oregon Judicial Department Rules, Uniform Trial Court Rules; Supplementary Local Rules; Oregon Rules of Appellate Procedure
- * Serve as appointing authority and ex-officio non-voting member of the Public Defense Services Commission

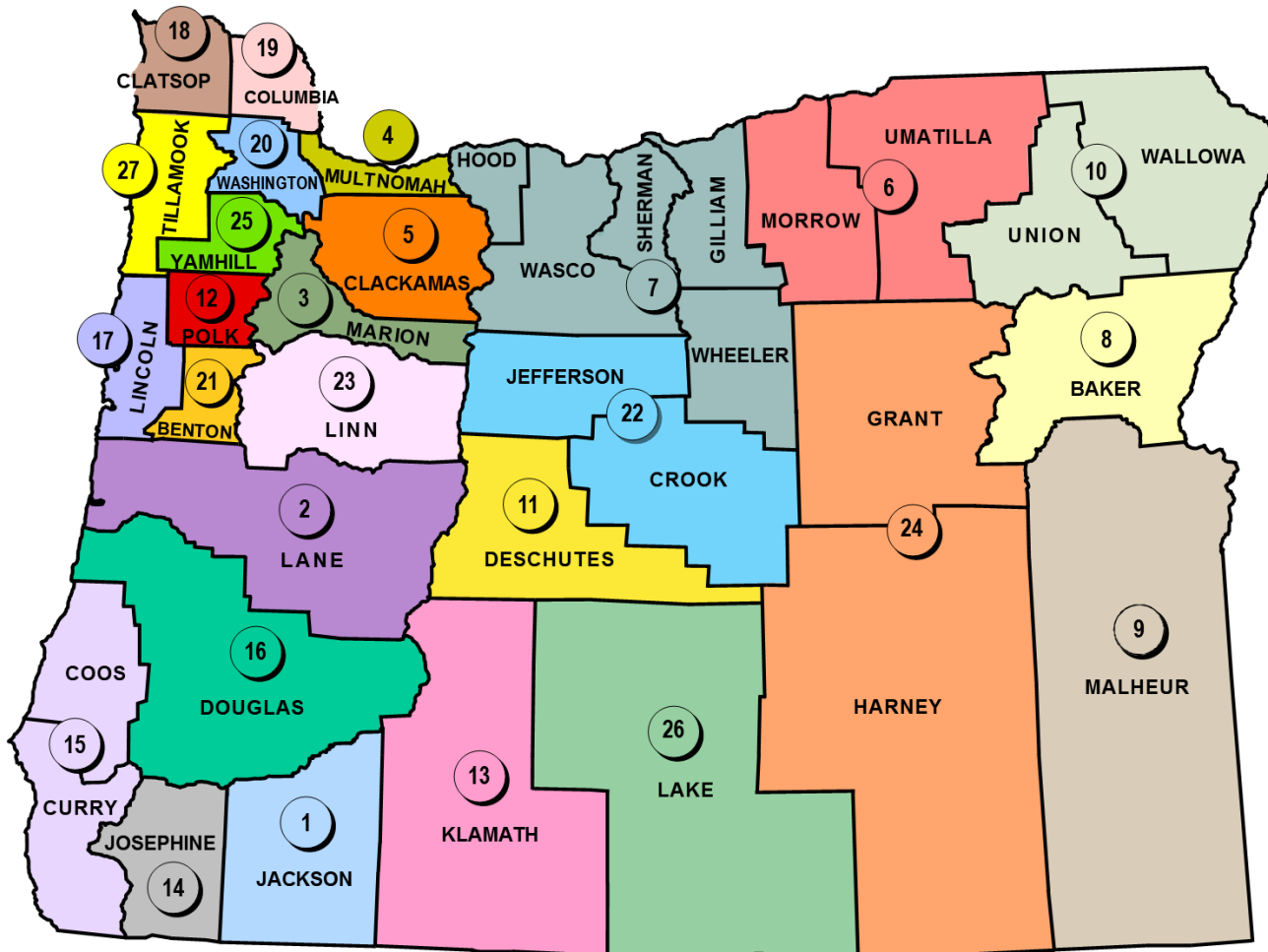
Statutory Responsibilities

Oregon's State Court Administrator

(See primarily ORS Chapters 1, 3, 7, 8, 21, 45, 151, and 419A)

Statutory Responsibilities:

- * Serve as court administrator for the Oregon Supreme Court, Court of Appeals, and Tax Court
- * Assist the Chief Justice as directed
- * Supervise the Judicial Department's personnel plan
- * Supervise preparation and submission of budget requests to the legislature
- * Supervise the fiscal, revenue, and accounting systems
- * Establish and maintain a property- and inventory-control system
- * Collect and compile statistics on court workloads, caseloads, expenses, and revenues
- * Conduct a continuing survey of court administration methods and make recommendations
- * Establish and supervise a statewide public information service about the courts
- * Establish and supervise education and training programs for court staff and judges
- * Provide technical and infrastructure services to assist courts, staff, and judges
- * Prepare and maintain a long-range plan for court improvement and future needs
- * Enter into contracts on behalf of the Judicial Department
- * Prescribe retention schedules and standards for court records
- * Maintain a State Law Library and other Judicial Department libraries
- * Serve as executive secretary for the Judicial Conference
- * Administer the Citizen Review Board program (CRB)
- * Administer the Certified Shorthand Reporter program (CSR)
- * Administer the Court Interpreter Certification program (CIS)
- * Administer the Public Defense Verification and Application Fee and Contribution program (ACP)
- * Coordinate family-law activities, projects, and education
- * Approve written information about mediation for litigants in civil cases
- * Calculate and publish annual adjustments of liability limits in tort actions against public bodies
- * Direct management of the Office of the State Court Administrator
- * Direct and coordinate the Judicial Department's legislative efforts
- * Represent the Judicial Department externally



Circuit Courts
in every county

Oregon's 27 Judicial Districts

Over 700,000 cases a year

Circuit Courts

"General" Jurisdiction

Public Safety

- Felonies and Misdemeanors
- Violations
- Juvenile Delinquency
- Protective Orders
 - stalking, domestic violence, ERPO, elder abuse

Economic Functioning

- Establish and Collect Debts
- Foreclosures
- Contract Interpretation
- Personal Injury
- Landlord / Tenant

- Consumer Protection

Families in Crisis

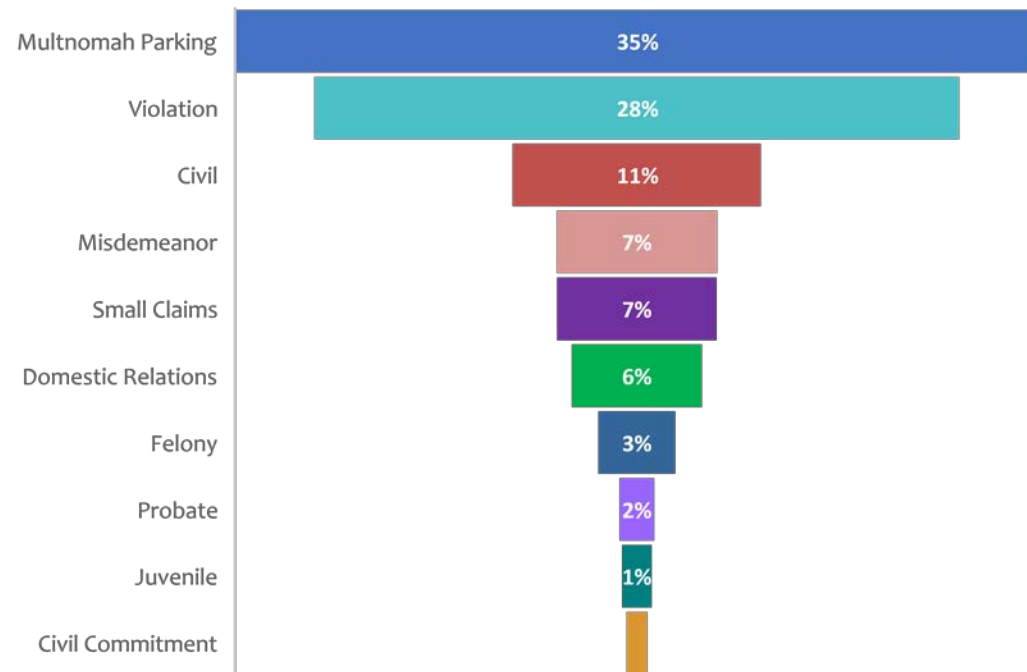
- Dependency
 - child abuse, neglect
- Child Support
- Domestic Relations
 - divorce, child custody, adoption
- Termination of Parental Rights

Other

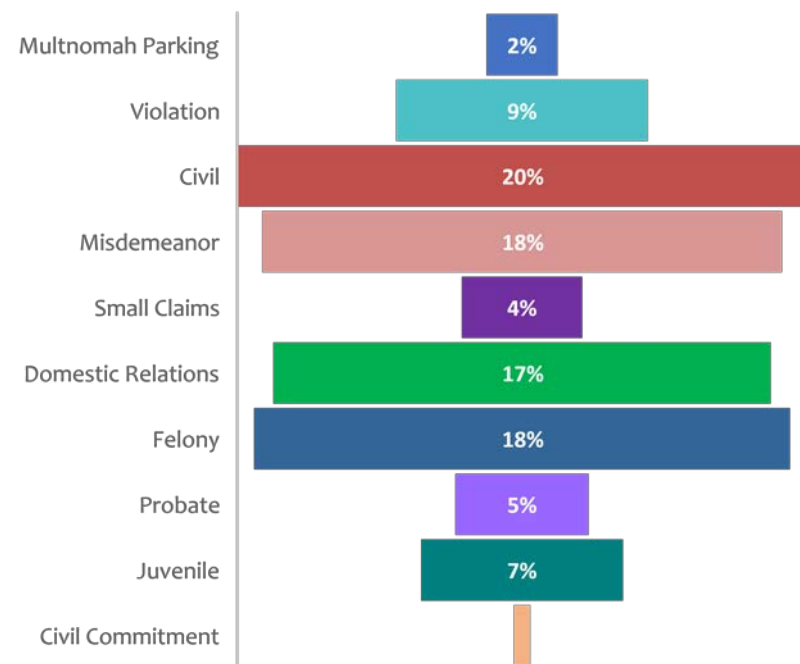
- Civil Commitment
- Post-Conviction
- Probate
- Guardianship / Conservatorship

Caseload / Workload Distribution

2018 Caseload Distribution

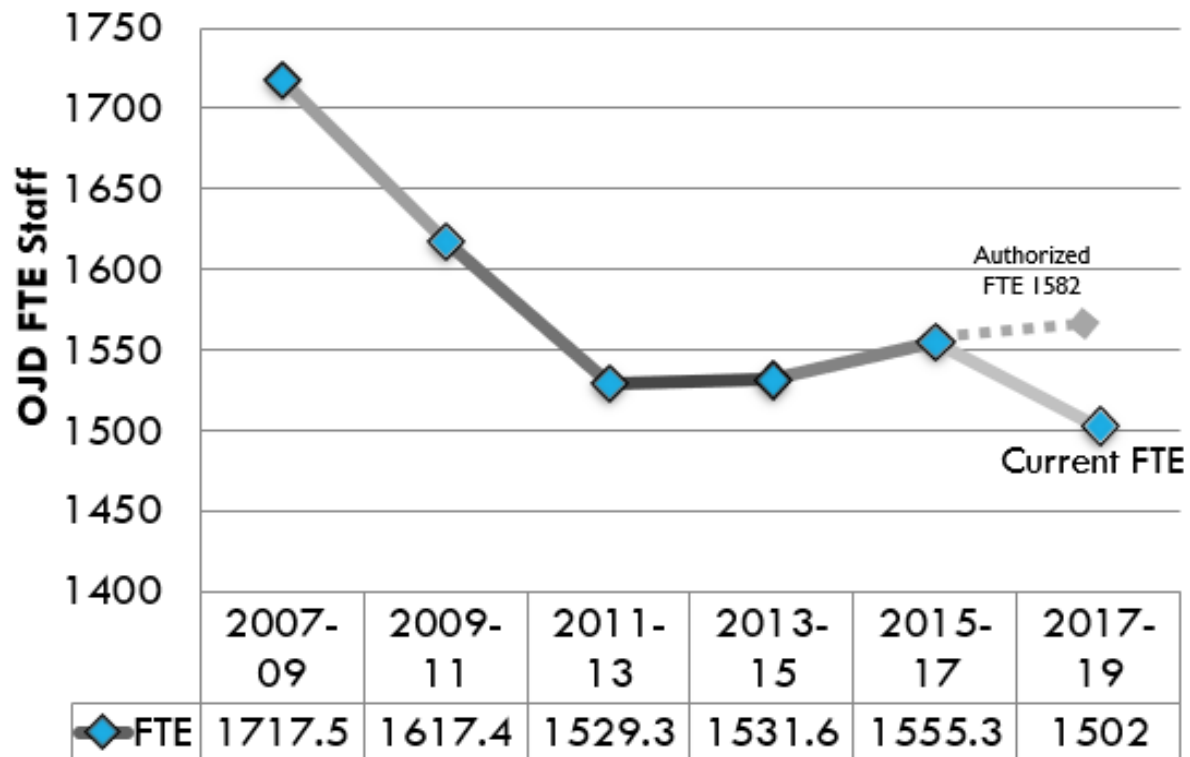


2018 Workload Distribution



OJD STAFF RESOURCES

Effectively 215.5 FTE (12.5%) fewer positions in 2017-19 than in 2007-09



Working to better serve justice and the public

Trauma-Informed Practices

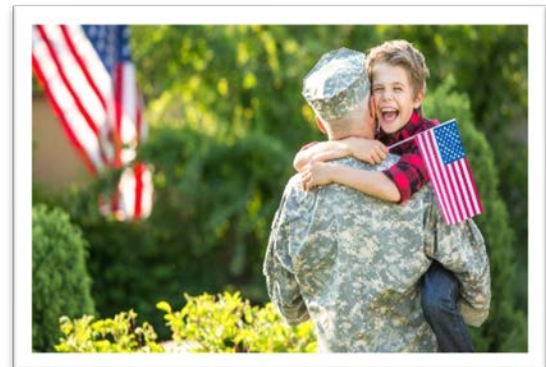
- Substance Use
- Mental Illness
- Domestic Violence
- Child Abuse
- PTSD



Working to better serve justice and the public

Problem-Solving Courts

- Youth
- Drug
- Driving Under the Influence
- Mental Health
- Veteran
- Domestic Violence
- Community Court



Working to better serve justice and the public

Docket Management Innovations

- Differentiated Case Management (Juvenile Court pilot)
- Family Courts
- Complex Litigation Court
- Civil Justice Initiative (“right-sizing” civil case management)
- Alternative Dispute Resolution



Improved Business Processes

- Time-to-Disposition Standards
- Specialty Court Case Management System
- Centralized Debt Collection



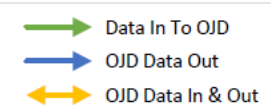
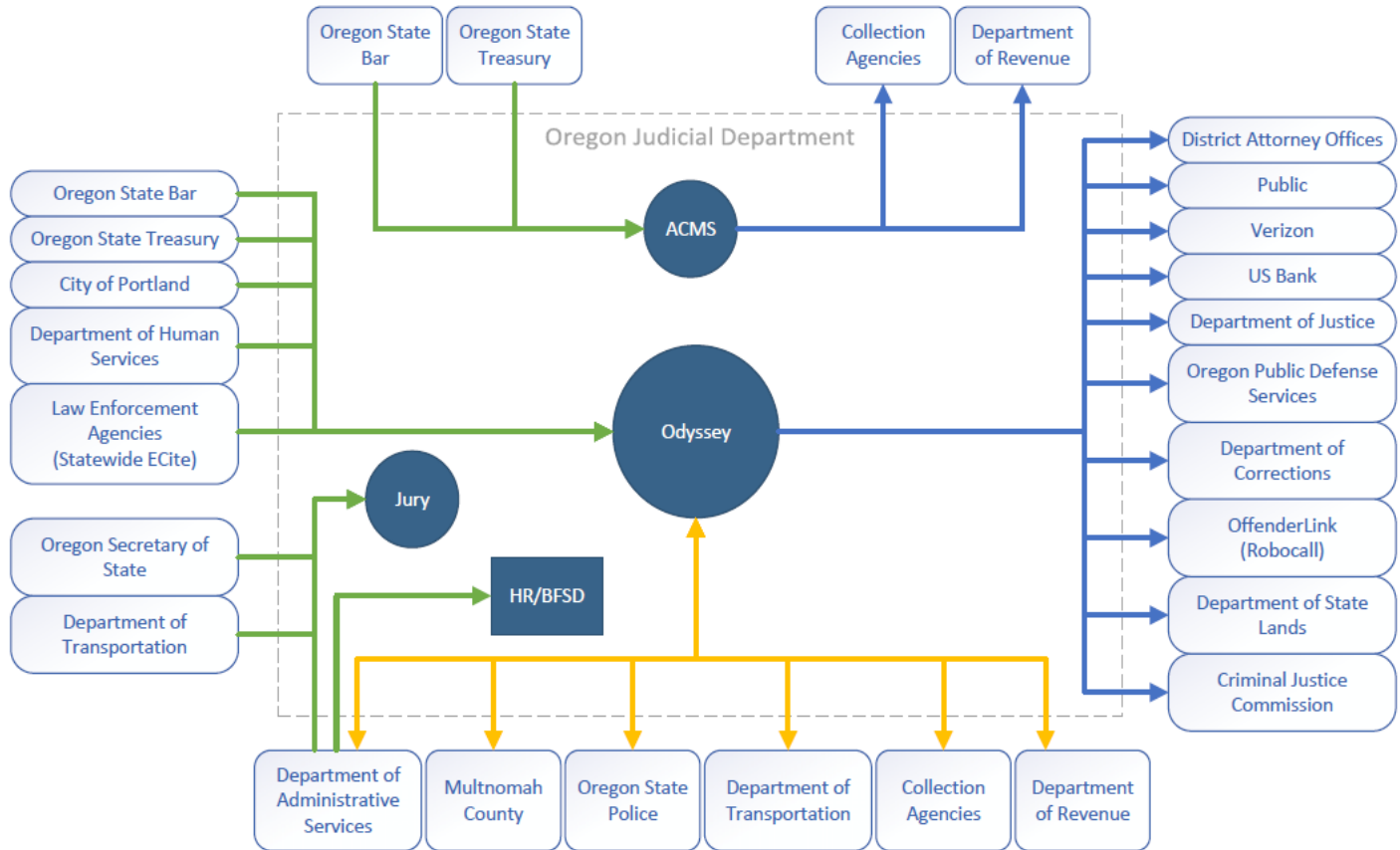
Improving Access to Justice

- **Oregon eCourt**
 - Guide and File – interactive forms
 - Text-to-Debt
 - Online Records and Calendar Search
 - ePay
 - eFile
- **Interpreters**
- **Fee Deferrals and Waivers**
- **Informal Domestic Relations Trial**



www.courts.oregon.gov

Technology Integrations



Fines, Fees, and Collections

- **Public Safety Task Force**

- Judge Debra Vogt – Lane County
- Judge John Collins – Yamhill County

- OJD works with Dept. of Justice, Dept. of Corrections, Dept. of Revenue, DMV, and others to create efficiencies and improve processes

- OJD will to continue working with external entities and the legislature to ensure that Oregon's fines, fees, and collections laws reflect legislative policies



Oregon Tax Court



Sole jurisdiction over cases arising from state tax laws

Statistics

- More than 800 appeals per biennium
- 1/3 income tax; 2/3 property tax

Oregon Court of Appeals

- **13 judges elected statewide**
 - Usually sit in three-judge panels
- **Must accept and decide each case**
 - Appeals from circuit courts
 - criminal, civil, domestic relations, juvenile
 - Appeals from state agency rules and actions
 - Appeals from local government decisions
- **Decisions can be appealed to the Oregon Supreme Court**



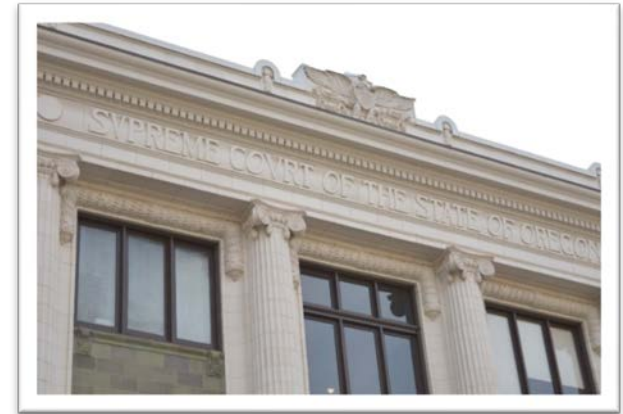
Statistics

- Average 2,800 filings per year



Oregon Supreme Court

- Seven (7) justices, elected statewide
- Discretionary review of Court of Appeals decisions
- **Required review**
 - Direct appeals in death penalty cases
 - Appeals from Tax Court decisions
 - Review of attorney discipline and judge discipline
 - Review of ballot measure titles
 - Prison-siting disputes
 - Other direct review cases
- **Permissive review**
 - Habeas corpus
 - Mandamus
 - Quo warranto



Statistics

- About 900 filings per year
- Hear and decide about 70-85 per year

Legislative Actions Affecting the Courts



- Establish crimes, penalties, criminal procedures
- Define rights of action, civil procedures
- Establish docket priorities / timelines
- Require court locations and establish number of judges
- Set court fees
- Set judicial salaries
- Establish the budget
 - Some items are non-reducible items

Chief Justice Budget Priorities 2019-21 Biennium

- **Access to Justice**
 - **Add court staff** to ensure community can access courts all business hours every judicial day
 - Provide consistent access to problem-solving courts to improve outcomes
 - Resolve cases in a timely manner while adhering to principles of procedural justice
- Correct imbalance in **judicial compensation**
- Improve outcomes in juvenile dependency cases through targeted **additions of judicial resources**
- Support **safe and secure courthouses**
- **Preserve critical technology** infrastructure and services

OJD Legislative Bills

- **HB 2238:** Corrects imbalance in judicial compensation
- **HB 2239:** Adds judges to improve dependency outcomes
- **HB 2240:** Provides specific authority for centralized violations bureau
- **HB 2241:** Allows Chief Justice to impose fees to public entities for electronic access
- **SB 186:** Changes statutory consumer price index for Tort Claims Act
- **SB 187:** Modifies judicial marshal retirement benefits



Oregon Courts

Protecting Rights and Democracy



A strong, fair, and impartial court system – as an equal branch of government – protects our rights and our democracy.

Who to Contact

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State Court Administrator

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Acting Deputy State Court Administrator

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Staff Counsel

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Thank You

More information online at

www.courts.oregon.gov

Courts, hours, contact information, services, court records,
court calendars, self-help information and forms

Some information adapted with permission from
Oregon Judicial Department (OJD)
American Bar Association (ABA) Division for Public Education
National Association of Women Judges/Informed Voters Project (NAWJ/IVP)

Oregon Problem-Solving Courts



OREGON JUDICIAL DEPARTMENT AND CRIMINAL JUSTICE COMMISSION

NANCY COZINE – OJD STATE COURT ADMINISTRATOR

MICHAEL SCHMIDT – CJC EXECUTIVE DIRECTOR

Problem-Solving Courts

Problem-solving courts are specialized court dockets that seek to address underlying issues that contribute to criminality by providing a combination of treatment, services, and supervision.

Types of Courts

- Adult Drug
- Domestic Violence
- DUII
- Family Drug
- Juvenile Drug
- Mental Health
- Veterans
- Community Court
- Hybrid (combination)



Dynamics of a Team

Problem-solving courts involve close collaboration between the judge and a team.

The judge is the focal point of the court, providing encouragement and holding the participant accountable.

A team generally consists of:

Judge

Court Coordinator

District Attorney

Defense Attorney

Probation Officer

Law Enforcement Officer

Treatment Provider

Defining Problem-Solving Courts: *10 Key Components*

- Integrate treatment services with justice system case processing.
- Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are identified early and promptly placed in the court program.
- Provide access to a continuum of alcohol, drug, mental health, and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and drug testing.
- A coordinated strategy governs court response to participants' compliance.
- Ongoing judicial interaction with each participant is essential.
- Monitoring and evaluation measure the achievement of program goals and effectiveness.
- Continuing interdisciplinary education promotes effective planning, implementation, and operations.
- Forging partnerships among courts, public agencies, and community-based organizations generates local support and enhances program effectiveness.

Criminal Justice Commission (CJC): *Specialty Courts Role*

Serves as a “clearinghouse and information center for the collection, preparation, analysis, and dissemination of the best practices applicable to specialty courts.” (ORS 137.680)

- ❖ Provides grant funding
- ❖ Coordinates research
- ❖ Co-coordinate training programs
- ❖ Supports the implementation of programs consistent with evidence-based practices.

Oregon Judicial Department (OJD): *Specialty Courts Role*

Courts dedicate judges, staff, and court time to these dockets in an effort to better serve their communities. OJD supports these courts by providing judicial training, best practices, standardized forms, and supporting the establishment of new courts.

- ❖ Judicial education and training
- ❖ Staffing
- ❖ Daily management of court docket
- ❖ Day-to-day interaction with participants
- ❖ Preserve confidentiality
- ❖ Maintain the official court record

Working Together

Criminal Justice Commission & Oregon Judicial Department

- Developed evidence-based standards for specialty courts
- Chief Justice Order (CJO 2017-086) issued December 2017

- **Oregon Specialty Court Standards:**

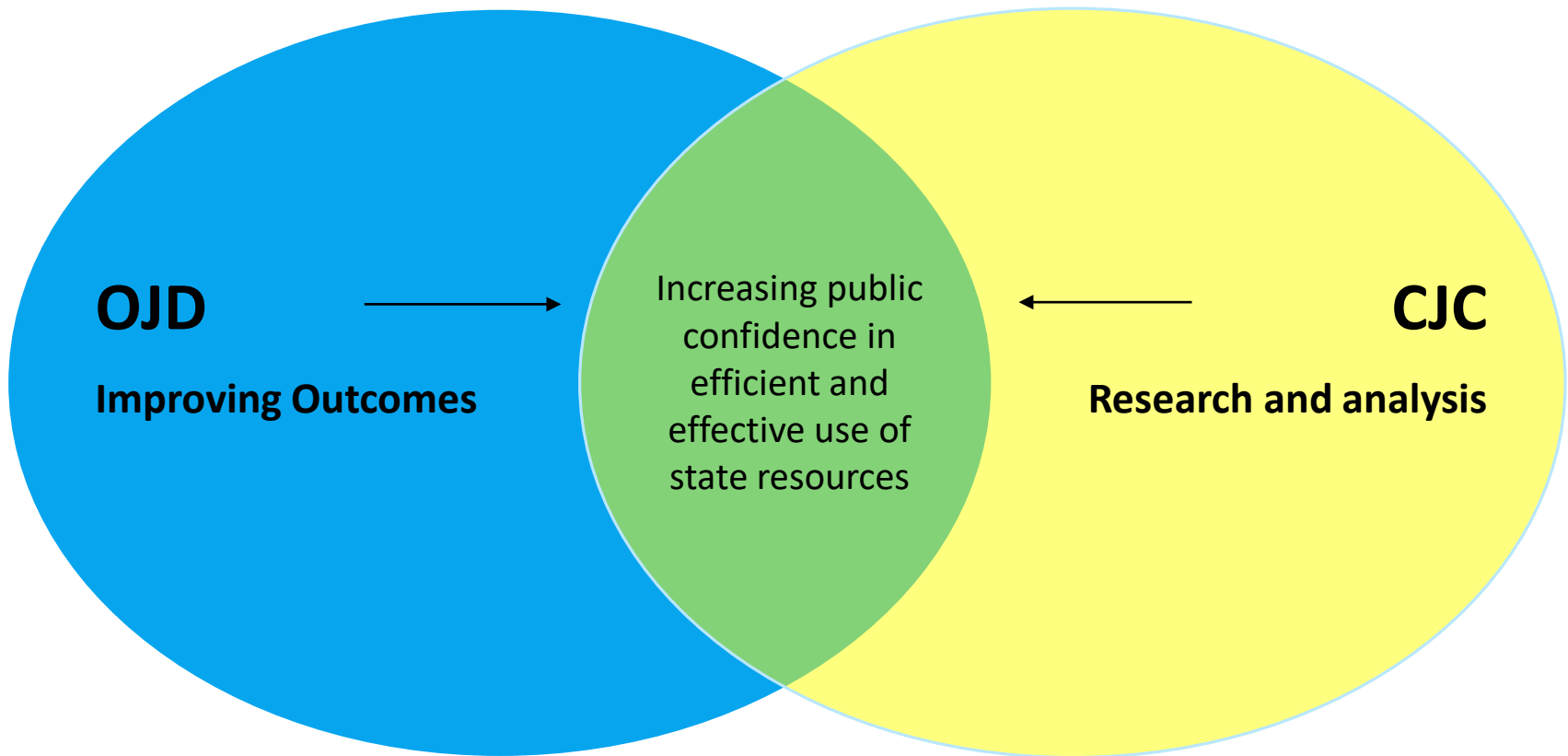
- Create consistent practices
- Provide guidance to all types of specialty courts
- Focus on continuous improvements

- **Partnership:**

- Ongoing training for problem-solving court teams
- Specialty Courts Case Management System (SCMS)



Specialty Court Case Management System (SCMS)



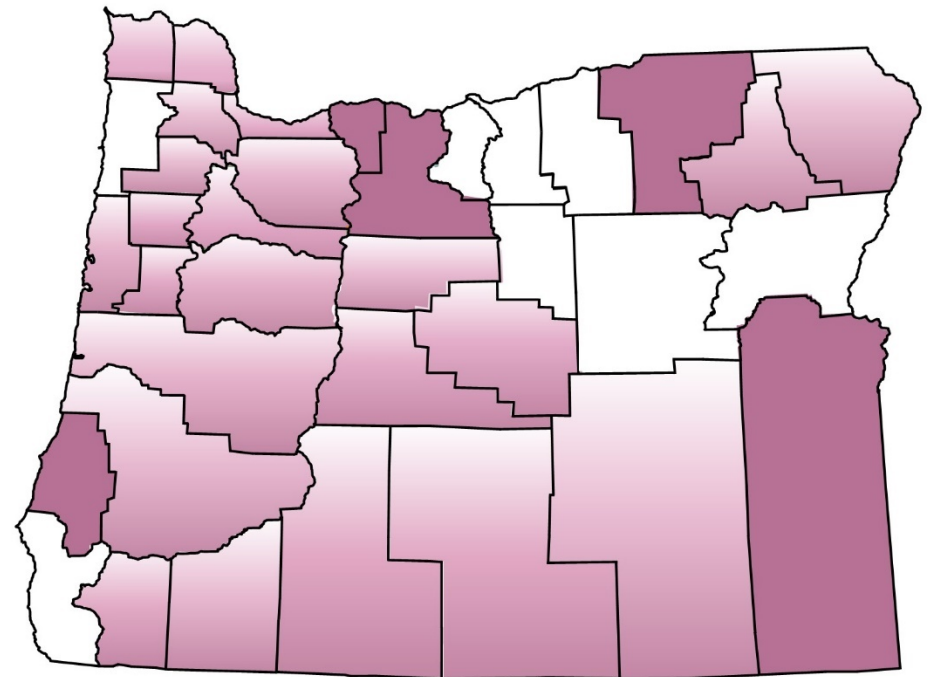
Statewide Problem-Solving Courts

81 Problem-Solving Courts in Oregon – 70 will receive SCMS

- ■ 28 counties w/ Problem-Solving Courts
- 23 counties receive CJC grant funds
- ■ 28 counties will implement SCMS
- 8 have no Problem-Solving Courts

Types of SCMS Courts

- Adult Drug
- Juvenile Drug
- Family Drug
- DUII
- Mental Health
- Veterans



Collaboration



Better Statistics – *Example*

Target Population

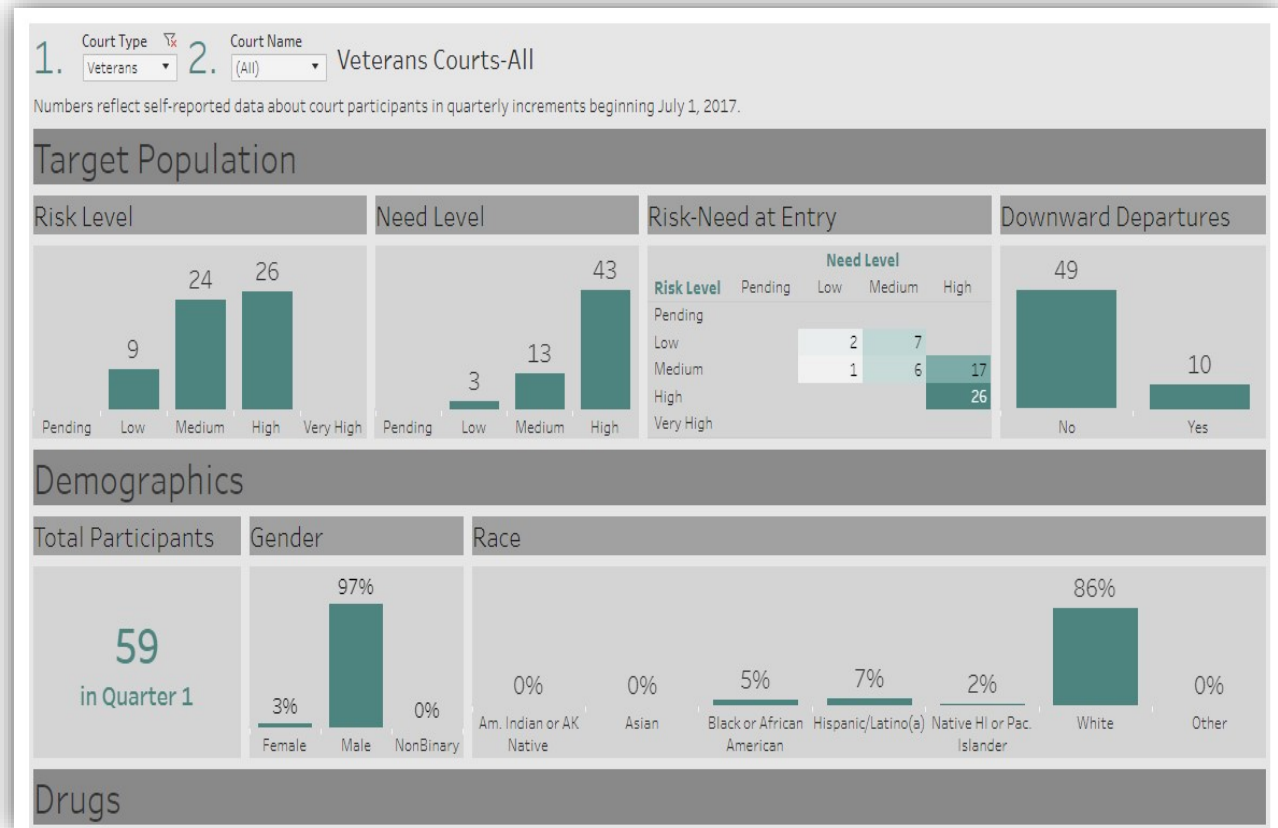
- Risk Level
- Need Level
- Risk-Need at Entry
- Downward Departures

Demographics

- Total Participants
- Gender
- Race

More...

- Drug Use
- Jail Sanctions



SCMS Statewide Rollout

Implementation

- OJD coordinates all training events
- In-person training for courts and team members
- Vendor leads training
- OJD & CJC on-site to answer questions at each training event
- Training materials available
- Pilot court Subject Matter Experts (SMEs) assist at all go-live events

Circuit Courts	Go-Live Date
Klamath	10/24/18
Lane	11/19/18
Douglas	12/12/18
Columbia; Marion	01/28/19
Crook; Deschutes; Hood River; Jefferson; Wasco	03/18/19
Clatsop; Multnomah	04/08/19
Coos; Jackson; Josephine; Lake	04/29/19
Benton; Lincoln; Linn; Polk; Yamhill	05/20/19
Clackamas; Washington	06/03/19
Harney; Malheur; Union; Umatilla; Wallowa	06/24/19

SCMS and Increasing Court Efficiency



- Improve communication between team members
- More time for coordinator to focus on participants
- Statewide problem-solving court statistics
- Measure effectiveness and compliance with best practices
- Embedded support and resources in SCMS

Improving Outcomes

- Reduce Recidivism
- Reduce Use of Prison and Jail Beds
- Improve Participants' Lives
- Improve Public Safety



Questions



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