



# Oregon State Courts – 2023 Legislative Agenda

*A summary of Policy Option Packages from the Chief Justice's Recommended 2023-25 Budget and Oregon Judicial Department's Legislative Proposals*

The Chief Justice's Recommended 2023-2025 Budget includes current service level funding and adds targeted resources to better serve Oregonians. The budget requests and legislative concepts connect Oregon Judicial Department (OJD) tools and resources with the commitments and initiatives made in OJD's Strategic Campaign. With these requested investments and changes in law, OJD seeks a measurable, positive return on investment and to improve the experience of the public seeking justice in our courts. A copy of the Strategic Campaign and OJD's commitments to Oregonians can be found [here](#).

## Strategic Campaign Commitments

1. **Improve services and outcomes** for people who are underserved, vulnerable, or marginalized.
2. **Eliminate barriers to access to justice** by simplifying and streamlining processes and forms, enhancing service options, leveraging technology, improving interpreter services, and keeping courts open, safe, and secure.
3. **Enhance the public's trust and confidence in Oregon's state courts** by listening and responding to the needs of those we serve, holding ourselves to high standards, and communicating the role of our courts in providing justice for all.
4. Create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming, that embraces diversity, and where **all people can thrive and are treated with respect and dignity**.

## Legislative Proposals

1. Adequate **judicial compensation** to increase equity and fairness and improve retention and recruitment.
2. Increase **juror compensation** and mileage rates to improve access and eliminate financial barriers to service.
3. Expand opportunities to **evaluate impacts of the justice system through data and demographic information-gathering**, while maintaining privacy and security of sensitive information of court users.
4. **OJD Omnibus Bill**: increase transcriber rates so that we can improve quality and remain competitive with neighboring states; simplify procedure for appointment of senior judges, protect court users' privacy, and additional non-substantive technical and housekeeping fixes.
5. **Additional judicial positions** in Jackson, Washington, Lane, Josephine, Douglas and Clackamas counties (listed in order of need).

*OJD's Policy Option packages listed below are organized by initiatives set out in the [Strategic Campaign](#).*

## Initiative 1.6 Statewide Pretrial Release System

### **POP 101 - Continued Investments in Statewide Pretrial Program (39.6 FTE, \$9.6M GF)**

Support the development of robust pretrial programs in counties statewide and continue the work of SB 48 (2021). Includes \$1.7M for a statewide case management system and statewide risk assessment tool, central IT staff, and release assistance officers in Clackamas, Clatsop, Columbia, Deschutes, Klamath, Jackson, Lane, Lincoln, Marion, Multnomah, and Polk counties.

## Initiative 1.3 Conservatorship Pilot Project

### **POP 102 - Protective Proceedings Court Oversight Improvement Program (3.1 FTE, \$0.8M GF)**

Permanent central support to improve and standardize circuit court monitoring of protective proceedings. The program improves data collections processes, provides training and tools to probate judges and staff, and delivers financial auditing oversight of conservatorship activity. This investment would continue and expand efforts launched under a federal grant which will expire in September 2023.

## Initiative 2.1 Improve Services to Self-Represented Litigants

### POP 103 – Fresh Start Expungement Program (4.89 FTE, \$1.24M)

Permanent resources for courts to ensure timely, equitable and efficient processing of expungement for qualified individuals. Creates a centralized petition-based process that seals public case records associated with a past criminal incident, giving Oregonians the fresh start they may be entitled to under Oregon law. Continues and expands on efforts launched under SB 397 (2021) to reduce collateral consequences and improve efficiency of set-aside processing. Permanently funds central staff that have one-time American Rescue Plan Act (ARPA) funds which expire in January 2024.

### POP 104 – Court Access & Assistance for Self-Represented Litigants (11.44 FTE, \$2.6 GF)

Over the past five years, 83% of all parties in landlord-tenant disputes have been self-represented. Another 71% are self-represented in divorce cases. Provides central staff to support expanded translation services for documents, forms, and online resources, and a one-time investment to translate online content. Ensures access to court services for self-represented litigants by expanding court resources for facilitation and customer service in Clackamas, Klamath, Multnomah, and Umatilla counties.

## Initiatives 4.4 Statewide Core Curriculum & 3.1 Community Outreach and Engagement

### POP 105 – Promoting Justice for Communities through Technology and Training (9 FTE, \$2.3M GF)

Central training staff to develop core curriculum for court staff to ensure consistent and reliable services amidst rapid changes in technology, legislation, and new program development. Regional training staff to deliver education to court staff will leverage collective resources and utilize technology to maximize efficiency. Central staff to inform and engage court users and the community on OJD resources, services, and the administration of justice through community relations, communications, content development, and online presence.

## Initiative 2.2 Use of Technology to Improve Services

### POP 106 – Remote Proceedings & Data Interfaces (11.44 FTE, \$3M GF)

Adds audio/video and IT staff in central IT office as well as Josephine, Multnomah, and Washington counties for expanded use of remote proceedings and new data interfaces with public safety partners.

### POP 109 – Equipment Lifecycle Replacement (\$2.5M GF)

Additional funds to keep up with increasing costs for software licensing and equipment lifecycle replacement.

### POP 123 – Technology Fund Replacement (\$2.2M GF)

Additional funds for state court technology services. Current revenues do not cover all expenditures.

## Initiative 2.4 Adequate Resources for Responsive Courts

### POP 107 – Appellate Court Improvements (6.88 FTE, \$1.9M GF)

Additional Court of Appeals staff resources to support managed workflow to expedite decision-making using a weighted caseload model and differentiated case management. Additional Senior Staff Counsel to support the Supreme Court.

### POP 108 – New Judges and Support Staff (24.64 FTE, \$6.6M GF)

New judges and support staff to keep up with growing populations and growing caseloads. Additional resources will improve timely resolution of cases in the following counties: Clackamas, Douglas, Jackson, Josephine, Lane, and Washington.

### POP 110 – Classification and Compensation Changes (TBD)

Classification and compensation changes based on comprehensive organization-wide study to be completed December 2022. The total costs depend on completion of labor market research and implementation approach.

### POP 111 – Judicial Compensation (\$17.3M GF)

Ten-percent salary increases for judges; one in July 2023 and another in January 2024 to improve recruitment and retention and provide equitable salaries to public attorneys. The Chief Justice will introduce companion legislation.

## Initiative 2.4 Adequate Resources *continued*

### **POP 112 – Juror Compensation (\$21M GF)**

Increased daily compensation and mileage rates for jury service. A bill to increase juror compensation and mileage rates will also be introduced by the Chief Justice.

### **POP 118 – Legal Aid for Vulnerable Oregonians (\$14M GF)**

Increase passthrough funds to Legal Aid for direct and systemic legal advocacy to help Oregonians keep families together, maintain safe and stable housing, and navigate pressing legal problems.

### **POP 120 – Continue OF Grant Positions (\$11M OF)**

Authority to accept specialty court and other grant funds.

## Initiative 1.5 Problem-Solving Courts

### **POP 113 – Family Treatment Courts (7.76 FTE, \$2.1M GF)**

Continues investments in Family Treatment Courts (FTCs) requested from September 2022 Emergency Board. FTCs are a multidisciplinary, evidence-based, problem-solving model serving child-welfare involved families where parental substance use is a factor contributing to abuse or neglect. Funds would create FTCs in Benton, Polk, Clackamas, and Josephine counties, provide staff to stabilize FTCs in Wasco and Klamath counties, and continue the central program support positions currently funded by a federal grant that expires in September 2023.

### **POP 114 – Specialty Court Enhancements (10.13 FTE, \$2.5M GF)**

Additional staff to support new, understaffed, or unstaffed specialty courts in Baker, Clackamas, Clatsop, Columbia, Coos, Crook, Douglas, Hood River, Josephine, Lane, Lincoln, Malheur, Tillamook, and Yamhill counties. Specialty courts prove that providing supervision, structure and evidence-based treatment is a far more successful approach to substance use and mental health disorders than punishment or incarceration alone.

### **POP 115 – Stable Specialty Court Funding for Existing Specialty Court Coordinators (22.45 FTE, \$6.3M GF)**

Stable funding for existing CJC-grant funded specialty court coordinators. The coordinator is the conduit between the court and community partners, ensuring access to treatment and connection with services in the community. Coordinators provide ongoing training and technical assistance and support consistent data collection and reporting.

## Initiative 3.5 Sound Financial Footing

### **POP 116 – Court Security Entrance Screening (\$12.5M GF)**

Passthrough funding to counties for equipment and contract personnel services for entrance screening in 22 jurisdictions that currently have none.

### **POP 119 – Circuit Court Replacement Planning (\$1.7M GF)**

Passthrough funding to counties for courthouse replacement planning projects in Hood River, Lincoln, Polk, Washington, and Umatilla counties. These projects are prioritized in conjunction with the Association of Oregon Counties (AOC).

### **POP 121 – Circuit Court Capital Improvement Projects (\$8.7M OF)**

Courthouse improvement projects in Benton, Clatsop, Columbia, Coos, Douglas, Josephine, Lake, Tillamook, Umatilla, Wasco counties.

### **POP 122 – Circuit Court Capital Replacement Bonds (\$167.2M OF)**

Approve state construction bonds for courthouse replacement projects in Benton, Clackamas, Curry, and Morrow counties.

Questions? Please contact Phil Lemman, Deputy State Court Administrator, at [Phillip.Lemman@ojd.state.or.us](mailto:Phillip.Lemman@ojd.state.or.us) or Erin M. Pettigrew, Office of Legislative Affairs at [Erin.M.Pettigrew@ojd.state.or.us](mailto:Erin.M.Pettigrew@ojd.state.or.us), 971-283-1385.