

JUDICIAL BRANCH

OREGON JUDICIAL DEPARTMENT

The Honorable Martha L. Walters
Chief Justice

The Honorable Nan Waller
Judge, Multnomah County Circuit Court

Nancy Cozine
State Court Administrator

Phillip Lemman
Deputy State Court Administrator

2021-23

CHIEF JUSTICE'S RECOMMENDED BUDGET



PRESENTATION OVERVIEW

Day 1

- The Judicial Branch
- The Strategic Campaign
- The breadth of our work: examples and innovative approaches we have taken
- Impacts of the pandemic
- Why justice for Oregonians requires current service level funding and POP investments

Day 2

- Budget and Revenue
- Critical gaps, opportunities for improvement, and prioritized policy options

JUDICIAL DEPARTMENT KEY TAKEAWAYS

-
1. The Judicial Branch plays a critical role in public safety, protection of rights, economic vitality, upholding the rule of law, and preserving the foundations of democracy
 2. Our work is critical to addressing many of the Legislature's top priorities
 3. During the pandemic, courts have remained open and have creatively adapted
 4. Staff and technology play pivotal roles in court operations and pandemic response, but funding gaps threaten those foundations
 5. Ensuring access to justice, fairness and equity in Oregon's courts requires adequate and stable funding

THE ROLE OF THE COURTS IN OUR DEMOCRACY

- Access to Justice
- Public Trust and Confidence
- *A Place to Be Heard, Resolve Disputes, and Solve Conflicts*

“We the people of the State of Oregon to the end that Justice be established, order maintained, and liberty perpetuated, do ordain this Constitution.”

Preamble to the Oregon Constitution



OREGON'S JUDICIAL BRANCH



Oregon Judicial Department

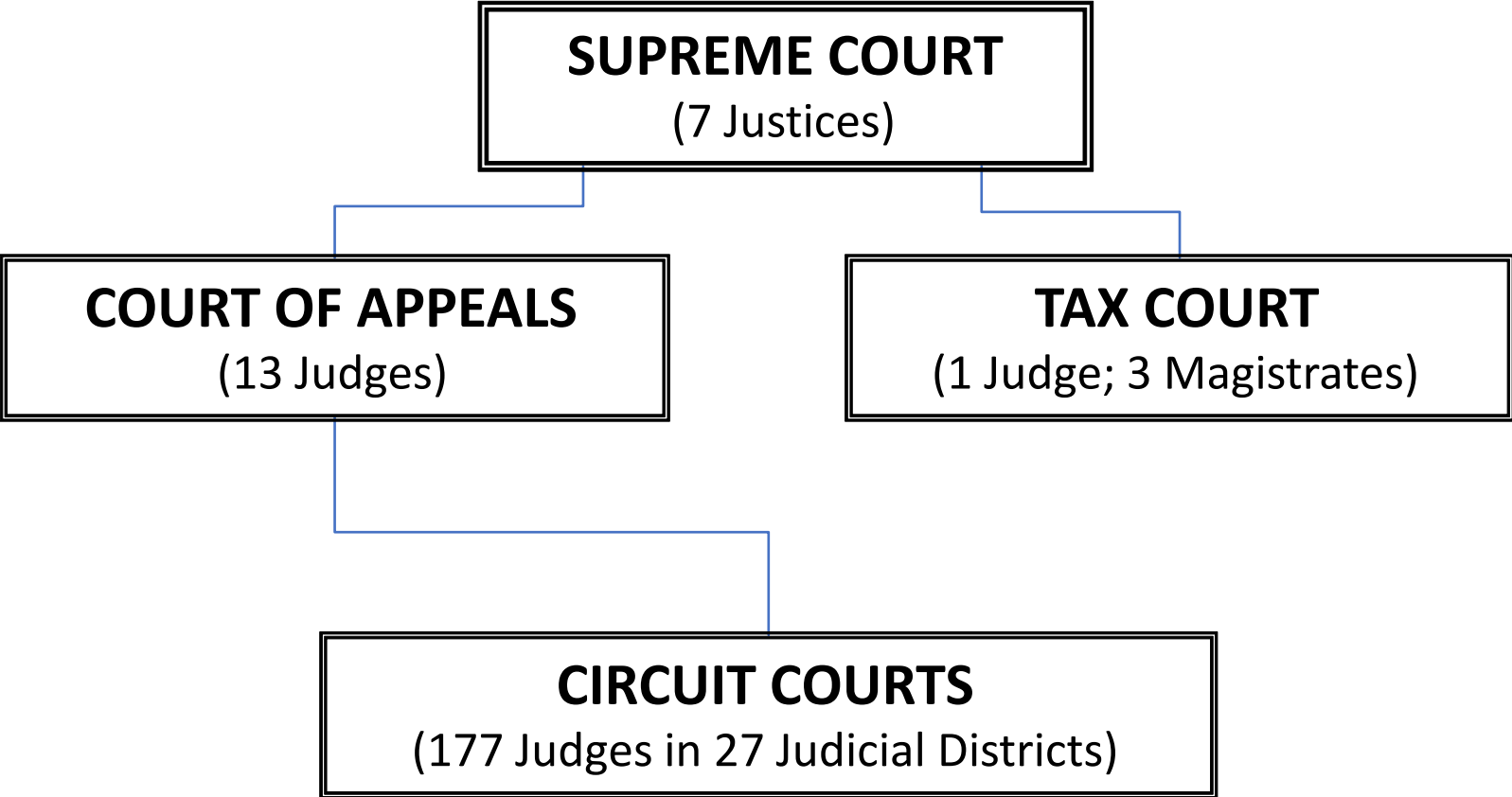
Office of Public Defense Services

Commission on Judicial Fitness

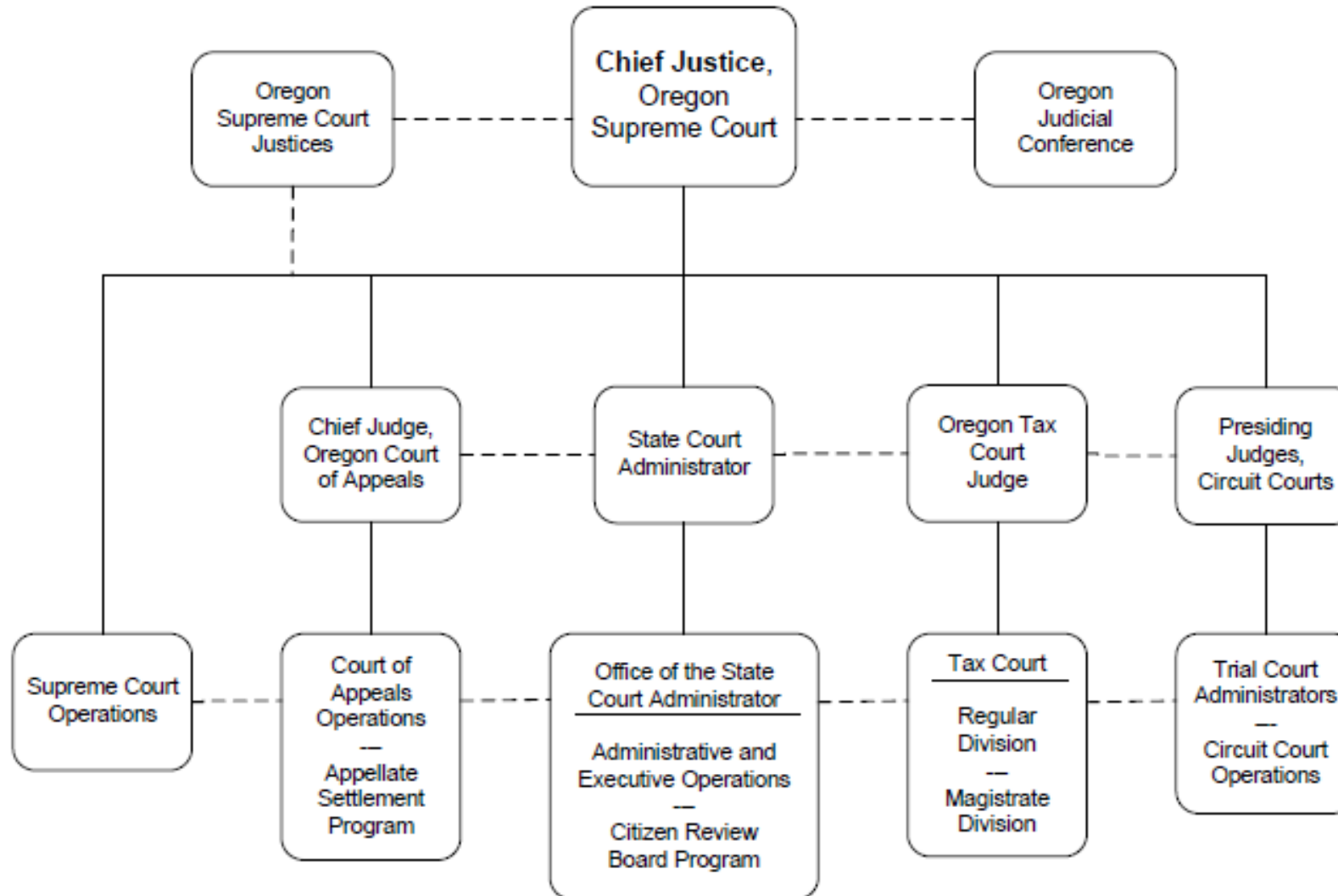
Oregon State Bar*

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

OREGON'S STATE COURT SYSTEM

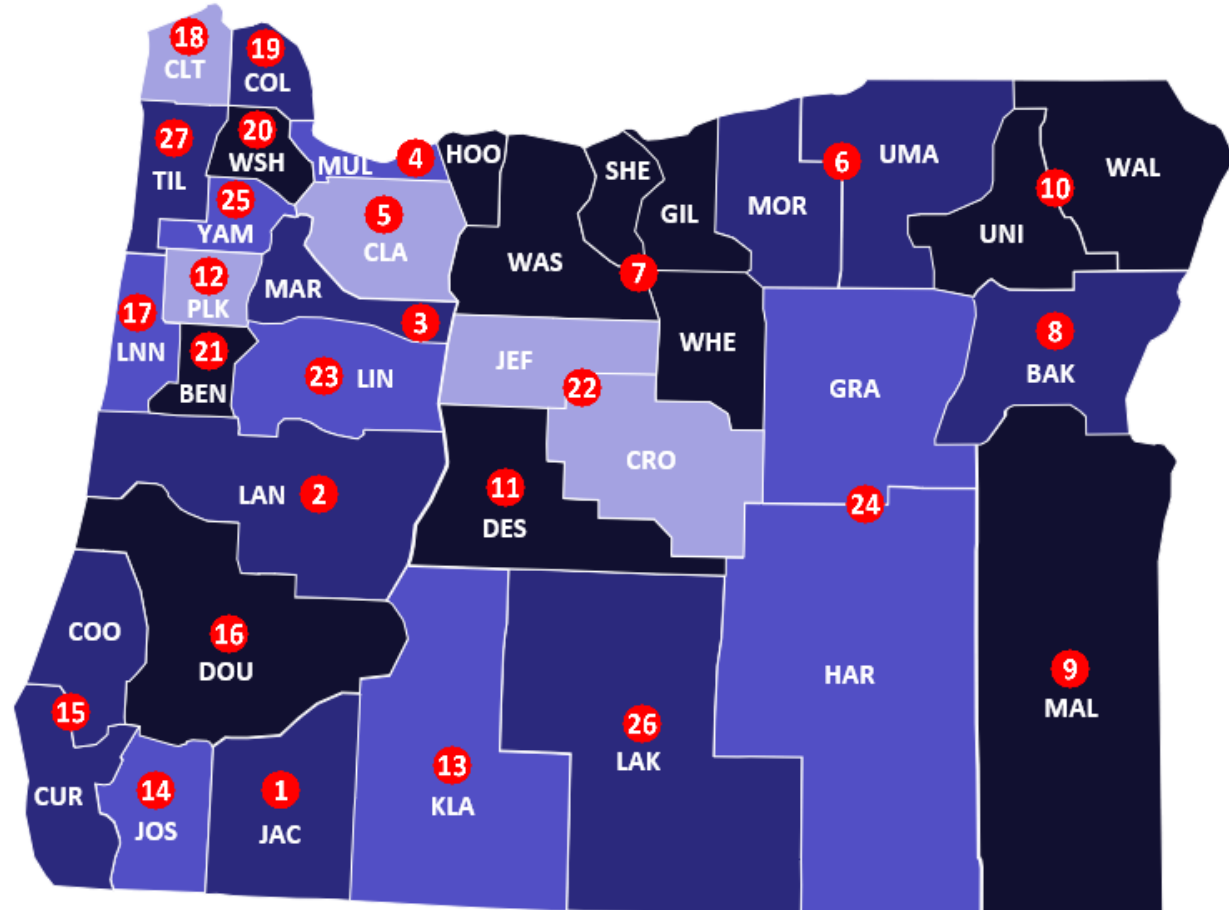


OREGON'S UNIFIED STATE COURT SYSTEM



27 JUDICIAL DISTRICTS

- Circuit Courts in every county
 - 177 Judges
 - 1,295 Staff
- Serving 4.22 million Oregonians



STATE AND COUNTIES: SHARED RESPONSIBILITIES

- **Counties provide** circuit court facilities and security
- **State provides** staffing, judges, technology, central personnel, and tools needed to provide justice services

ORS 1.001; ORS 1.185; ORS 1.187



COURTS IMPACT PEOPLE IN ALL ASPECTS OF THEIR LIVES

Courts resolve conflicts and protect people in crisis

Workplaces, Businesses

Debtor/Creditor and Small Claims

Treatment Courts and Mental Health

Family Law and Protective Orders

Dependency (Child Welfare) and Delinquency

Criminal Justice

Housing

Public Benefits

Tax Disputes

Election and Ballot Measure Disputes

Claims of Wrongful Injury

Objections to Government Action



Treatment Court Graduates



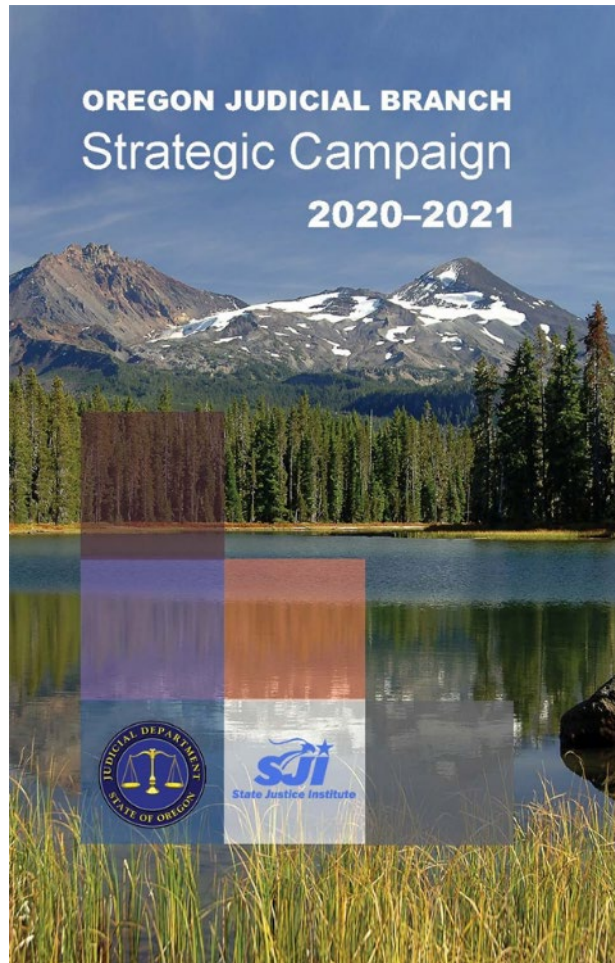
Serving Families in Crisis

EVERY DAY WE MAKE A DIFFERENCE IN SOMEONE'S LIFE

“We give them hope when all seems lost.”



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OJD MISSION & STRATEGIC CAMPAIGN

OJD MISSION

Our mission is to provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public trust and confidence.

FOUR COMMITMENTS; 19 INITIATIVES

- 1. Improve services and outcomes for people who are underserved, vulnerable, or marginalized**
- 2. Improve access to justice**
- 3. Enhance the public's trust and confidence in Oregon's state government**
- 4. Create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity**

STRATEGIC CAMPAIGN ACHIEVEMENTS



COMMITMENT 1: IMPROVE SERVICES AND OUTCOMES FOR PEOPLE WHO ARE UNDERSERVED, VULNERABLE, OR MARGINALIZED

- I.1 Improve services for those with behavioral health challenges
- I.2 Reduce barriers created by court-imposed fines and fees
- I.3 Seek funding to launch a conservatorship pilot project
- I.4 Launch a juvenile delinquency improvement program.
- I.5 Continue efforts to expand problem-solving courts

COMMITMENT I - ACHIEVEMENTS

- Obtained a \$1.75 million federal grant to provide support for family treatment courts; applied for a grant to fund a conservatorship pilot program
- Limited garnishments and other collections during the pandemic
- **Proposed** legislation to improve equity and fairness in imposing and collecting court-ordered financial obligations
- Developed legislation and funding requests: behavioral health, pretrial release, access to justice for self-represented litigants, juvenile delinquency improvement program, courthouse replacements
- Employed a Racial and Ethnic Disparities (RED) tool for specialty court use.

COMMITMENT 2: IMPROVE ACCESS TO JUSTICE

- 2.1 Engage in collaborative initiatives to better serve self-represented litigants
- 2.2 Use technology to improve our communications and services for all
- 2.3 Improve OJD's ability to recruit, retain, and engage interpreters, and increase multi-language services across the state.
- 2.4 Advocate for adequate resources to keep courts open, safe, secure

COMMITMENT 2 - ACHIEVEMENTS

- Developed remote hearing user guides and videos (English/Spanish)
- Offered remote facilitation services and increased interview-based forms to assist self-represented litigants
- Integrated remote interpretation services for remote proceedings
- Provided technology equipment at some public defender offices to ensure access to remote hearings
- Provided Eviction Protection forms in multiple languages

COMMITMENT 3: ENHANCE THE PUBLIC'S TRUST AND CONFIDENCE IN OREGON'S STATE GOVERNMENT

- 3.1 Launch community outreach and engagement initiatives
- 3.2 Expand transparency and public education about our courts
- 3.3 Develop data-driven performance measures and analyze effectiveness
- 3.4 Assist the Office of Public Defense Services in its efforts to monitor attorney caseloads and performance
- 3.5 Pursue the resources necessary to ensure that our judicial branch is on sound financial footing for the next generation of Oregonians

COMMITMENT 3 - ACHIEVEMENTS

- Engaged lawyers and other stakeholders in our response to the COVID pandemic
- Developed technology tools for public convenience: expanded online payment and added text reminders for jury service, payment due dates, and hearing dates
- Added data dashboards and other tools to improve management, transparency, and reporting

COMMITMENT 4: CREATE A WORKPLACE AND COURTHOUSE CULTURE THAT IS SUPPORTIVE, INCLUSIVE, WELCOMING, AND AFFIRMING; THAT EMBRACES DIVERSITY

- 4.1 Diversity, equity, and inclusion education for judges and staff
- 4.2 OJD-led education and training for court security personnel
- 4.3 Enhance workplace collaboration, peer-to-peer engagement, and wellness among staff and judges
- 4.4 Develop statewide core curriculum for OJD staff and judges

COMMITMENT 4 - ACHIEVEMENTS

- Launched the OJD Equity, Diversity and Inclusion (EDI) Working/Action Plan
- Made the Unconscious Bias Juror Video available, with training
- Provided training, resources, and facilitated conversations for judges and staff on EDI, racial justice, and racial equity
- Engaged Oregon sheriffs to identify current and needed training related to EDI and bias

PROCEDURAL JUSTICE ENSURING EQUITY AND FAIRNESS



- Oregon Constitution requires that everyone be treated equally under the law
- Oregon's courts are dedicated to access, fairness, respect, and justice for all
- **Everyone** has the right to
 - have their day in court
 - trial by a jury of their peers
 - fair and impartial procedures
 - be heard by a fair and impartial judge

JUDGES IMPACT PEOPLES' LIVES

Dear Judge Ashby,

“I don’t know if you remember me... I’m sure you see hundreds each week...I will never forget you...Because you were willing to set a protective order, I was able to get away. And because you were willing to lift it, I was able to reconcile with a changed man and repair my little boys' life to what it always should have been...”

PROTECTING STAFF AND LITIGANTS

- Chief Justice Orders
- Emergency Authority to extend deadlines and require remote services



PRACTICAL STEPS TO SAFELY PROVIDE SERVICES

- Retrofit and find new facilities for jury trials to comply with COVID-19 guidelines
- Remote appellate arguments
- New eFile and Guide & File options for litigants
- Work with system partners to create effective COVID-19 processes



COURTS CAN! - ACCOMPLISHMENTS DURING THE PANDEMIC

Since March 2020...

- **Hundreds** of laptops, cell phones and cameras purchased to allow judges and staff to work remotely
- **21,500** hearings in protective order and retraining order cases
- **11,473** emergency protective orders issued
- **6,700** trials held (including **516** jury trials)
- **8,274** hearings to determine whether defendants can aid and assist in their defense
- **57,689** felony and misdemeanor cases resolved (including **5,498** “person” crimes with **\$1.3 million** in restitution)

PEOPLE REQUIRE THE COURT'S ATTENTION MORE THAN EVER

People need help:

- With technology
- Getting online: forms & navigation

To ensure equity and fairness, courts must:

- Spend time understanding people's needs
- Provide necessary support





COURT LANGUAGE ACCESS SERVICES

- More than 6% of Oregonians identify as limited English proficient (LEP)
- Higher frequency of LEP court users in criminal, family, small claims, and traffic cases
- More than 180 languages have been interpreted for Oregon court users since 1996
- Over 580 court forms translated into Chinese, Korean, Russian, Spanish, and Vietnamese
- Courts provide interpreter services for more than 35,000+ court users each year
- OJD recently trained 152 interpreters of 43 languages to provide interpreter services using remote video technology

JUDGE NAN WALLER,
MULTNOMAH COUNTY
CIRCUIT COURT

UNDERSTANDING THE WORK OF THE COURTS



FAMILY LAW CASES

- High rates of self-represented litigants
- Economic and social stressors are now at an all-time high
- Families' needs are time sensitive
- Most cases continue long after initial judgment (i.e., enforcement and modifications)
- Families, domestic violence victims, and others need timely court access to minimize trauma

PROTECTIVE PROCEEDINGS



Sometimes even very strong people find themselves in need of protection. This can be especially true when people are confined to their homes, and lingering problems become dangerous dynamics that require immediate attention.

JUVENILE CASES

Juvenile courts handle two primary types of cases:

- **Dependency** – allegations of abuse and neglect of children, requires decisions about whether DHS intervention is necessary
- **Delinquency** – cases where youth are charged with behavior that would be criminal if they were adults

Both case types:

- have statutory timelines and constitutional considerations.
- require specialized judicial knowledge of child development, child wellbeing and adolescent brain development.
- **Reduction of disproportionality** in foster care and delinquency cases is a focus of collaborative work with stakeholders



CIVIL CASES

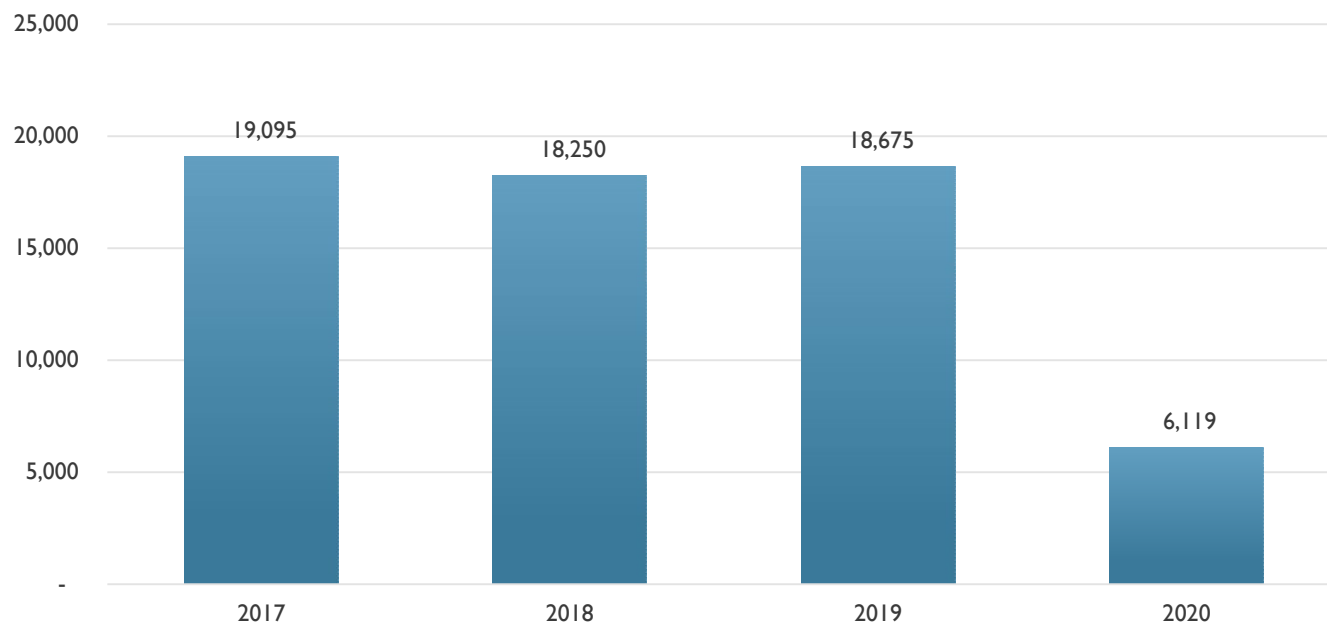


Circuit courts provide a forum for resolution of a broad range of civil cases:

- Torts
- Contract and business disputes
- Landlord-tenant
- Civil Rights Violations
- Small claims cases
- Statutory and regulatory violations
- Procedural matters such as contempt

LANDLORD TENANT CASES

Landlord Tenant Case Filings Over Time
67% Decrease in 2020 Due to Eviction Moratorium



- Current moratorium on non-payment cases ends in June 2021 (possible extension?)
- Courts are still processing 'for cause' evictions (damage to property, illegal conduct, safety concerns)
- When the moratorium is lifted, non-payment evictions could return to normal rates

CRIMINAL CASES



Courts manage misdemeanor and felony cases through:

- Release hearings
- Judicial settlement conferences
- Development of Specialty Courts
- Development of Diversion programs
- Trials

Trial courts work with their Local Public Safety Coordinating Councils on improving public safety by reducing recidivism, ensuring victim voice in the process and reducing disproportionality.

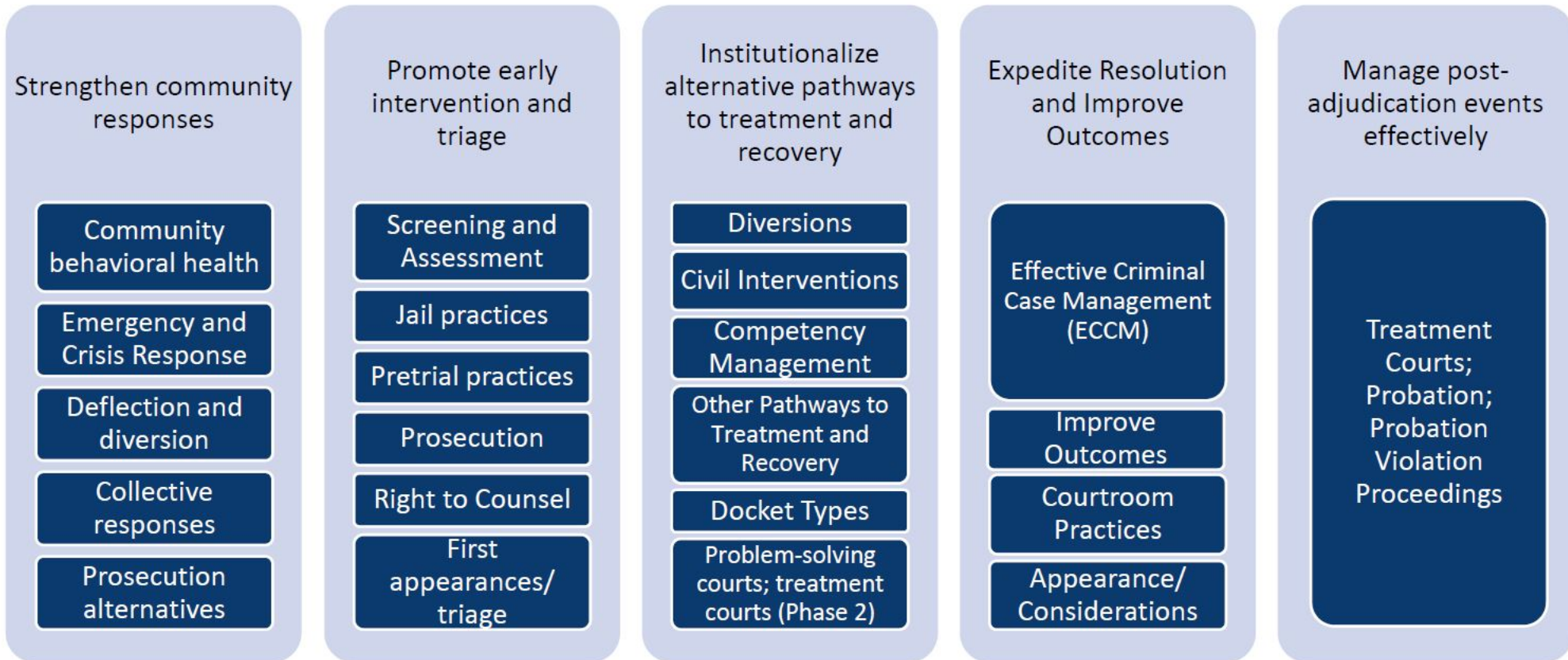
BEHAVIORAL HEALTH



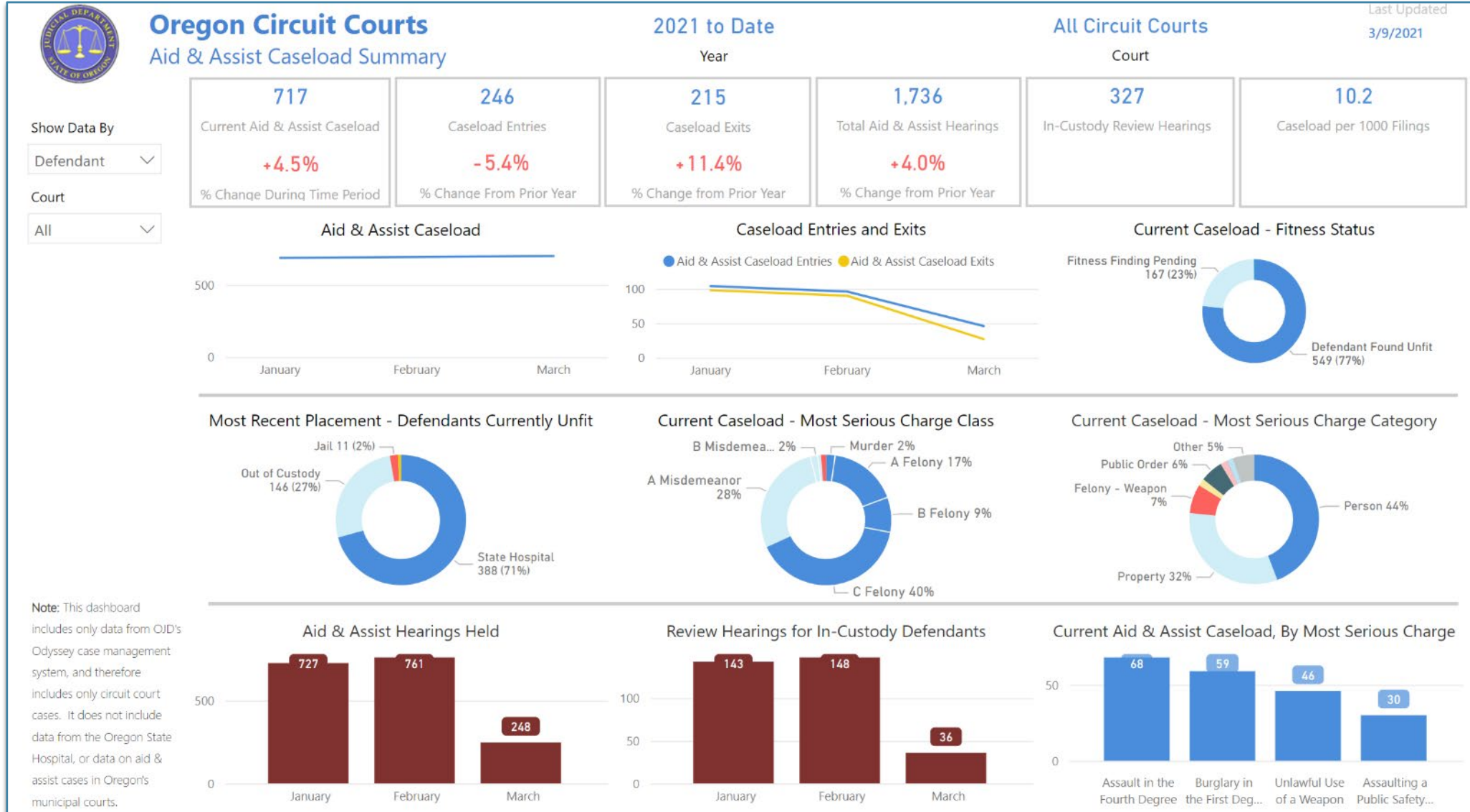
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- Improved court operations, data collection and analysis for better decision-making and outcomes
- Judicial education for consistent aid and assist case management
- Collaboration for systemic improvements and to break down data silos
 - SB 24 Implementation Workgroup
 - SAMSHA [GAINS Center](#) grant
 - Leadership Coordination Committee
 - Established data transfers with OSH and PSRB

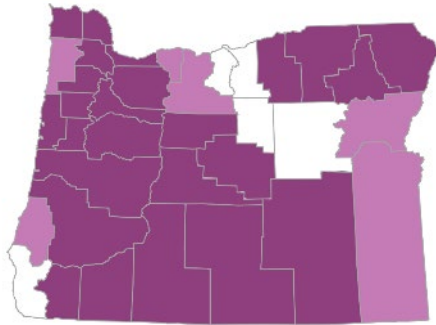
BEHAVIORAL HEALTH



AID & ASSIST DASHBOARD



PROBLEM-SOLVING COURTS (SPECIALTY COURTS)



- 25 counties receive CJC specialty court grant funds
- 6 counties receive no CJC specialty court grant funds
- 5 have no Problem-Solving Courts

A Snapshot of Oregon's Specialty Courts

Types of Specialty Courts

- Drug Courts (29)
- Mental Health Courts (20)
- Veterans Treatment Courts (5)
- Family Dependency Treatment Courts (6)
- Juvenile Drug (4)
- DUII (2)

Participant Characteristics

- Most frequently identify methamphetamine and heroin as their primary substance(s) of use.
- 26% diagnosed with co-occurring substance use and mental health disorder.
- 46% confirmed Opioid Use Disorder (OUD)

~ In 2020 ~

- OJD has served 3,009 participants
- 1,159 were new referrals
- 789 accepted into the programs (77%)
- 518 participants successful graduation

PROBLEM-SOLVING COURTS (SPECIALTY COURTS)

Specialty Court Case Management (SCMS)

- Implemented statewide across all courts July 2019
- Impact of the pandemic and law changes
- Outcomes statewide and by county, court, and participant demographics
- 880 users
 - 216 judges and staff
 - 664 external partners

Response to Measure 110

- Foundations with HB 2355 (2017)
- Specialty courts are adapting to changes
- 75% of participants have charges other than PCS, so can still qualify

Behavioral Health Advisory Committee

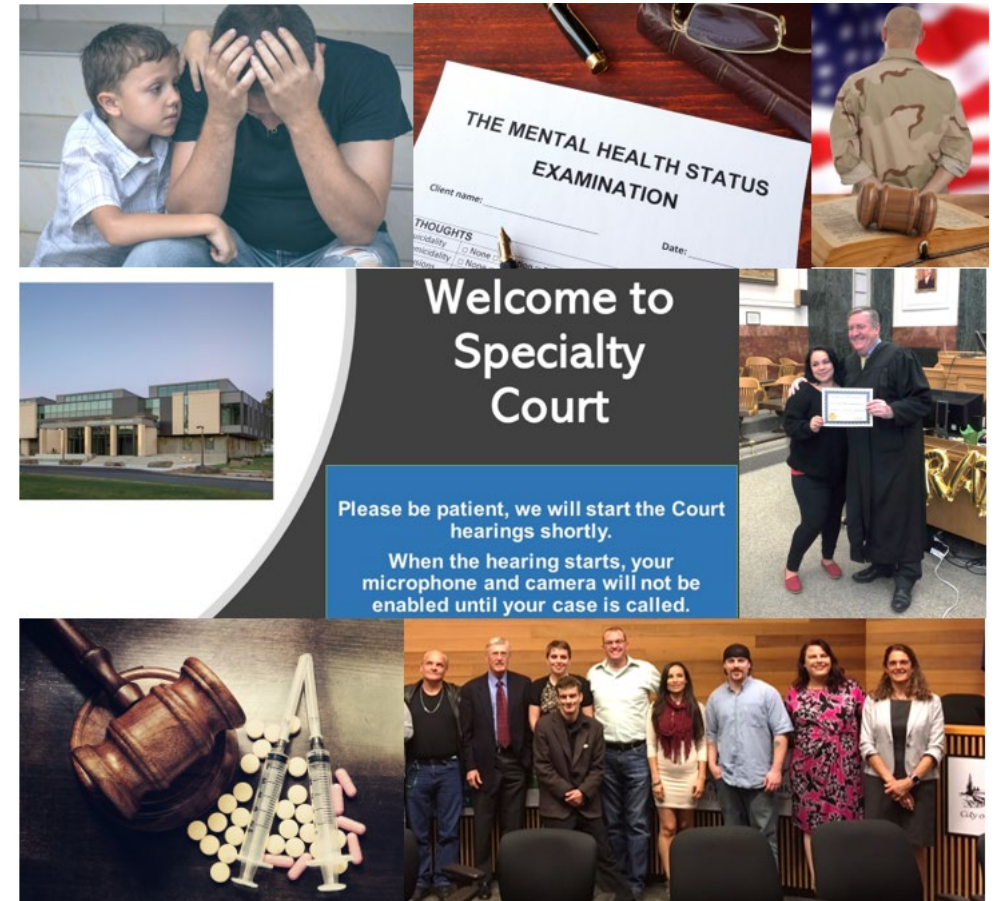
- Steering committees for each type of specialty court
- Statewide forms
- Enhancements to SCMS data collection
- Support to adapt to pandemic
- Addressing racial and ethnic disparities

SPECIALTY COURTS ARE GOOD INVESTMENTS

- Multnomah County drug court - Cost savings of \$79 million
- Washington State adult drug courts - Net benefit: \$9,438 per participant*
- National Institute of Justice - Net benefit: \$5,680 per participant **
- Specialty Court Management System (SCMS) will provide more data to demonstrate value

* <http://www.wsipp.wa.gov/BenefitCost/Program/14>

** <https://nij.ojp.gov/topics/articles/problem-solving-courts-fighting-crime-treating-offender>



CIRCUIT COURTS

Are an essential community hub

- Civics education
- Name changes
- Weddings
- Notices and Information – adoptions, guardianships, foreclosures
- Community outreach and Education
- Judges as conveners for system improvements



NANCY COZINE, STATE COURT
ADMINISTRATOR

COURT INNOVATION AND RISING WORKLOAD DUE TO THE COVID-19 PANDEMIC

TECHNOLOGY SOLUTIONS TO IMPROVE ACCESS



**Oregon eCourt Case
Information Online**



**Online ePay & Violations
Bureau**



eFile & Serve



**Guide & File Intelligent
Forms**



Remote Hearing Technology



**Text-to-Debt Payment Plan
Reminders**



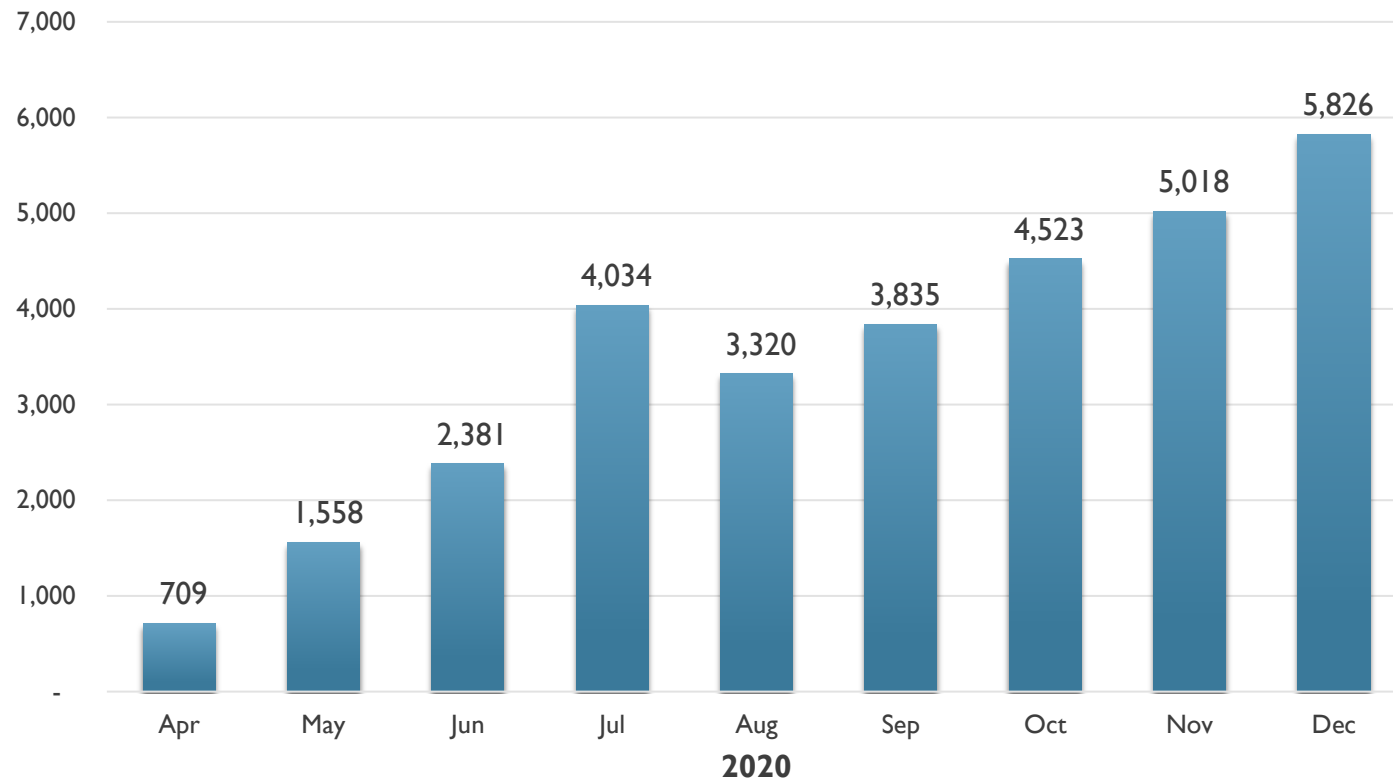
**Text Message Hearing
Reminders**



Data Analytics

USE OF VIDEO CONFERENCE TECHNOLOGY

Webex Hearings Held by Circuit Courts



Benefits

- Wide access
- Fulfills statutory requirements
- Reduces spread of COVID-19
- Support for self-represented

Challenges

- Digital Divide
- Lawyer/client conversations
- Remote interpreting
- Technical difficulties
- Creating the court record

CASELOAD & WORKLOAD IMPACT OF PANDEMIC



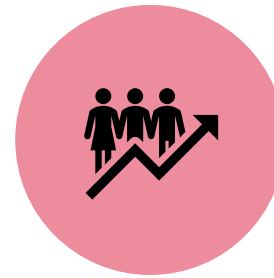
CASE FILINGS
DECREASED

-37%



CASE PROCESSING TAKES
LONGER

+41%



CASELOAD GROWTH EXCEEDS
HISTORICAL NORMS

+45%

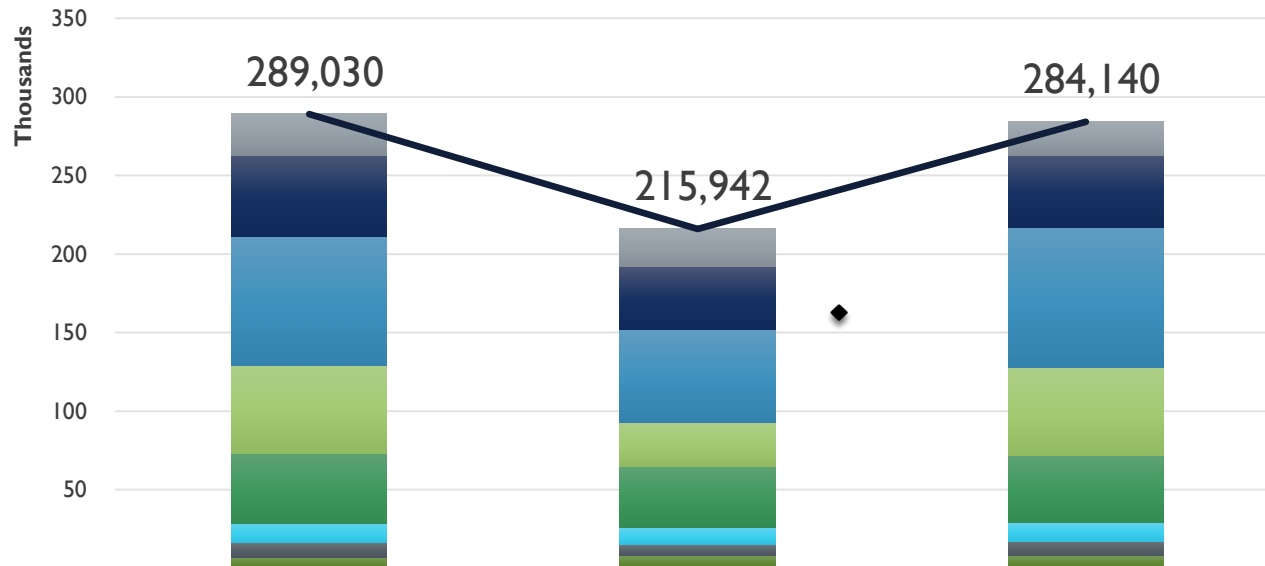


WORKLOAD & COST PER
CASE INCREASED

+25%

CASE FILINGS DECREASE BUT EXPECTED TO 'BOUNCE BACK'

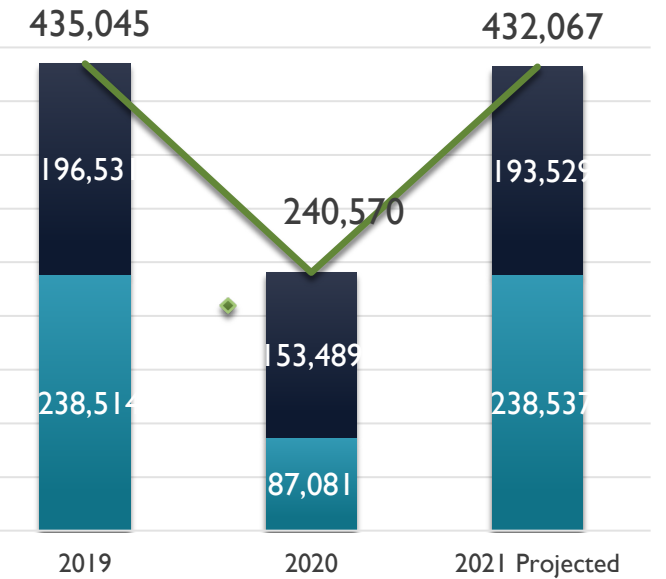
Circuit Court Case Filings (excludes Violations)



	2019	2020	2021 Projected
Felony	26,598	24,220	21,311
Misdemeanor	51,536	40,077	46,268
Civil	81,768	58,695	88,754
Small Claims	56,091	27,942	56,100
Domestic Relations	44,414	38,822	42,420
Probate	12,090	11,228	12,086
Juvenile	9,449	7,087	9,260
Civil Commitment	7,084	7,871	7,942
Total	289,030	215,942	284,140

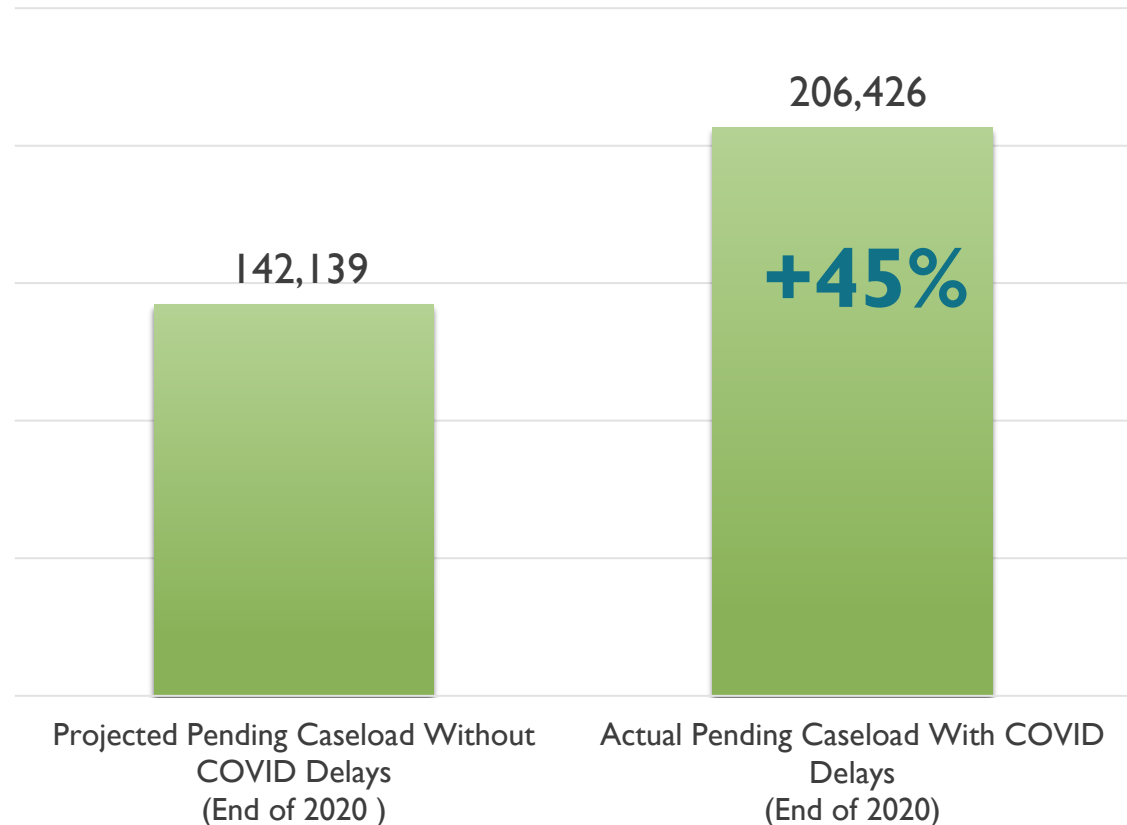
Circuit Court Violations

Multnomah Parking Violation Total



DELAYS IN CASE PROCESSING DUE TO PANDEMIC

Circuit Court Pending Caseload



Case processing took **+41%** longer and pending caseloads grew **+45%** more than expected

- Civil +17%
- Dissolution + 22%
- Felony + 22%
- Landlord Tenant + 4%
- Misdemeanor + 20%
- Small Claims + 14%

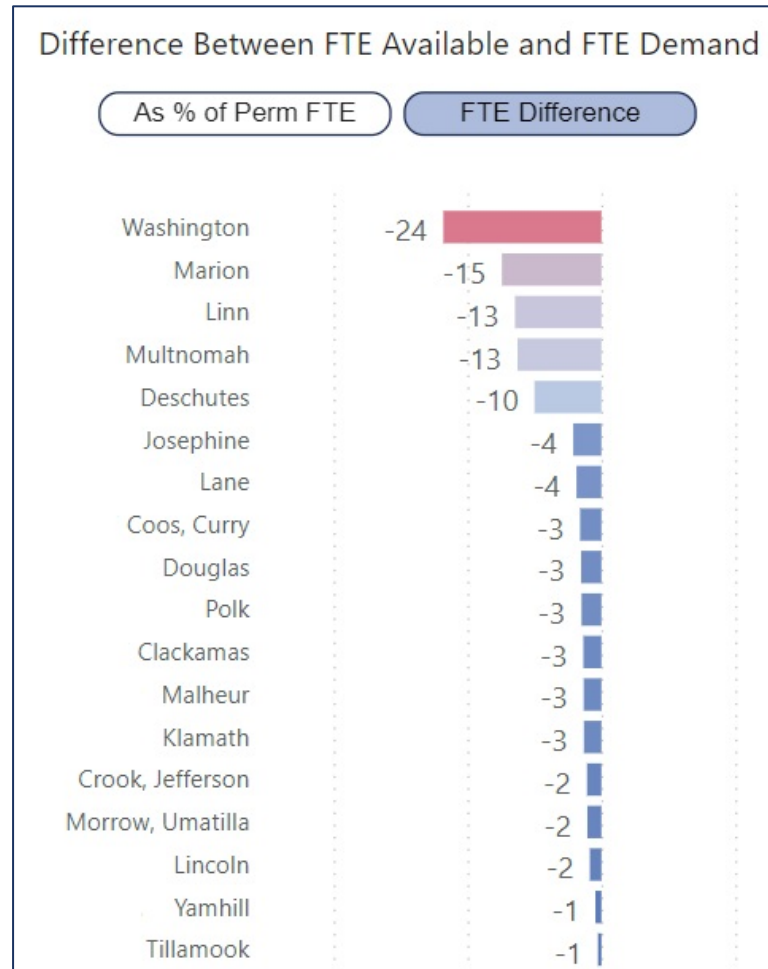
- CSL is **critical** to addressing growing pending caseloads and anticipated caseload surges
 - Landlord Tenant
 - Domestic Violence
 - Juvenile Dependency

COST PER CASE AND WORKLOAD INCREASE

+25% (or 226 FTE)

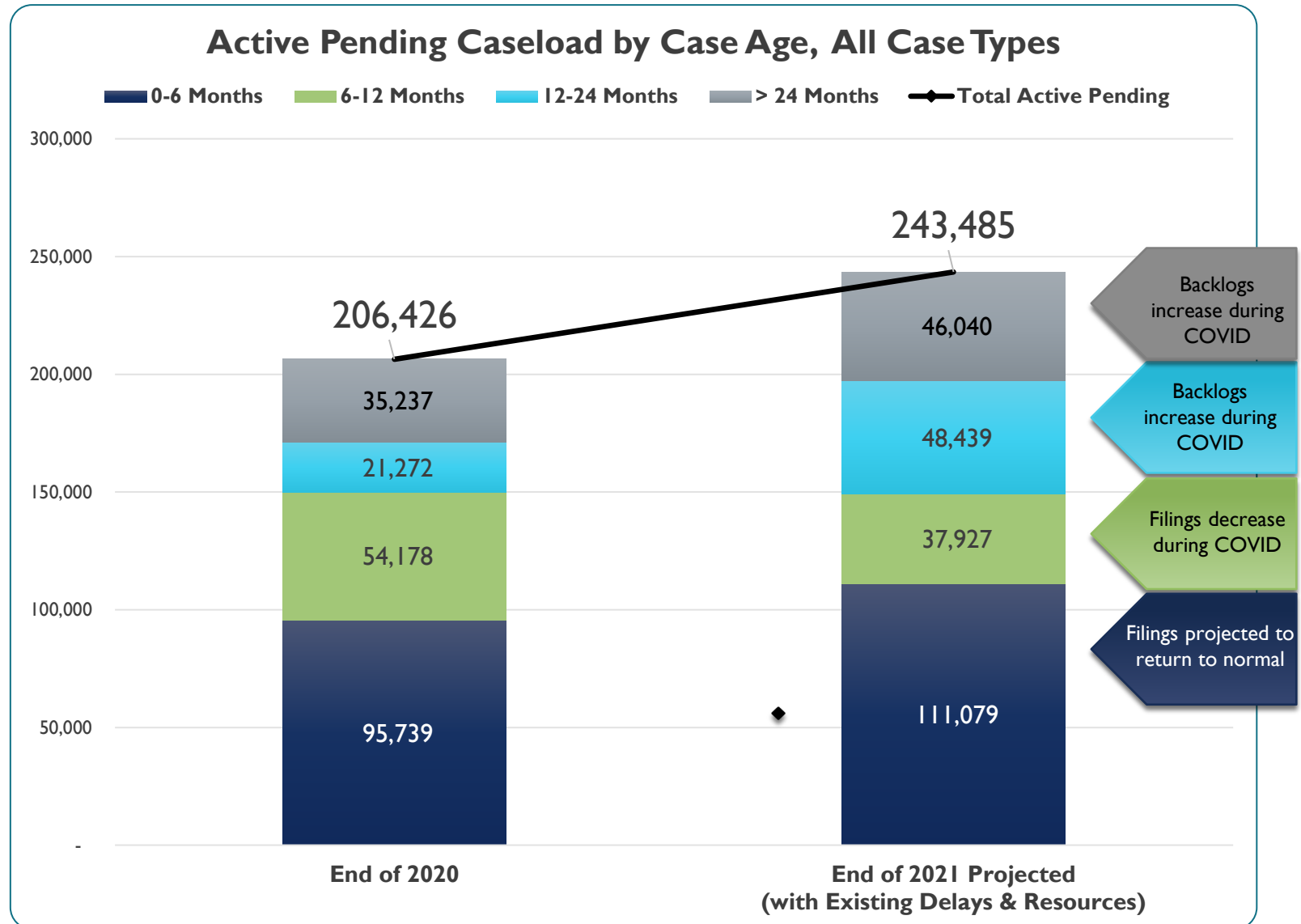
- Civil + 33.8 FTE
- Dissolution + 23.9 FTE
- Felony + 48.2 FTE
- Juvenile + 16 FTE
- Landlord Tenant + 4.8 FTE
- Misdemeanor + 46.6 FTE
- Small Claims + 10.3 FTE
- Violations + 30.6 FTE

UNMET STAFF NEEDS BEFORE THE PANDEMIC



LOOKING AHEAD – 2021 PROJECTED CASELOADS

Case age has increased and will continue to increase until courts can catch up



GENERAL FUND REDUCTION CONSIDERATIONS

1

25% of GF budget cannot be reduced (Judicial Compensation, Debt Service, DAS Charges)

2

Any budget reduction is taken from only **75%** of GF budget

3

10% reduction = **13.3%** reduction

10% REDUCTION WOULD BE DEVASTATING

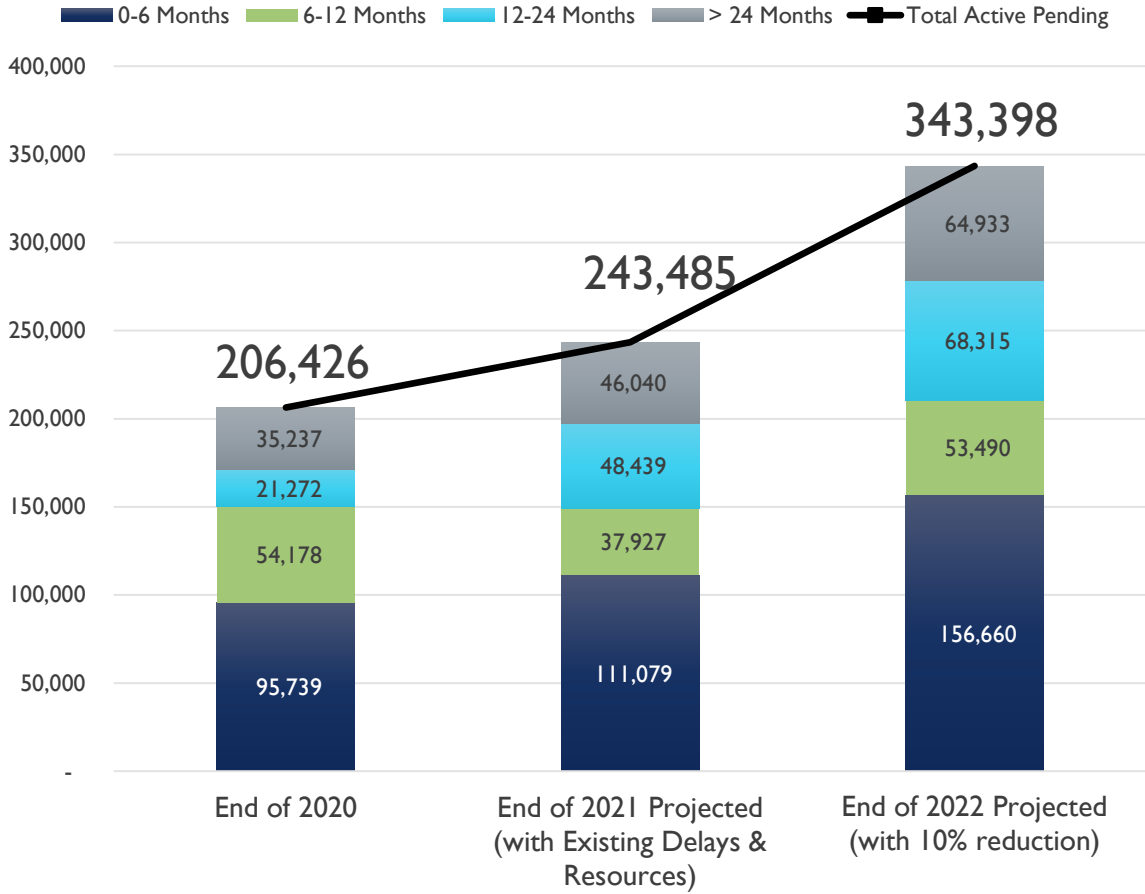
10% REDUCTION = **13.3%** OF REDUCEABLE GF BUDGET = \$57.2 MILLION

Reductions to 2021-23 CSL for General Fund and General Fund Debt Service (\$572.2M) would include

- \$50.6M to operations or the equivalent of **either**:
 - Layoffs: **250+** people (**20%** of court staff) or
 - Courts closed: **100+** days (**25%** of year)
- \$1.8M to mandated payments to jurors and interpreters
- \$1.5M to pass-throughs funds to counties for court security, mediation, and law libraries
- \$1.3M to legal aid services
- \$1.6M to third party debt collection, reduced collections
- \$0.4M to Oregon eCourt maintenance

BACKLOG SKYROCKETS AFTER 10% BUDGET REDUCTION

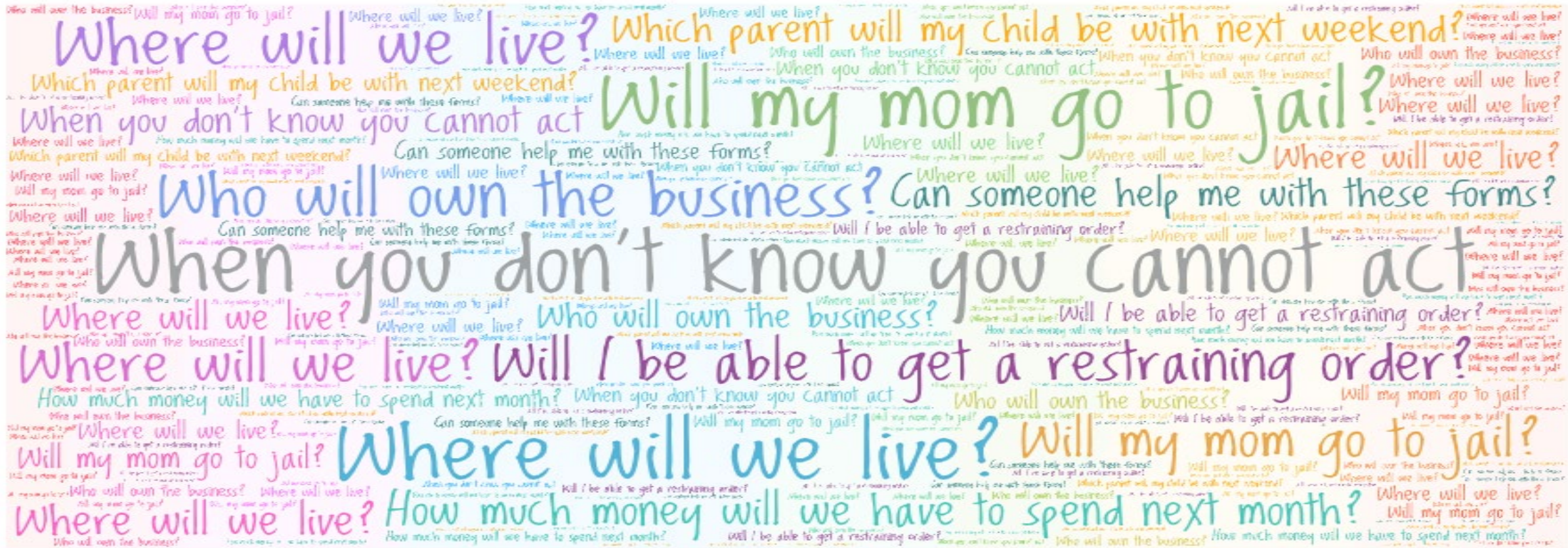
Active Pending Caseload by Case Age



Reductions to court budgets will have long term impacts to children and families, victims, tenants, homeowners, individuals, businesses, state agencies, and local governments

In addition to existing COVID delays

- 15,563+ more people waiting longer than 6 months
- 19,876+ more people waiting longer than 1 year
- 18,892+ more people waiting longer than 2 years



THE IMPACT OF JUSTICE DELAYED

PEOPLE NEED CERTAINTY TO TAKE THEIR NEXT STEP - TO MAKE THEIR NEXT DECISION

PRESENTATION OVERVIEW

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- The breadth of our work: examples and innovative approaches we have taken
- Impacts of the pandemic
- Why justice for Oregonians requires current service level funding and POP investments

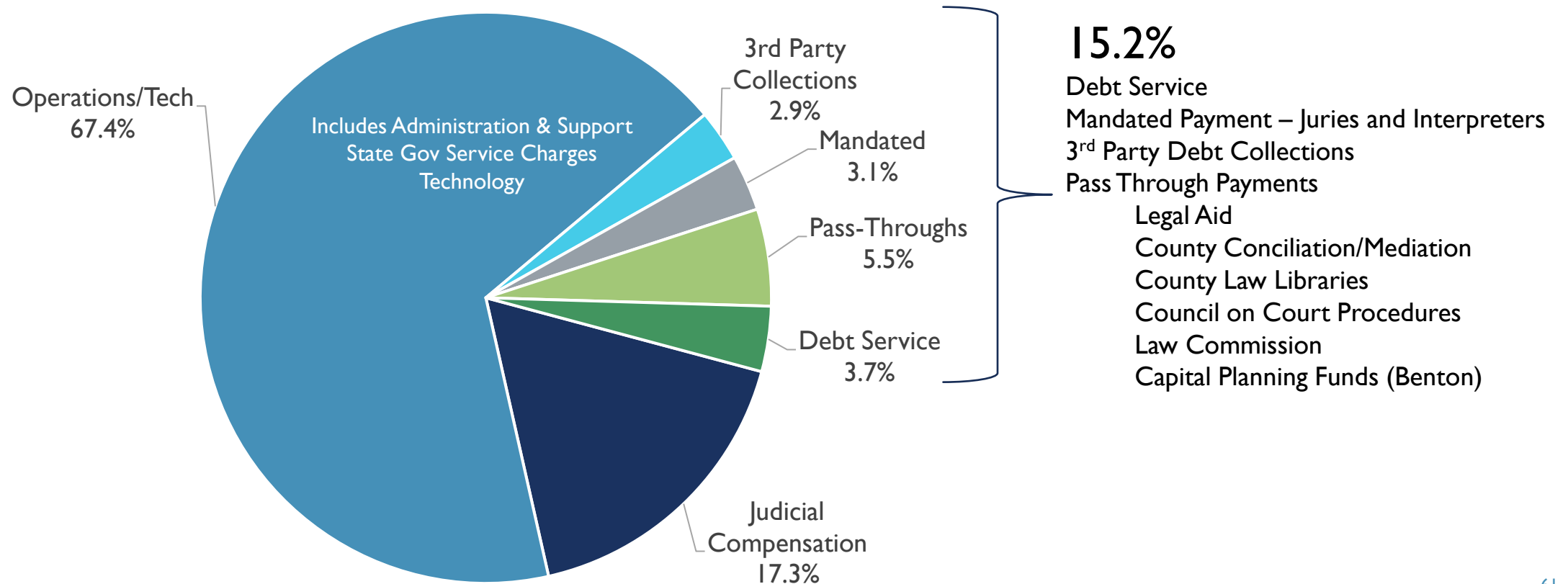
Day 2

- Budget and Revenue
- Critical gaps, opportunities for improvement, and prioritized policy options

PHILLIP LEMMAN,
DEPUTY STATE COURT
ADMINISTRATOR

BUDGET OVERVIEW

OJD GENERAL FUND COMPONENTS



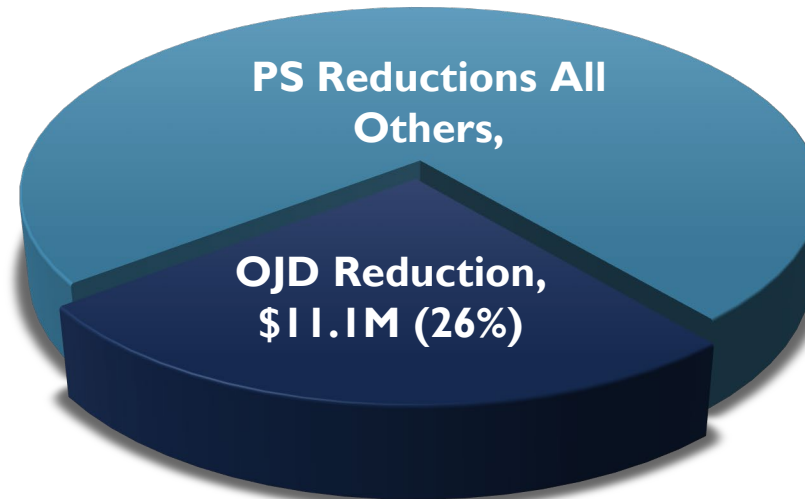
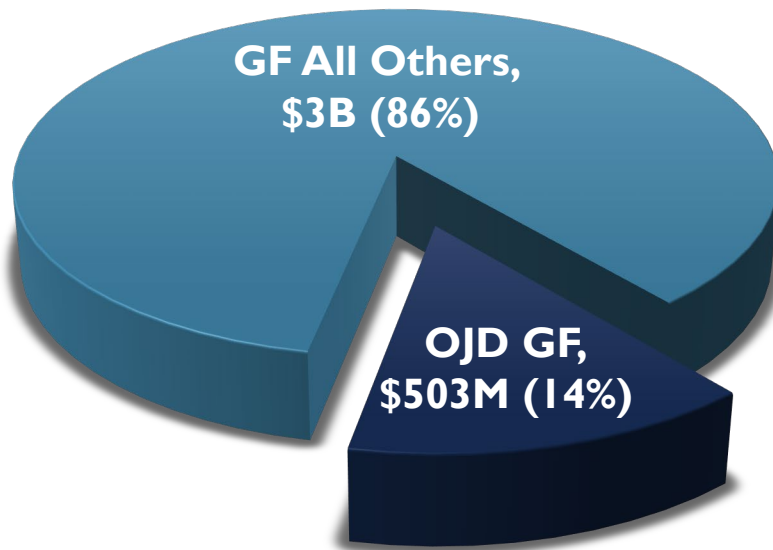
THE STATE PROJECTED A FINANCIAL CRISIS IN 2020

OJD RESPONDED

- Reduced \$19.2M GF in 2019-21 (3.5% of OJD GF)
 - Furloughs for all staff
 - Layoffs
 - County law libraries
 - Suspension of project spending including capital construction projects
 - Capital accounts were swept for 2019-21 debt service
- Deferred \$7.6M in requests for Tech Fund, Mandated and Third-Party Collections into 2021-23 biennium
 - Costs avoided as a result of delayed trials which pushed out juror and interpreter costs to future periods
 - Reduced collection activities during COVID-19
 - Delayed technology projects
 - Use of other available funds, shifting to projects/resources related to COVID-19
- No budget actions for 2019-21, although some may be required as we approach the end of the biennium.

OJD'S GF REDUCTION SIGNIFICANT PART OF PUBLIC SAFETY TOTAL

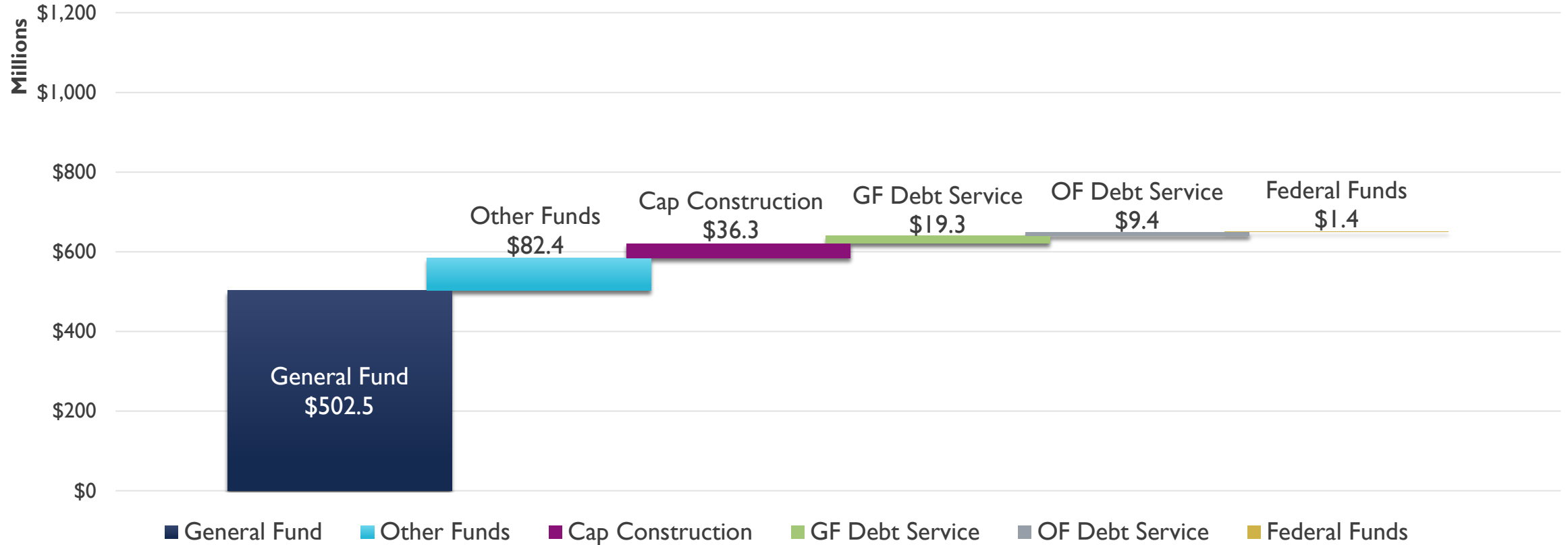
Second Special Session Public Safety GF Reductions



- *OJD took an additional \$8.1 million in GF DS – cash sweep*
- *OJD took 3 mandatory furloughs for all staff*

2019-21 LEGISLATIVELY APPROVED BUDGET - \$651.2M

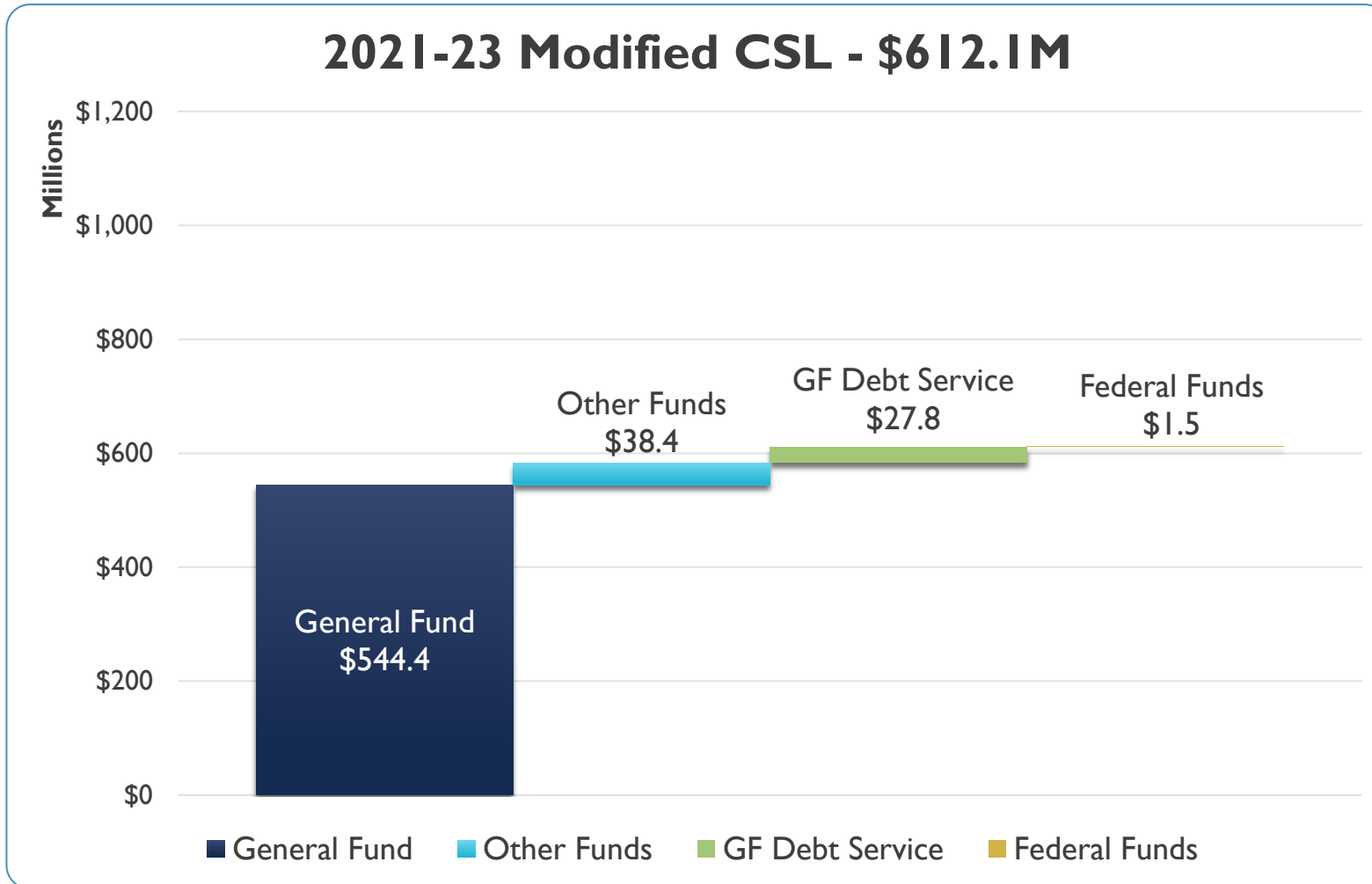
2019-21 LAB - \$651.2M



BUDGET DRIVERS

-
- **Personnel Costs**
 - **Workload Increases**
 - **Changes in Law**
 - Ramos
 - Measure 110
 - Measure 11
 - CAT Tax
 - Pending Legislation
 - **Technology Innovations & Security**
 - **Capital Construction Projects**
 - **Pandemic Impacts (current and anticipated)**

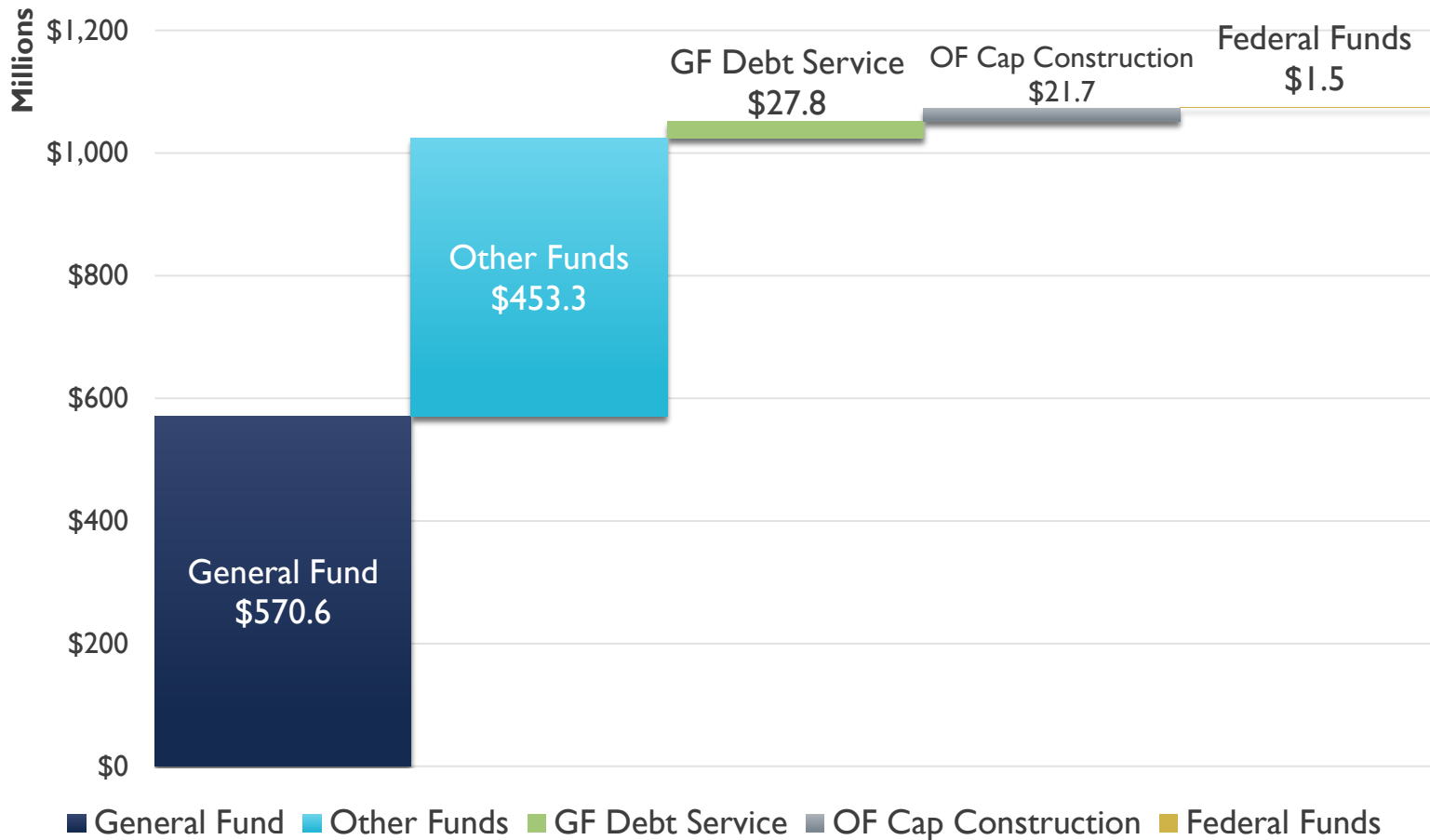
2021-23 CURRENT SERVICE LEVEL - \$612.1M (ALL FUNDS)



CSL does not include critical policy option packages needed to advance access to justice and equitable outcomes in Oregon's court system

2021-23 CHIEF JUSTICE'S RECOMMENDED BUDGET - \$1.075B

2021-23 CJRB - \$1.075B



The CJRB **includes** critical policy option packages needed to advance access to justice and ensure equitable outcomes in Oregon's court system

- Ensure equitable outcomes for people with behavioral health issues
- Create a statewide and equitable pretrial release system
- Create efficient and service driven programs that deliver better outcomes for children and families
- Continue to secure IT systems and keep technology up to date
- Keep up with growing judicial and appellate workload demands
- Continue to find innovative ways to connect our most vulnerable citizens with court and other services
- Operate in safe and secure facilities

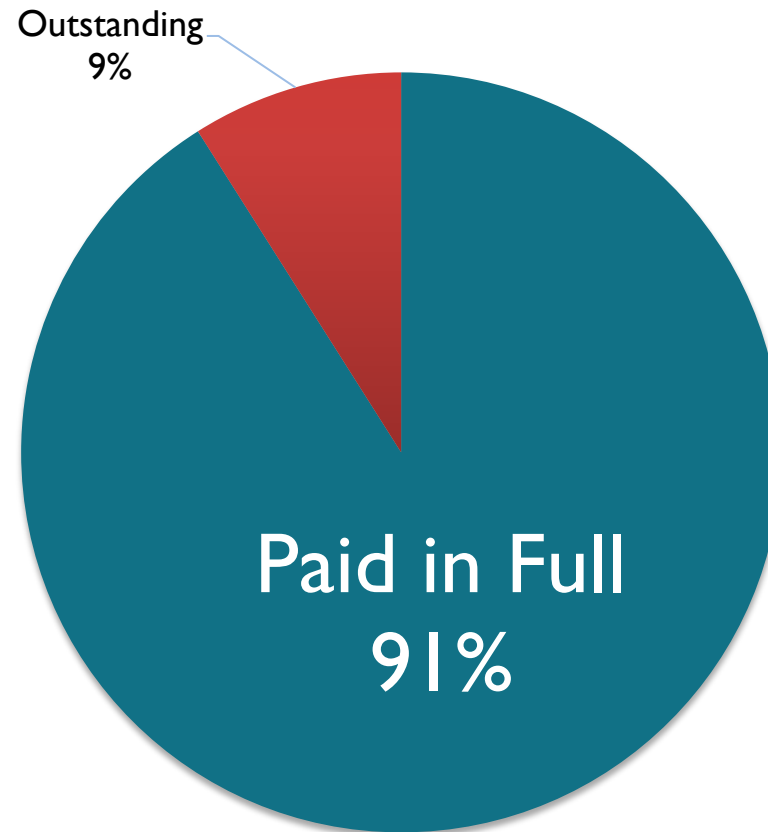


REVENUE & COLLECTIONS

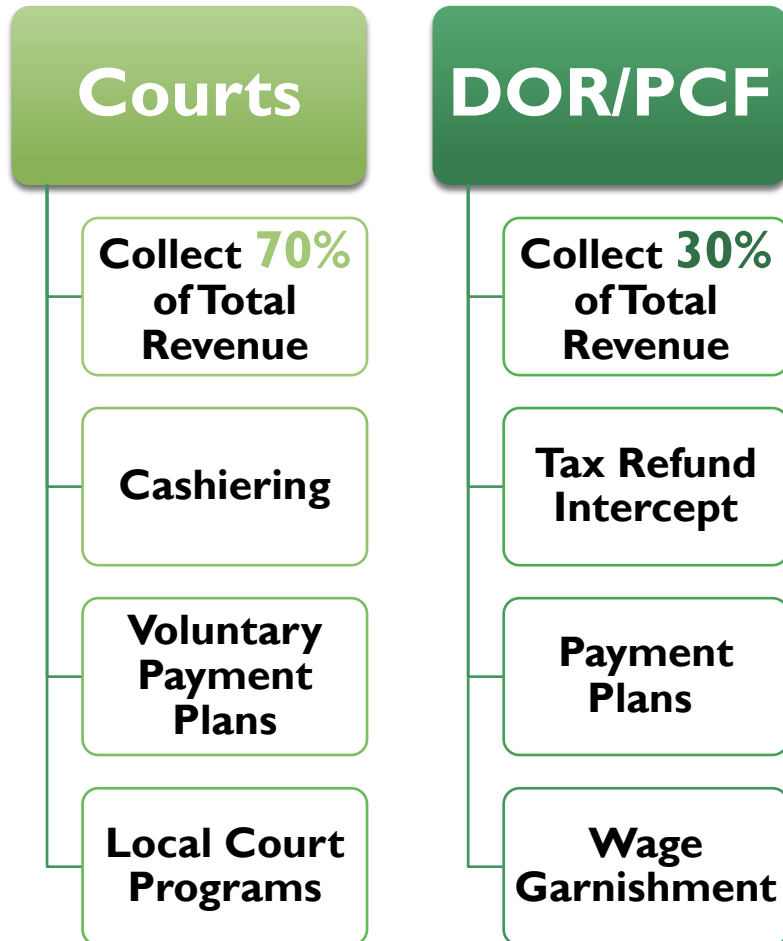
COURT FINES AND FEES - GENERAL PRINCIPLES

- Legislature restructured fines and fees in 2011
- Courts primarily funded by General Fund to maintain impartiality
- The courts do not keep most of what they collect (COSCA Policy Paper – Courts Are Not Revenue Centers)
- Ability to pay is considered where statutorily authorized
- Fees are waived for litigants who are financially eligible
- Fees and costs are continually evaluated and adjusted

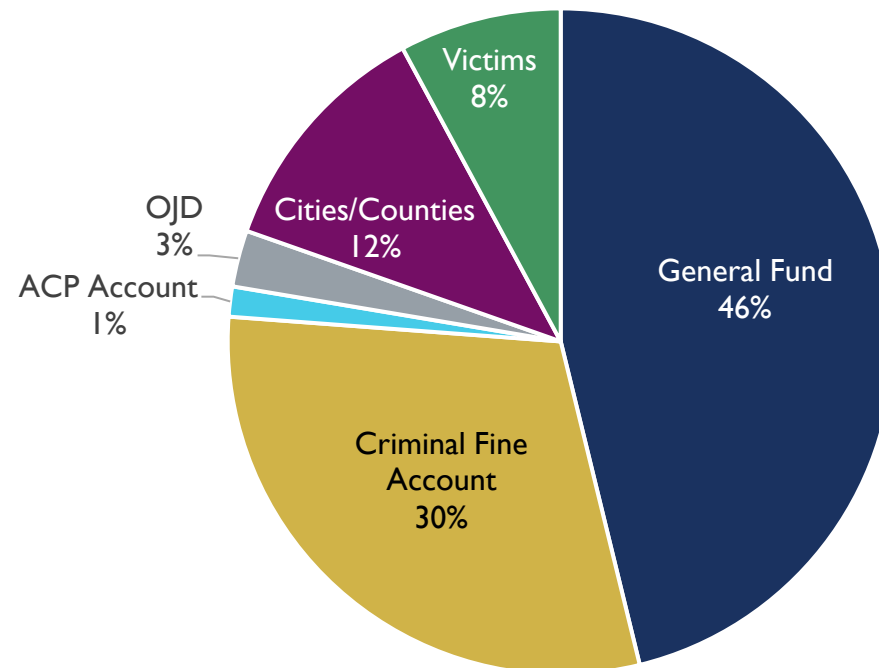
IN MOST CASES, FINES AND FEES ARE PAID IN FULL



HOW COURTS & THIRD PARTIES COLLECT

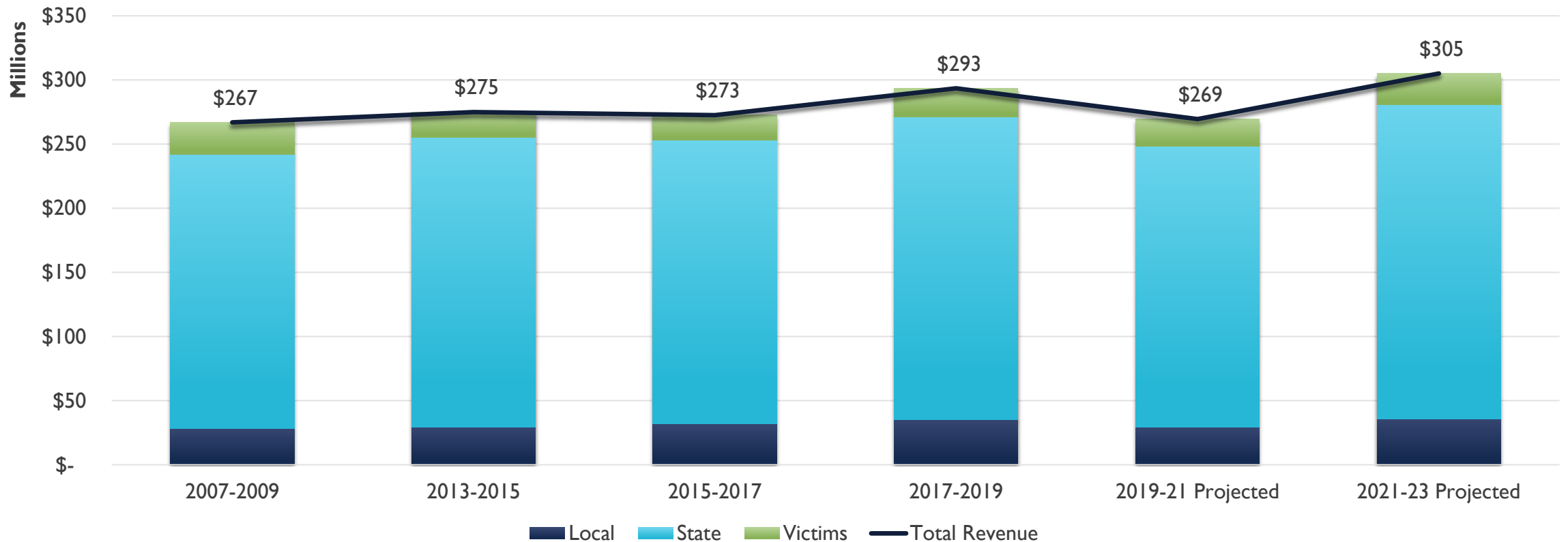


Projected 2021-23 OJD Revenue Distribution
\$304.9M



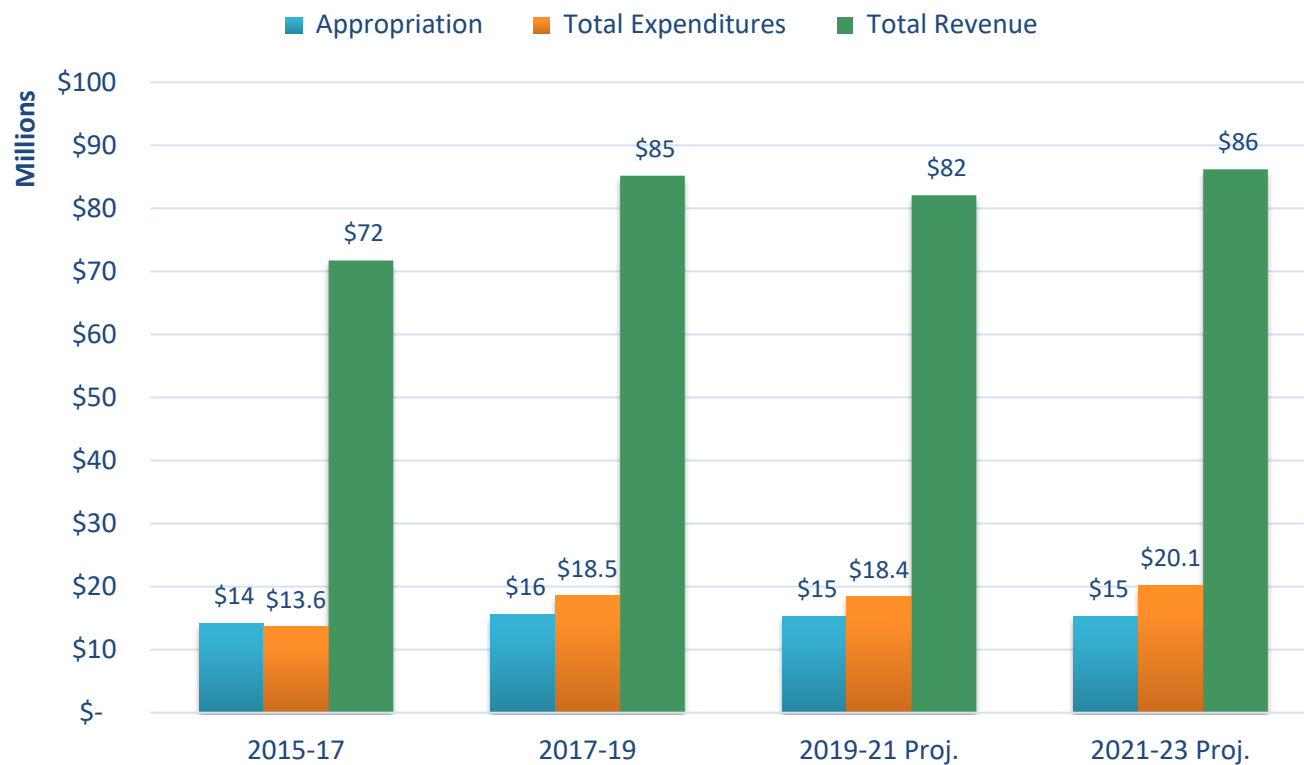
COLLECTIONS AND REVENUE HISTORY

OJD Revenue History



THIRD PARTY OTHER FUND ACCOUNT

Collection Costs & Revenue History
Third Party Other Fund Account



Cost Drivers

- More cases referred to DOR/PCFs
- DOR collection fee increases
- Improved collection performance drives up costs
- Online payments and credit card costs

NANCY COZINE,
STATE COURT ADMINISTRATOR

PHIL LEMMAN, DEPUTY STATE
COURT ADMINISTRATOR

LEGISLATION & POLICY OPTION PACKAGES

OREGON JUDICIAL BRANCH
Strategic Campaign
2020–2021

THE FOUR COMMITMENTS

- **Improve services and outcomes for people who are underserved, vulnerable, or marginalized**
- **Improve access to justice**
- **Enhance the public’s trust and confidence in Oregon’s state government**
- **Create a workplace and courthouse culture that is supportive, inclusive, welcoming, and affirming; that embraces diversity**

https://www.courts.oregon.gov/about/Documents/2020-21-Strategic-Campaign_WebCopy.pdf

OJD BILLS - 2021 LEGISLATIVE SESSION

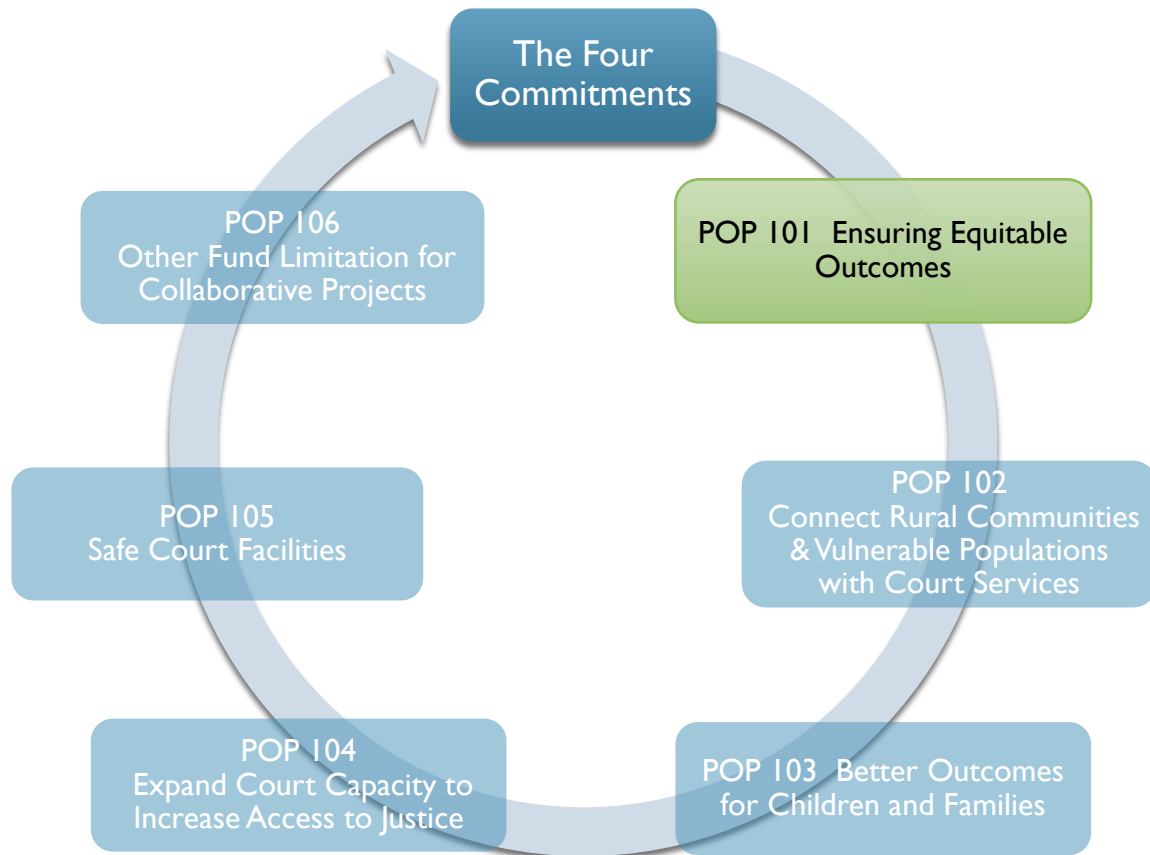
Senate Bills

- **Aid and Assist Reform (SB 295)**
- **Chief Justice Authority During Emergencies (SB 296)**
- **Judicial Marshal Retirement Parity (SB 297)**
- **Housekeeping Measures (SB 298)**

House Bills

- **Fairness in Court Collections (HB 2176)**
- **Criminal Case Initiation Fees (HB 2177)**
- **Reducing Tax Court Fees (HB 2178)**

POP 101 - ENSURING EQUITABLE OUTCOMES (GF \$9.8M, FTE 46.9)



- Data/education to track and ensure equitable outcomes, and to launch a Juvenile Delinquency Improvement Program
 - GF \$3.7M, FTE 17.50
- Pre-Trial Release
 - GF \$4.1M, FTE 20.65
- Behavioral Health
 - GF \$2.0M, FTE 8.75

POP 101 - ENSURING EQUITABLE OUTCOMES

- Develop methodology for collecting race and ethnicity data in all court cases
- Analyze case outcomes to ensure that courts are not contributing to disparate outcomes
- Provide training to judges and staff to support all DEI efforts
- Launch Juvenile Delinquency Improvement Program to improve outcomes for at-risk youth and better support families in the juvenile justice system
- GF \$3.7M, FTE 17.50

PRETRIAL RELEASE

- OJD has been working with the CJC to develop a plan for improving Oregon's pretrial programs
- This package allows courts to develop processes that align with PSTF recommendations
- \$4.1 million; 20.65 FTE

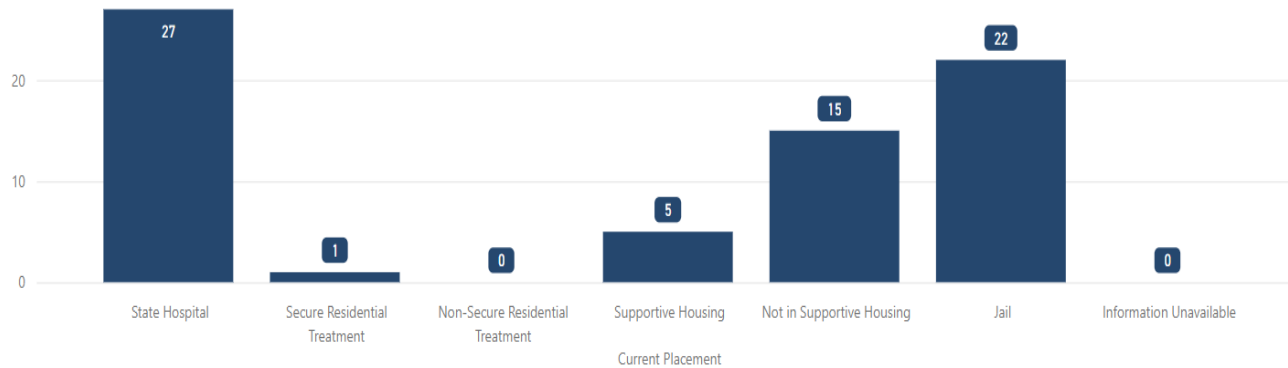
Recommendations

SECURITY RELEASE/CASH BAIL AND DELEGATED RELEASE AUTHORITY

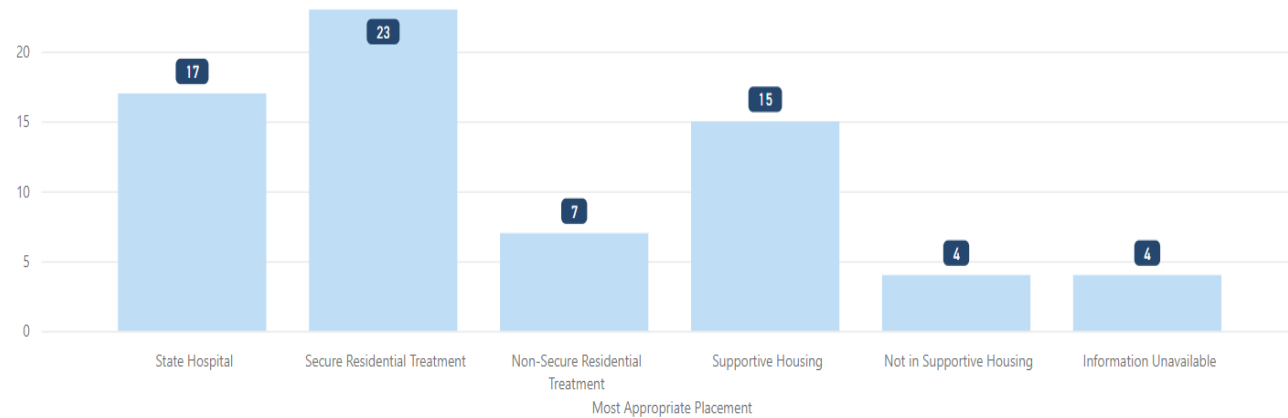
- Reduce reliance on security release.
- If security release is maintained, repeal minimum presumptive security release in favor of case-by-case determinations.
- Support the use of preventive detention rather than high bail.
- Employ more release assistance officers with delegated release authority.
- Employ more pretrial release staff to inform judges' release decisions.
- Clarify the role of release assistance staff who have delegated release authority.

AID & ASSIST COORDINATOR DASHBOARD (SEVEN COURT PILOT)

Current Placement for Defendants Who Are Not in the Most Appropriate Placement



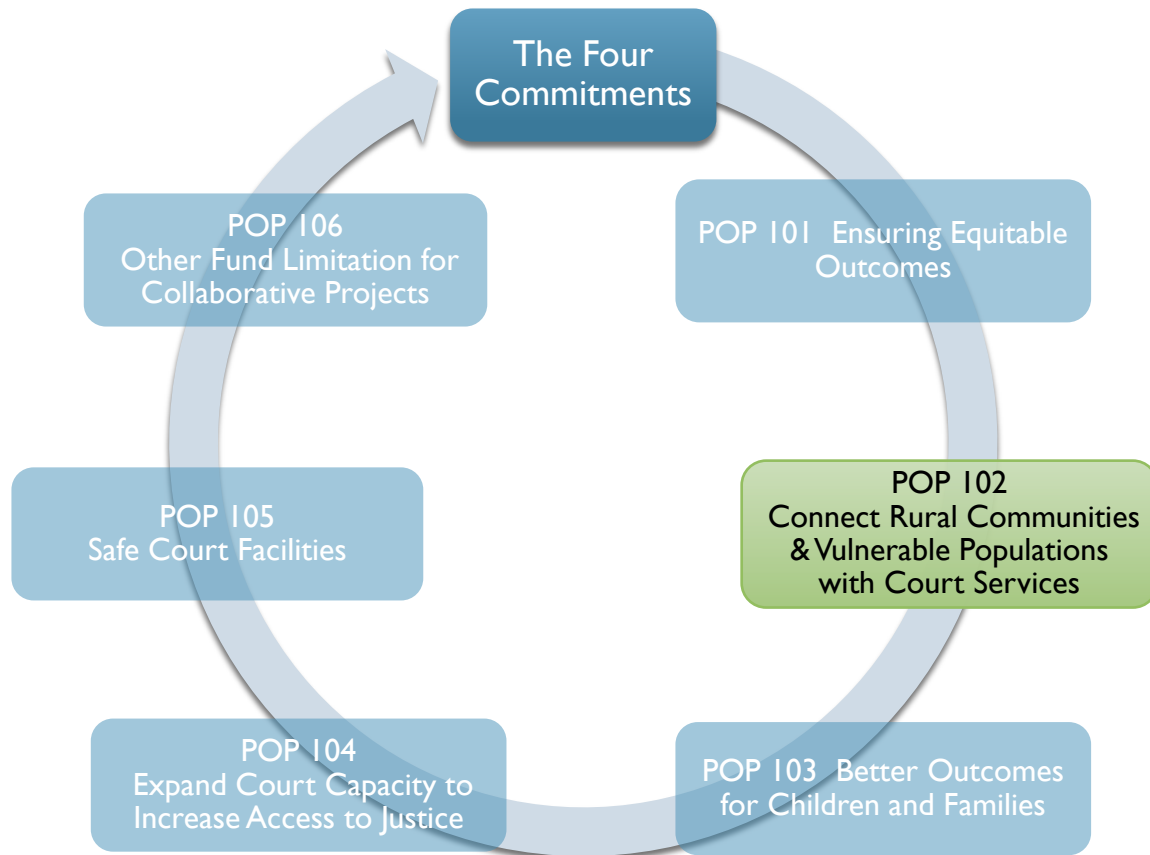
Placement Needs for Defendants Who Are Not in the Most Appropriate Placement



This investment would add treatment court coordinators in additional counties to ensure that those who may be unable to assist in their own defense are identified and processes are in place to determine the least restrictive setting needed to complete the evaluation and treatment, with the goal of increasing local capacity and reducing admissions the Oregon State Hospital.

The General Fund investment is \$2 million; 8.75 FTE.

POP 102 - CONNECT RURAL COMMUNITIES & VULNERABLE POPULATIONS WITH COURT SERVICES (GF \$5.1M, OF \$3.3M & FTE 1.5)



- Technology Replacement
 - GF \$4.8M
- Staffing for Secure Systems
 - GF \$0.4M, FTE 1.5
- Technology Fund Revenues
 - OF \$3.3M
- Online Dispute Resolution – Withdrawn

POP 102 - CONNECT RURAL COMMUNITIES & VULNERABLE POPULATIONS WITH COURT SERVICES

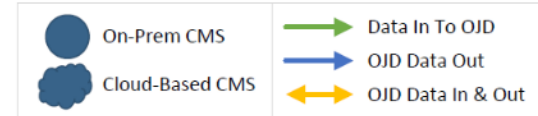
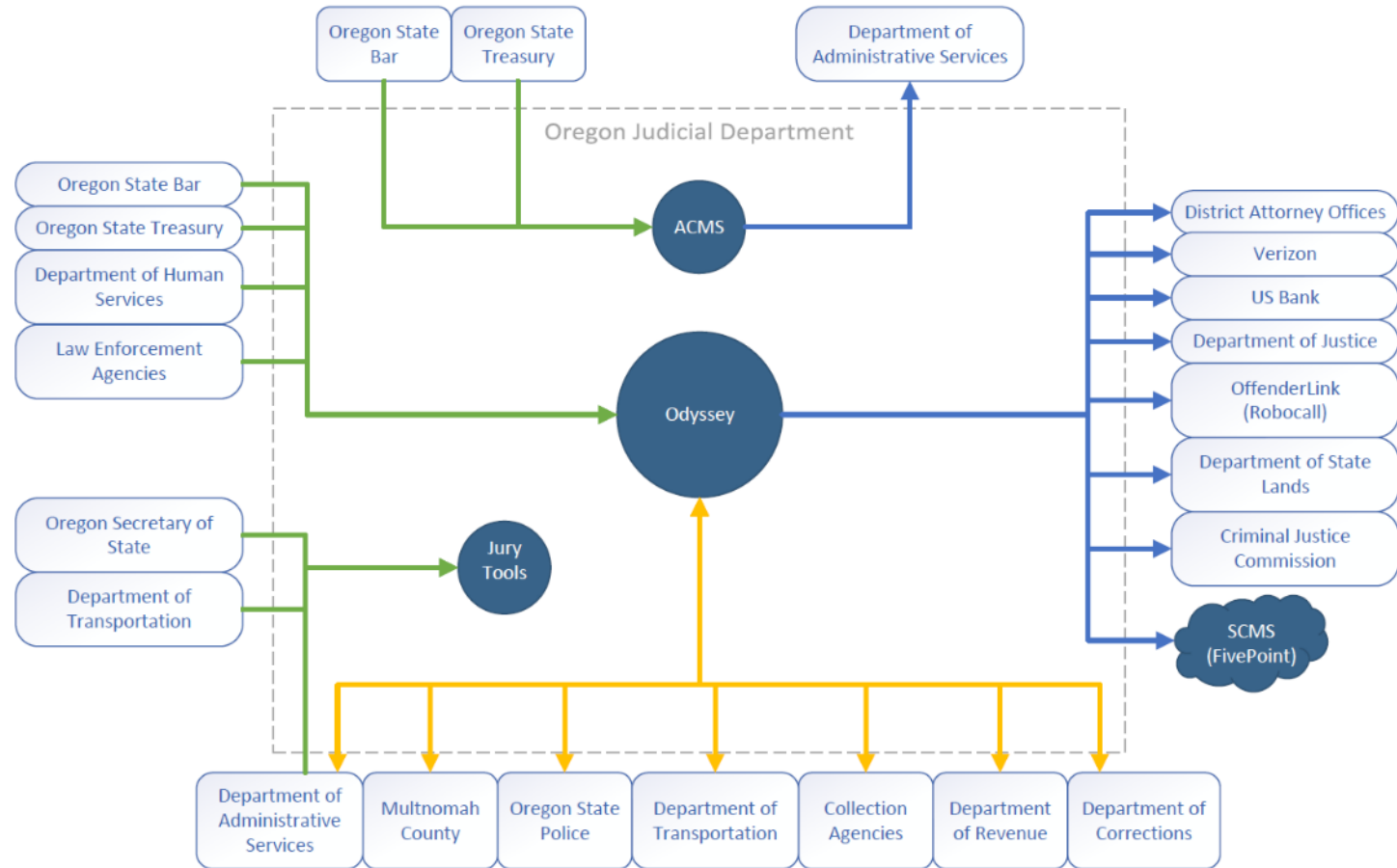
Protect and Expand our Investments in Technology

- ✓ Electronic submissions – 3,458,233
- ✓ Payments received electronically – 250,000+
- ✓ Visits to www.Courts.Oregon.Gov – 11,000,000
- ✓ Registered online users – 10,478
- ✓ Court records to authorized users – 35,000,000+
- ✓ Documents available to authorized users – 10,000,000+
- ✓ Only 2 enterprise security staff (CISSP) to support
 - Statewide locations supported – 78
 - Computers throughout OJD – 3,900
 - Millions of PII in court records spanning 30+ years

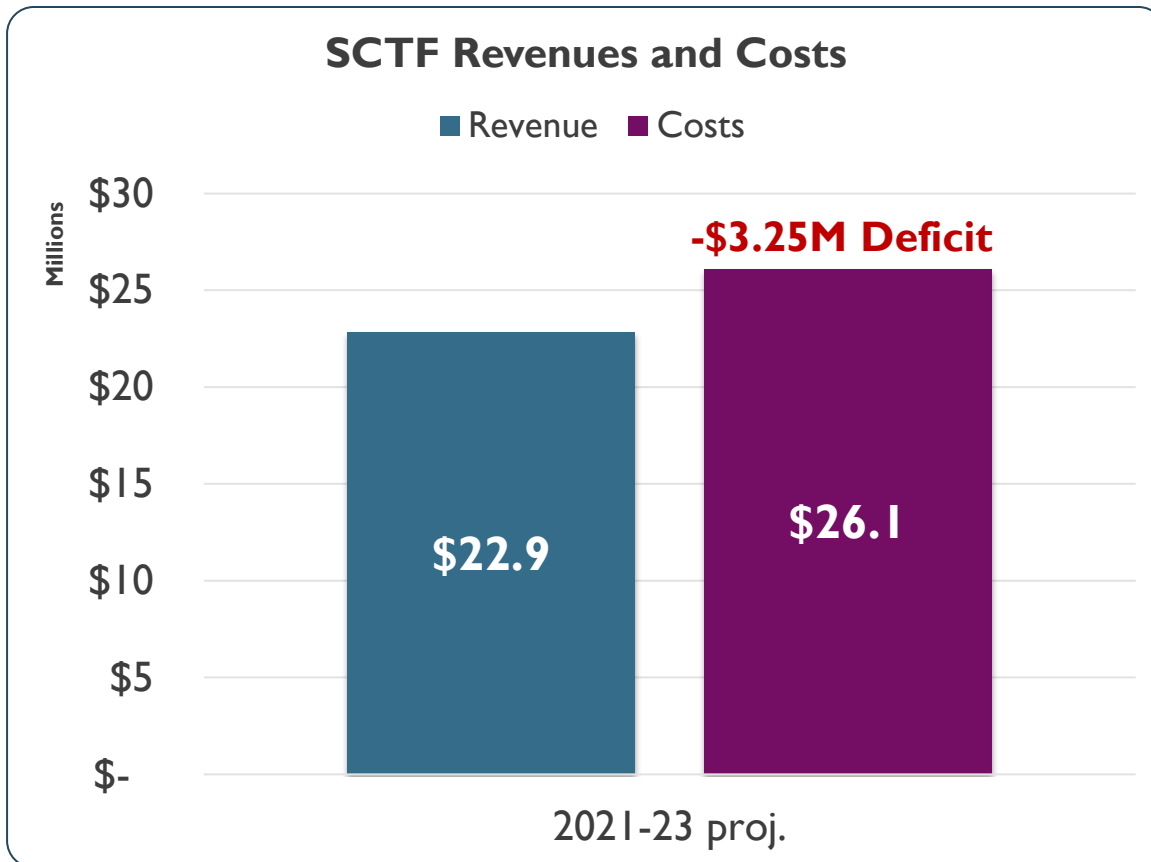
<p>OJCIN OnLine Paid subscription access to cases and documents Go ></p>	<p>OJD Courts ePay Make a payment on a case Go ></p>	<p>OJD Records & Calendar Search Search for free basic case information and find out when to appear in court Go ></p>
<p>OJD eFiling Initiate a new case or file in an existing circuit court case Go ></p>	<p>Appellate eFile Initiate a new case or file in an existing appellate court case Go ></p>	<p>OJD iForms Question-and-answer interviews to complete forms Go ></p>

Oregon Judicial Department Technology Integrations

Serving Justice Partners Across the State

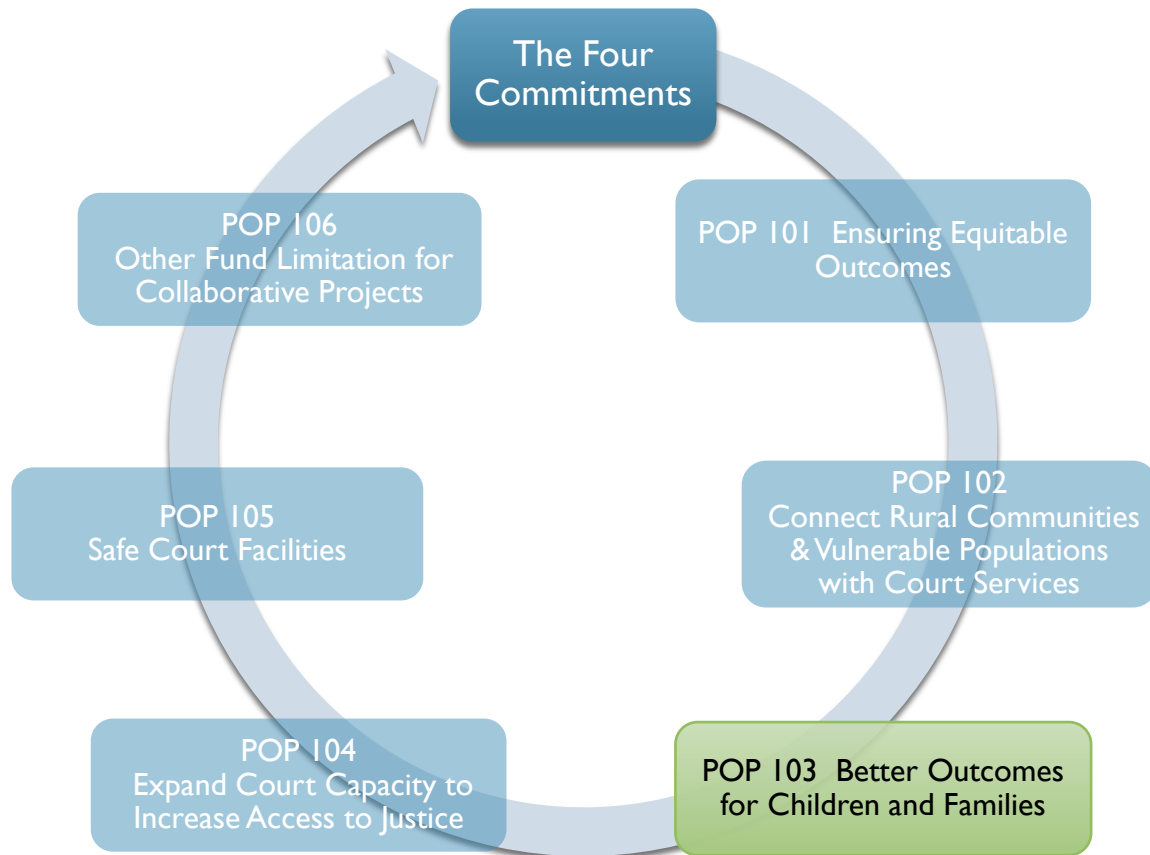


STATE COURT TECHNOLOGY FUND (SCTF)



- Technology is the backbone of our court system
- Inadequate funding could lead to interruptions of services for Oregonians

POP 103 - BETTER OUTCOMES FOR CHILDREN AND FAMILIES (GF \$0.7M, OF \$0.9M & FTE 7.44)



Staffing and limitation for central child support and family mediation service to

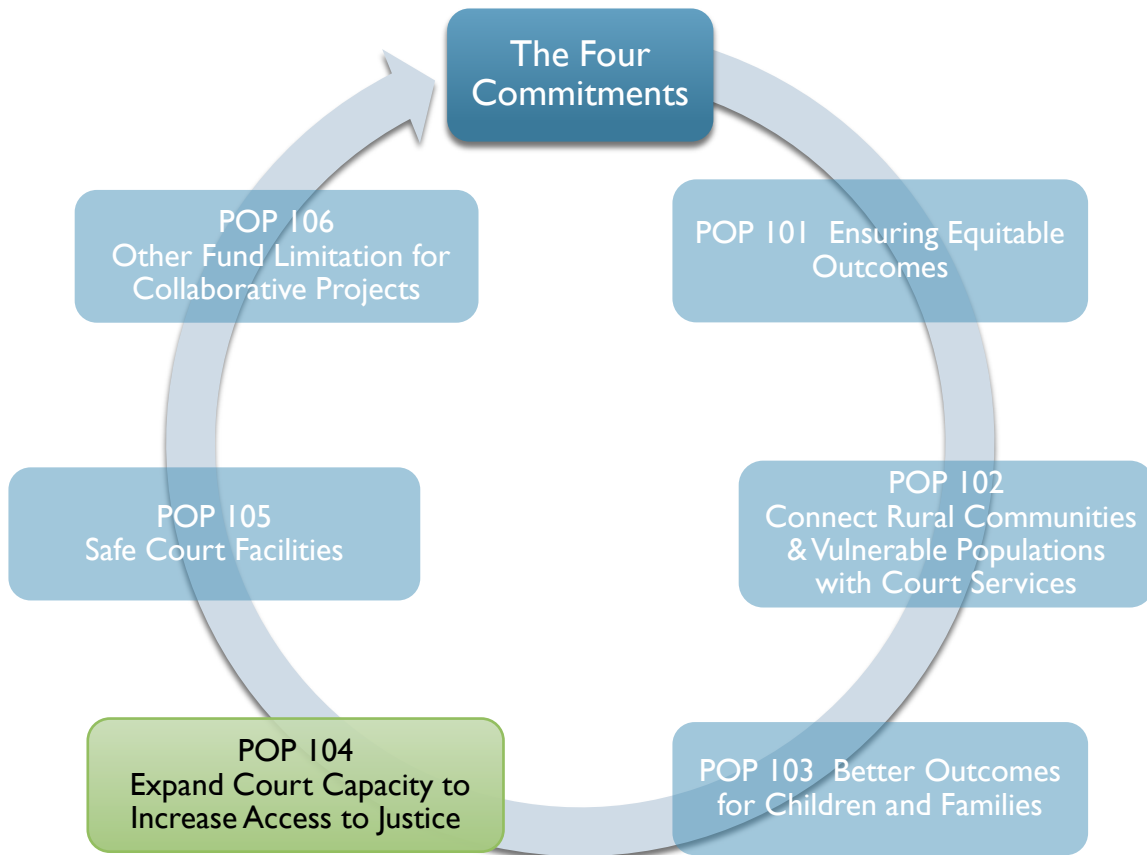
- increase efficiency
- leverage available federal funding
- improve outcomes for Oregon children

POP 103 - BETTER OUTCOMES FOR CHILDREN AND FAMILIES



- ✓ Central child support and family mediation services
- ✓ Increases efficiency
- ✓ Investing \$440K GF leverages \$930K in federal matching funds

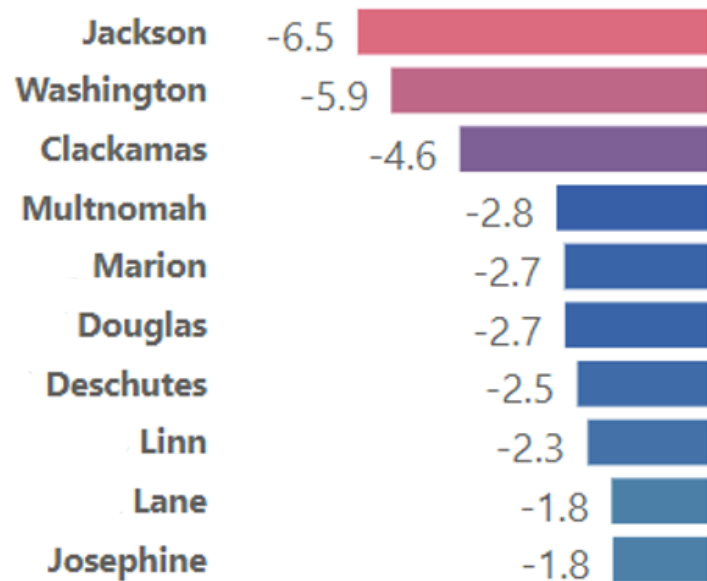
POP 104 - EXPAND COURT CAPACITY TO INCREASE ACCESS TO JUSTICE (GF \$3M, FTE 12.64)



- **Judicial Resources**
 - GF \$2.8M, FTE 11.64
- **Appellate Resources**
 - GF \$0.2M, FTE 1.00

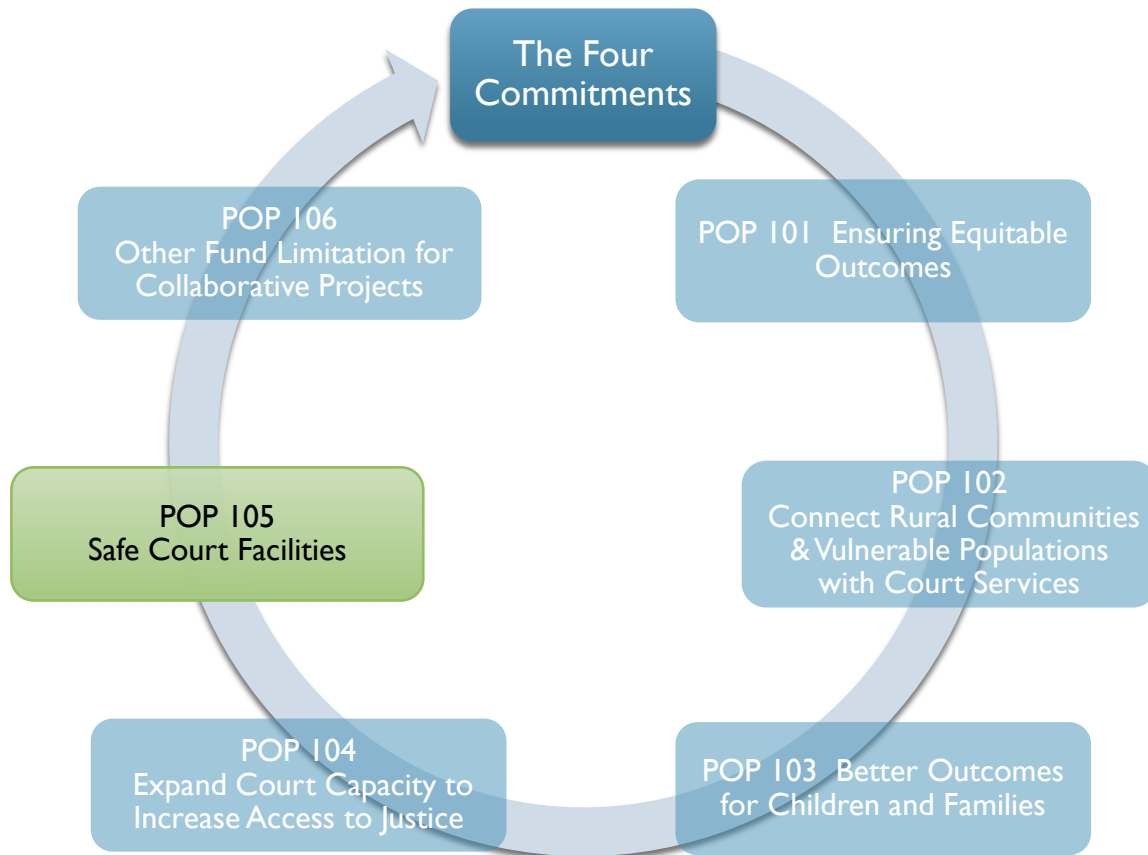
POP 104 - EXPAND COURT CAPACITY TO INCREASE ACCESS TO JUSTICE

Difference Between Judicial FTE Available and Judicial FTE Demand



- ✓ Ten jurisdictions need more judicial resources to manage caseloads effectively and without significant delays (39 judges)
- ✓ Jackson, Washington, Marion, and Josephine Counties received new judge positions in the last three years; Clackamas does not have space for a new judge
- ✓ Deschutes and Douglas Counties had judicial positions in the 2020 Program Change Bill (HB 5204)

POP 105 – SAFE COURT FACILITIES (GF \$4.9M, OF \$424.2M)



Bond funding for safe and secure court facilities

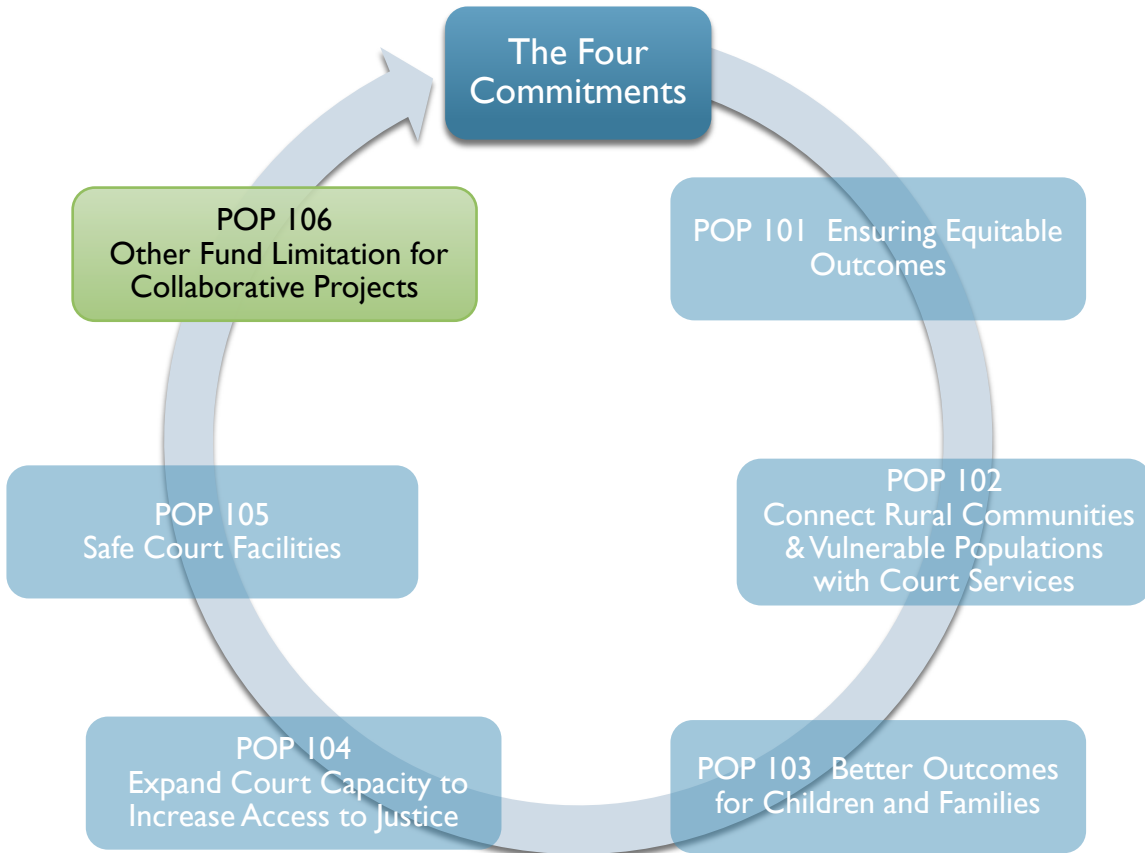
- Supreme Court
 - OF \$22M
- Oregon Courthouse Capital Construction and Improvement Fund
 - GF \$4.9M, OF \$401.3M
- Courthouse Improvement (Limitation)
 - OF \$0.95M

POP 105 – SAFE COURT FACILITIES



- Finish Supreme Court Modernization Project
- Replace unsafe courthouses in Lane, Clackamas, Benton, and Linn counties
- Planning for new courthouses in Josephine, Crook, and Curry counties
- Limitation for courthouse improvements in Josephine and Klamath

POP 106 - LIMITATION FOR COLLABORATIVE PROJECTS (OF LIMITATION \$8.2M, FTE 29.0)



- PDSC System Support
 - OF \$1.6M, FTE 6.0
- Multnomah Legal Resource Center
 - OF \$1.5M, FTE 5.0
- Specialty Court Grants
 - OF \$5.1M, FTE 18.0

ONE-TIME CONCEPTS NOT BUILT INTO POPS

- Staffing to address increased COVID-related workload
- Appellate Case Management System Upgrade
- Guide and File Form Development
- Fairness in Fines and Fees Project
- Criminal History Set-Aside Project
- Criminal and Domestic Violence Firearms Dispossession Project

PENDING 2021 BILLS WITH SIGNIFICANT FISCAL IMPACT ON OJD

- **SB 48:** Statewide pretrial release program. Pending in Senate Judiciary.
- **SB 191:** Re-sentence BM II Adults In Custody to apply earned time credit. Pending in Senate Judiciary.
- **HB 2547:** Directs SCA to study trauma-informed procedures. Do-pass from House Judiciary.
- **HB 3112:** Creates procedure to set-aside certain marijuana offenses. Pending in House Judiciary.
- **HB 3366:** Establishes/expands Family Treatment Courts. Do-pass from House Human Services.

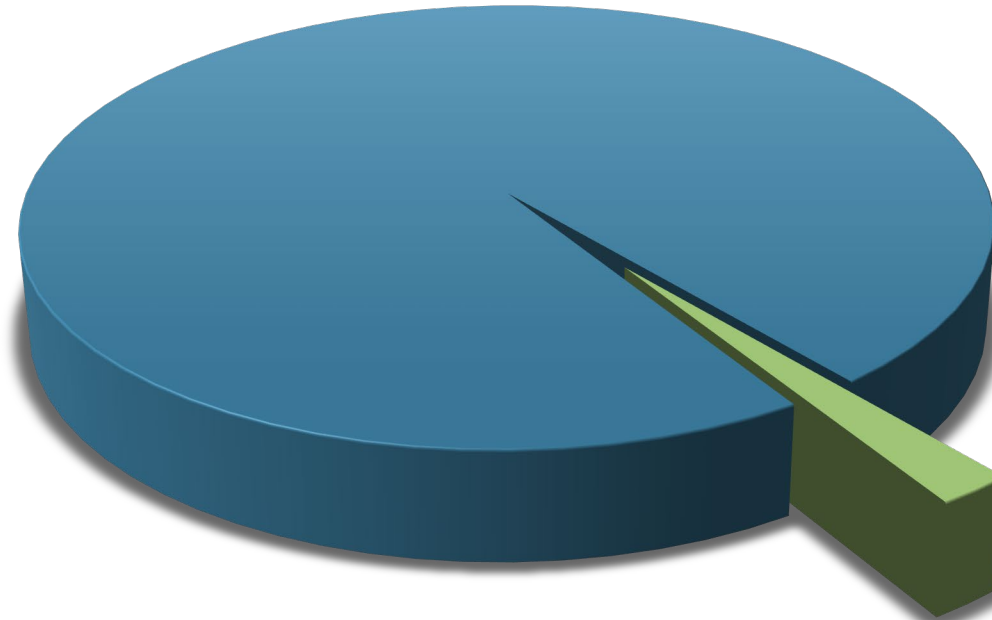
JUDICIAL DEPARTMENT KEY TAKEAWAYS

CHIEF JUSTICE MARTHA L. WALTERS

-
1. The Judicial Branch plays a critical role in public safety, protection of rights, economic vitality, upholding the rule of law, and preserving the foundations of democracy
 2. Our work is critical to addressing many of the Legislature's top priorities
 3. During the pandemic, courts have remained open and have creatively adapted
 4. Staff and technology play pivotal roles in court operations and pandemic response, but funding gaps threaten those foundations
 5. Ensuring access to justice, fairness and equity in Oregon's courts requires adequate and stable funding

OJD'S BUDGET IS LESS THAN 2.5% OF TOTAL STATE BUDGET

2021-23 Gov Budget



Judicial Department
2.23% Oregon GF Budget

IMPACTS OF BUDGET REDUCTION

Reducing court budgets impact Oregonians in all aspects of their lives

Workplaces, Businesses

Debtor/Creditor and Small Claims

Treatment Courts & Mental Health

Family Law, Protective Orders & Child Welfare

Juvenile Dependency and Delinquency

Criminal Justice

Housing

Public Benefits

Tax Disputes

Election and Ballot Measure Disputes

Claims of Wrongful Injury

Objections to Government Action



Treatment Court Graduates



Serving Families in Crisis

Justice Delayed

THANK YOU

