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Testimony of Arthur Towers

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In Support of House Bill 5012

Before the Joint Ways and Means Subcommittee on Public Safety

April 14, 2021

Co-Chairs Gorsek and Sollman, members of the committee, thank you for the opportunity to testify in support of the Oregon Judicial Department's budget requests.

Our members fight for the rights of ordinary Oregonians often facing the worst trauma of their lives. These are victims of harassment or discrimination on the job; elder abuse, child abuse or sex abuse; horrific injuries; consumer fraud; defective products, and medical negligence.

They are seeking justice and closure from a jury of their peers. An underfunded court system stretches out the recovery period and puts these vulnerable Oregonians at terrific risk. By aggressively funding our court system, you can stand up for these vulnerable underdogs in our society.

Especially in the upcoming biennium, we need to make sure that the courts are fully functional because there will be a backlog of cases that will need to be resolved.

When the court fails to act swiftly, it is the least powerful who suffer the most. The victims described above often need the financial compensation they are due to resume their lives. Delays starve victims out and pressure them into accepting low-ball offers. Wildfire victims in temporary housing are at the mercy of their insurer to settle their cases quickly and fairly. If the insurer knows that litigation is months or years away, they are under little pressure to fairly resolve the matter.

The bare minimum OJD needs is to remain at current service level. It also makes a tremendous amount of sense to access federal funds for one-time staffing increases. Adding this capacity would have a multiplier effect. When the parties in a case understand that a trial date has been set and the trial is moving forward, the settlement negotiations move more quickly. OJD will be able to move cases off the docket both by speeding up trials, but also by increasing the number of settlements.

Policy Option Package 104 also is eminently reasonable. The population of Deschutes and Douglas Counties is mushrooming. Additional judges are urgently needed in these circuits. Ideally, the state would have the capacity to go even further to address the shortage of judges in Oregon, but POP #104 is at least a start in the right direction.

Finally, I want to emphasize the need for General Fund resources for the State Court Technology Fund. The alternative is yet another round of increases in filing fees. Filing fees are an added hurdle for those who have been victimized by wrongdoers. As we come out of the pandemic, we need to make sure that those functions that can be performed remotely are properly supported.

We urge you to prioritize funding for our court system as you work to develop the state's budget.