

Good afternoon, Co-Chairs Gorsek and Sollman, and Members of the Subcommittee.

My name is Michael O'Brien. I've been an attorney and active member of the Oregon State Bar for over forty years, including 29 years as the municipal judge in Tigard. I'm also the current president of the Oregon Municipal Judges Association, whose membership includes judges from the approximately 140 municipal courts around the state. I'm presenting testimony today in that capacity.

The purpose of my appearance is to support Chief Justice Martha L. Walters and the Oregon Judicial Department's proposed budget, as set forth in House Bill 5012.

On behalf of our association, I want begin by extending our gratitude to the Chief Justice for her leadership in strengthening the partnership between the state court system and our local courts in cities and counties.

I want to comment particularly today on the Chief Justice's innovations during the Covid year (the Lost Year) and the impact they've had, and will continue to have, in both state and local courts. This creative response to the pandemic has revealed many efficiencies that could become permanent, and passage of HB 5012 will facilitate that evolution. Since last May, the Chief Justice has signed a dozen orders guiding the circuit courts in responding to the pandemic, and I believe these orders also had a deep impact on municipal and justice courts across the state. Last June, all members of the Oregon Supreme Court also signed a powerful statement urging our state to demand and actively pursue equal justice for all. Adequate funding will support further efforts toward that goal.

As in the circuit courts, local judges have looked to the Chief Justice and the Supreme Court for guidance – not only in understanding Oregon law, but also on how to adapt overnight to a public-health emergency while responding to intense docket pressures. In Tigard, for example, we quickly adopted the recommended protective measures and procedures, relying heavily on remote operations, to eliminate or reduce transmission risks to the public, police officers, attorneys, staff and other users of our high-volume court. The Oregon Judicial Department and Health Authority created coordinated responses to the pandemic that local jurisdictions simply lacked the resources to develop.

While most circuit, municipal and justice courts still face large backlogs as we gradually move toward full operation, I'm convinced that the Supreme Court's leadership has prevented long-term paralysis of Oregon's legal system. Full funding of state courts through HB 5012 will facilitate an efficient restoration of services. I'm also convinced that many of the Supreme Court's innovations could become permanent, including the expanded option of remote appearances and trials for defendants and other court users. As I'm sure you're aware, the fiscal impacts of these efficiencies could be significant and long-term for the both state and local courts.

Oregon's municipal and justice courts complement the work of the circuit courts by adjudicating high volumes of misdemeanors, violations and a variety of civil matters. Our courthouses are often in locations that are most convenient for the public in both rural and urban areas of our state. A healthy and appropriately funded OJD ensures that this symbiotic arrangement can continue and grow.

I am available to answer any questions you may have.