

# OREGON TRIAL LAWYERS ASSOCIATION

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Testimony of Arthur Towers

OTLA Political Director

**In support of Senate Bill 5512**

Before the Subcommittee on Public Safety

March 9, 2023

Co-Chair Sollman, Co-Chair Evans, members of the committee: thank you for the opportunity to submit testimony in support of funding for the Oregon Judicial Department.

Our members who are fighting for Oregon underdogs on a variety of fronts report that civil trials are being scheduled for 18-36 months out from the request.

The number of civil cases has increased 20% from the beginning of the pandemic (slide 32 of the Chief Justice's recommended budget) and we expect that increase to continue. The number of civil cases pending beyond 18 months has increased 25% from pre-pandemic levels (slide 43).

Pandemic-related safety measures made the backlog worse, but we foresee the delays continuing as the public defender crisis gets sorted out and the Ramos cases get scheduled for hearings.

**Justice delayed is justice denied.** To provide just one example of many:

In late 2018, a Washington County woman was seriously injured when a railing she was holding onto at a facility gave way because it was improperly secured. Throughout 2019, the insurance company offered the injured woman a fraction of money needed to be compensated for the harm. After months of fruitless negotiations, the suit was filed in early 2020. The trial was set for the early summer of 2021. In part due to Covid, the trial was delayed another 19 months. The lowball offer remained on the table through 2022. A week before the January 2023 date of trial, the insurance company offered 95% of what the woman was seeking. **Many people cannot wait for four years, and instead accept the lowball offer.**

This is a matter of equity because the poorest and most disadvantaged in our community are the ones least able to wait out such an offer.

**We urge you to at the very least meet the current service level budget for OJD and we also recommend adoption of POP 106 to expand remote proceedings, POP 108 which will increase the number of judges, and POP 111 related to judicial compensation. Thank you very much for your consideration.**