

**TESTIMONY ON SB 1065
BEFORE THE SENATE COMMITTEE ON JUDICIARY
MARCH 21, 2023**

**PRESENTED BY: MICHAEL HSU
OREGON JUDICIAL DEPARTMENT**

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

My name is Michael Hsu, Senior Assistant General Counsel in the Oregon Judicial Department (OJD). We appreciate Senator Frederick for bringing forward this bill. OJD does not have a position on this bill but recognizes the importance of improving access to justice and removing barriers, as reflected in our Strategic Campaign.

OJD has only minor technical suggestions related to this bill, and we have shared those with Senator Frederick.

SB 1065 creates a new expedited process for individuals seeking relief from possession of controlled substance convictions. As a result, we expect petition-based set-aside motions to substantially increase.

As you may know, the 2021 changes to the set-aside statutes, resulting primarily from Senate Bill 397 (2021), more than quadrupled set-aside motions in circuit courts – from about 5,000 in 2021 to over 26,000 filings last year. Because of this, OJD is requesting funding to efficiently manage this work. The Chief Justice’s Recommended Budget contains a request for continued funding to help courts respond to the current and future changes in set-aside law through improved centralized processes.^{1,2}

OJD appreciates the work that has been done on this bill. Thank you for the opportunity to provide this testimony.

¹ Oregon Judicial Department. *Chief Justice Recommended Budget 2023-25*. Page 219.

² Oregon Judicial Department. *SB 5512 OJD – Agency Reference Materials (Part 2)*. Pages 9-30. Available at: <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/CommitteeMeetingDocument/263348>. Accessed March 2023.