



Kristen Sager-Kottre
Attorney at Law

March 29, 2023

Sen. Floyd Prozanski
Sen.FloydProzanski@oregonlegislature.gov

Rep. Paul Evans
Rep.paulevans@oregonlegislature.gov

Rep. Kim Wallan
Rep.kimwallan@oregonlegislature

Sen. Dennis Linthicum
Sen.DennisLinthicum@oregonlegislature.gov

Re: SB 337 and Criminal Defense Consortia

Dear Senator Prozanski, Representative Evans, Representative Wallan and Senator Linthicum,

I am a member and co-administrator of the Juvenile Defenders of Linn County. The consortium in Linn County has provided indigent defense to juveniles in the criminal justice system and to families that have had their children removed by the Oregon Department of Human Services for over 30 years. I have practiced law in Linn County for twenty-three years and for the the first fourteen years I practiced family law and prosecuted folks in the Linn County Municipal Court. One of the best days in my life was when I was given the opportunity to “jump ship” from family law and become a juvenile defense attorney with the consortium. The juvenile defense consortium in Linn County is looked at as the “gold standard” of juvenile defense representation and as a result was one of the original pilot PCRCP counties in the state.

What SB 337 proposes to do is to disband the consortium model and to replace it with an office in each county that will house both the adult criminal defense attorneys and the juvenile defense attorneys. However, the crisis Oregon is facing is not the result of the current structure(s) of the entities providing adult and juvenile defense services in Oregon, the issue is that we simply do not have enough qualified attorneys in the state to represent indigent clients. Simply creating new structures to house attorneys will not resolve the crisis and in fact it will exacerbate the issue because many highly qualified attorneys will choose to go into private practice or to retire.

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What is really needed are resources focusing on training and retaining new attorneys so that the defense bar can expand. The consortium model is a perfect infrastructure to provide this type of training and mentoring. On the one hand we are given the autonomy to represent our clients while retaining the support of our fellow consortium members to brainstorm defense strategies with and to draw on their collective knowledge base. If the legislation focused on ways to expand the defense bar, e.g. partnering with law schools, creating and funding internships, then we would see a change.

I respectfully request that the legislature really look at what is causing the crisis in indigent defense in Oregon – the sheer lack of qualified attorneys willing to do this work. Adequate compensation that is uniform across the state as well as funding the resources that are necessary to expand the defense bar is what is needed. Sadly, SB 337 will not accomplish these goals. Please consider these objectives as you work on SB 337. The citizens of Oregon deserve nothing less.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen L. Sager-Kottre". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kristen L. Sager-Kottre
Attorney at Law