



Oregon Judicial Department
Washington County Circuit Court
Twentieth Judicial District

April 10, 2023

Sen. Elizabeth Steiner, Co-Chair
Rep. Tawna Sanchez, Co-Chair

Co-Chairs Steiner and Sanchez, and members of the committee,

Re: Judicial and Court Funding

I am writing to express support for Current Service Level funding for the operations and needs of the judiciary and indeed our entire court system in SB 5512, as well as policy option packages to continue implementing Judicial Department pretrial release officers, increasing judicial compensation, improving our courts' ability to provide opportunities for remote proceedings, and planning funds for a new courthouse in Washington County. All of these will impact access to justice and underscore the need for adequate funding for all parts of the judicial system.

Currently there has understandably been a lot of focus on the stresses related to the criminal justice system and people accused of a crime who are not represented by attorneys. What may not be generally discussed is how the lack of adequate resources to the judiciary, courts and the criminal justice system impacts access to justice generally. A lack of adequate resources impacts our society and all our constituents.

As you may know, in Washington County, one of the fastest growing counties in Oregon, we have 15 circuit court judges and two referee judges. We serve a population of greater than 600,000 people. Compare this with Multnomah County which serves a population of approximately 795,000 and has 38 circuit court judges and 15 referee judges. If you do not include referee judges, in Multnomah County there is one judge per 21,000 in population; in Washington County, there is one judge per 40,000 in population. In Washington County, each judge position brings with it three staff positions. Generally, these staff positions are allocated with two staff supporting the judge to fulfill the court and clerical needs of each judge's court and the other staff position is allocated to other support functions the court needs elsewhere. It is essential to have adequate funding and support functions in the court to assure timely and accurate functions within the court. As an example, it is not unusual for our court security screeners to welcome and screen over 20,000 patrons each month. Just last month, in March, our court security screened over 23,000 patrons using our court facilities.

In Washington County, despite being significantly under-resourced in terms of judges and hence staff, we consistently continue to keep our courts working with a busy criminal trial schedule, a

very busy law enforcement center, a busy juvenile court and family court. I would say that each area of law served by our court is stressed with a lack of resources. Our staff interacts with customers and patrons of our court and, they are responsible for many complex functions in various departments. I have heard it expressed that our staff often feel as though they are in “survival mode.” Recently, we have lost experienced staff who have left our court for various reasons, but money and flexibility are among those reasons. With few resources, there are few if any opportunities to provide a work environment that allows retention of experienced staff. We appreciate that the co-chair’s budget framework includes funding for the updated classification and compensation system for OJD staff, which will help address some of these issues, but not resolve the underlying staff shortage.

When it comes to compensation, judicial compensation is an additional factor that should be of concern to all of us. Oregon circuit court judges continue to have among the lowest cost-adjusted salary of any state’s trial judges. This is important because to attract well experienced judges, compensation must be competitive. Compensation should reflect the judges’ experience, role, and responsibilities. This is a crucial issue that needs to be addressed. The proportion of OJD’s most experienced judges as declined by two-thirds since 2016. Our Washington County DA, and some senior DDA’s make up to 30% more annually than the circuit court judges they appear before. A tiny snapshot of matters considered by our judges includes divorces, child custody, juvenile and cases involving defendants accused of crimes from murder to criminal mischief. We need to retain judges and their experience to address the many challenges in making timely and legally correct decisions in these cases.

Our goal in Washington County is to continue to ensure access to justice. We appreciate the support we have received thus far. We hope to minimize any reductions to our current level of service and funding so that we may continue to provide timely services to the public and reduce impacts to public defense and public safety. When people are working in “survival mode” opportunities for adequate training, trauma-informed interactions and quality of services may fall away as “processing” becomes primary. An analogy might be when a body goes into shock, the blood flows away from the limbs to the central and essential functions to preserve the best chance for survival. We owe it to our constituents, to Washington County, and to those whose lives may be directly and indirectly impacted by the way we support our justice system.

Through support we have received previously, we continue to work on the rollout of our pretrial program including hiring, training, and retaining pretrial Release Assistance Officers. These officers help judges have better information on a person’s safety risk for release decisions, contact victims to get their input on release decisions, and help divert people into substance abuse and mental health treatments.

Finally, court services need to be provided in a safe and adequate facility designed to meet the needs of the people who come to court to seek justice. Please support planning funds for a new courthouse in Washington County to help us provide that facility for our residents.

It is important for all parts of the system to be in good working order for the rest of the system to work. Adequate funding is important for our courts and judiciary which is one part of system. I am very proud of the work our court does in Washington County and I consider us a very hard-

working court. I appreciate the opportunity to express the testimony and information provided in this letter.

Thank you for your hard work and consideration. Please feel free to contact me should you have any questions.

Respectfully

A handwritten signature in black ink, appearing to read 'K. Proctor', with a long horizontal flourish extending to the right.

Circuit Court Judge, Kathleen Proctor
Presiding Judge, Washington County Circuit Court