



OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

February 9, 2024  
**(SENT BY EMAIL)**

The Honorable Jason Kropf, Chair  
The Honorable Tom Andersen, Vice Chair  
The Honorable Kim Wallan, Vice Chair  
House Committee on Judiciary  
900 Court Street NE  
Salem, OR 97301-4048

Re: Responses to Committee Questions – Expungement Reform, HB 4097-3

Dear Chair Kropf and Vice-Chairs Andersen and Wallen:

Thank you and the members of the House Committee on Judiciary for your time and thoughtful questions related to HB 4097 and the -3 amendment, the expungement reform bill sponsored by Representative Tran. I write to respond to questions directed to the Oregon Judicial Department (OJD) during the public hearing held on February 8, 2024. I hope the following information answers your questions and encourage you to reach out if you have additional questions.

**Questions asked on February 8, 2024**

- 1. Chair Kropf asked if requiring the nature of objection to expungement be included in the caption could be required by rule, or if it needed to be in statute.**

As mentioned at the hearing, requiring the information to be in the caption could be accomplished by adopting a Uniform Trial Court Rule (UTCR) or by statute.

- 2. Representative Conrad asked for more information about OJD's collection rate by age of the debt in criminal cases.**

Generally, criminal judgments without restitution are collectible for 20 years. The chart below describes the overall collection rates for criminal debt by age and case type in

five-year increments. Although collection percentages vary by offense type, collections in the second 10 years in the life of a judgment only increase 2-3 percentage points above the collection rate in the first 10 years of the judgment.

<b>Cumulative Collection Rates by Age of Debt and Case Type</b>				
<b>Case Type</b>	<b>5 Years</b>	<b>10 Years</b>	<b>15 Years</b>	<b>20 Years</b>
Felony	30.3%	34.5%	36.5%	37.3%
Misdemeanor	52.6%	56.8%	58.5%	59.1%
Violation	61.4%	65.2%	66.6%	67.2%

I also wanted to comment on statements made in the testimony of the Oregon District Attorneys Association (ODAA). We appreciate their concern for OJD staffing and hope they will actively support OJD's pending request in the Ways and Means Committee that Mr. Lemman mentioned in his testimony, as well as any additional resources needed to implement HB 4097. In addition, the ODAA testimony states that not requiring fees and fines to be paid would "create an additional burden on OJD given this loss of revenue." I wanted to make sure the committee knows that **OJD does not retain any revenue from the fines and fees it collects from court judgments.** Statutes direct revenue to the General Fund, or the Criminal Fine Account, which pursuant to ORS 137.300 funds a variety of crime victim, public safety, and treatment services.

Thank you for the opportunity to respond to your questions. We are happy to follow up with further information upon request.

Sincerely,



Nancy J. Cozine  
State Court Administrator

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