



Judicial Branch: Affecting Lives and Serving Justice Statewide



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Jan. 21, 2025

Presentation Overview

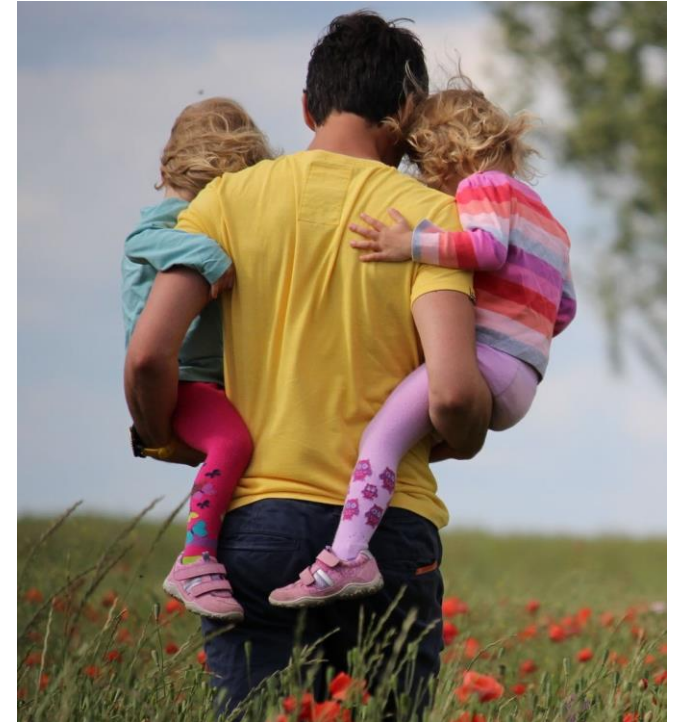
1. What courts do
2. Oregon's court structure and funding
3. Our approach to court work
4. Case types, volume, and management



It's about people.

Courts Impact People in All Aspects of Their Lives

- Treatment courts & behavioral health
- Family law & protective orders
- Dependency (child welfare)
- Juvenile delinquency
- Criminal justice
- Housing
- Public benefits
- Tax disputes
- Election & ballot measure disputes
- Claims of wrongful injury
- Objections to government action
- Workplaces, businesses
- Debtor/creditor & small claims



**Courts resolve conflicts
and protect people in crisis**

Oregon's State Government



Legislative Branch



Judicial Branch

Oregon Judicial Department

Commission on Judicial Fitness

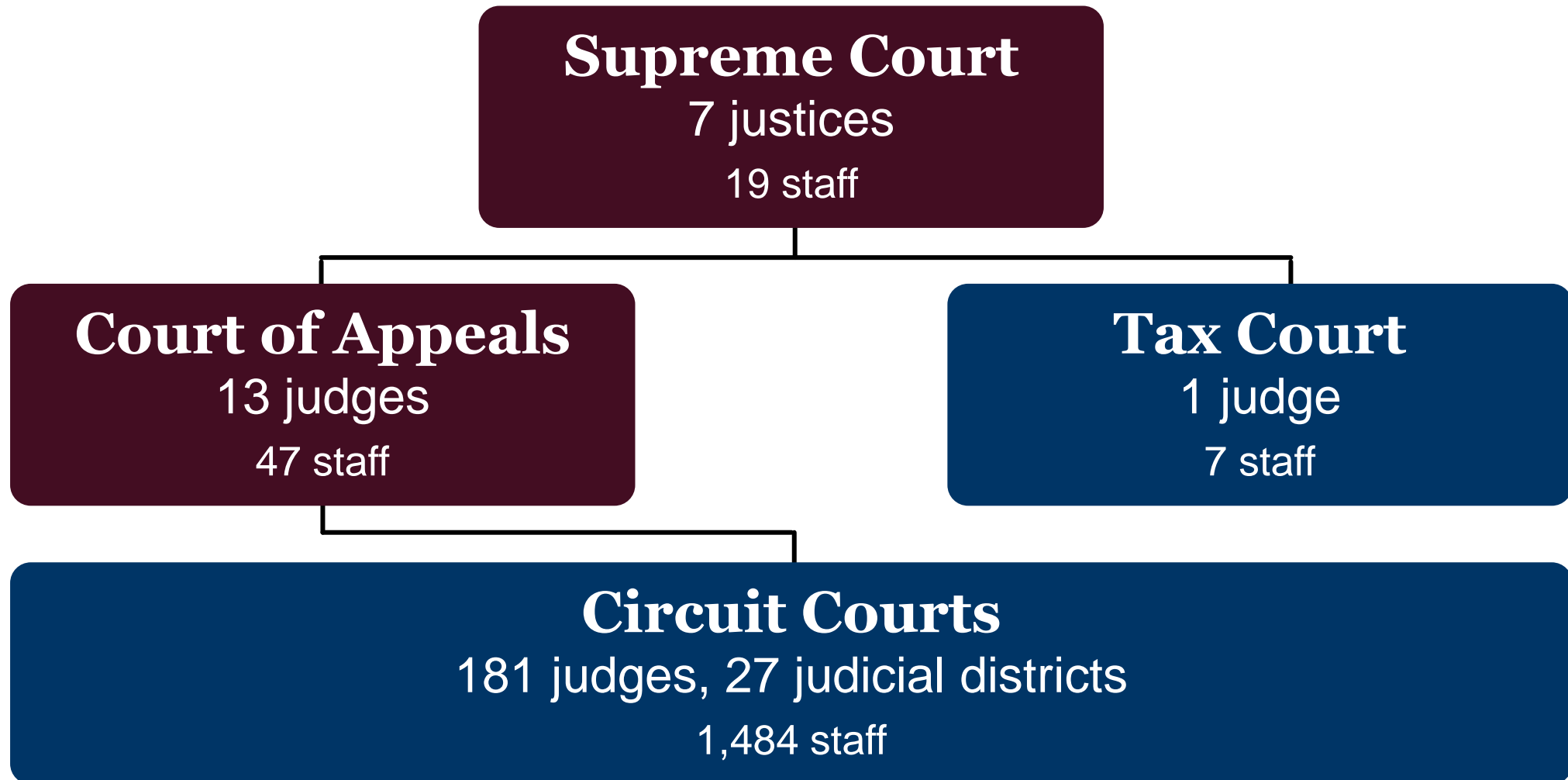
Oregon State Bar



Photo from Oregon State Capitol Foundation.

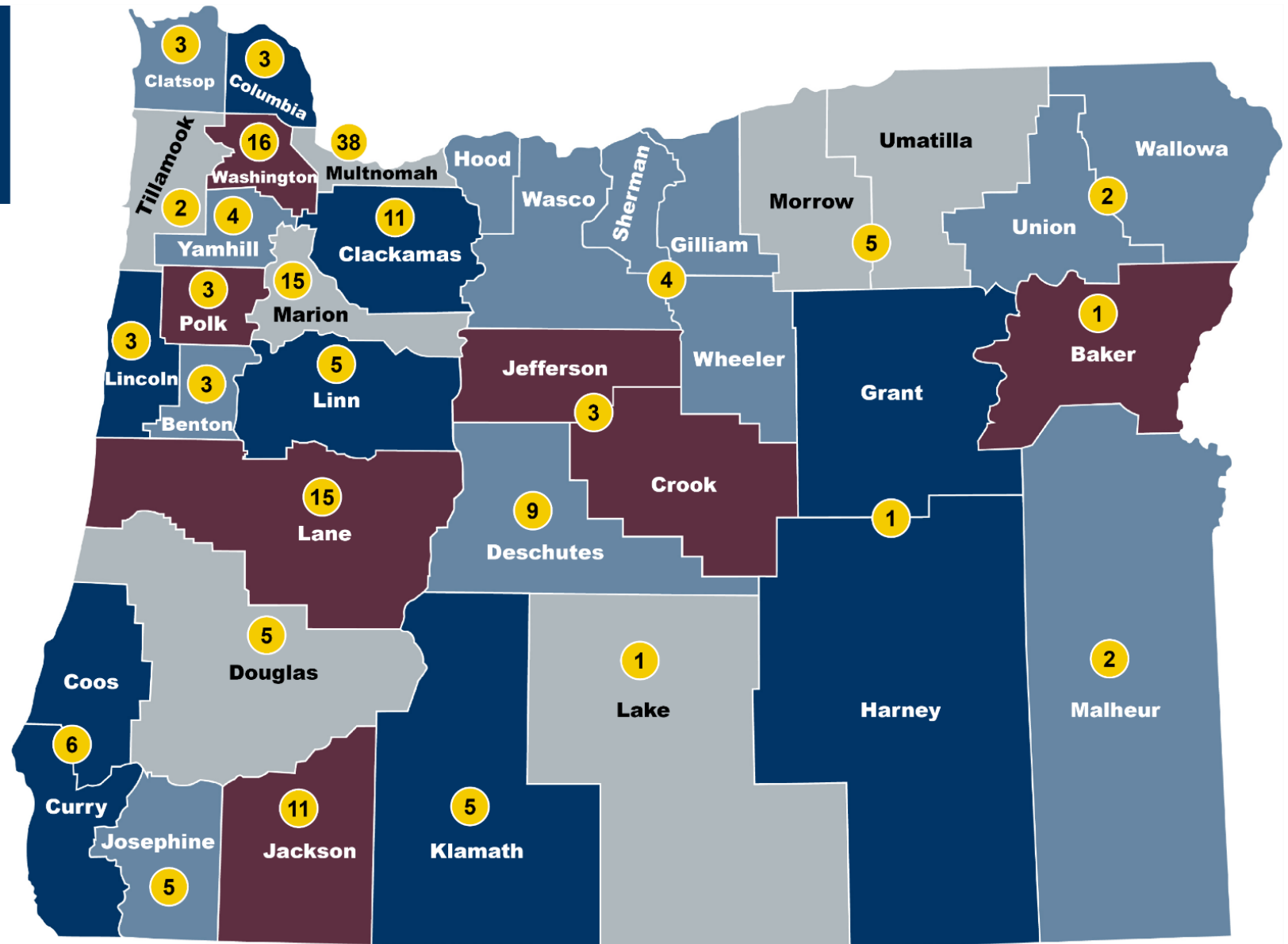
Executive Branch

Oregon's State Courts



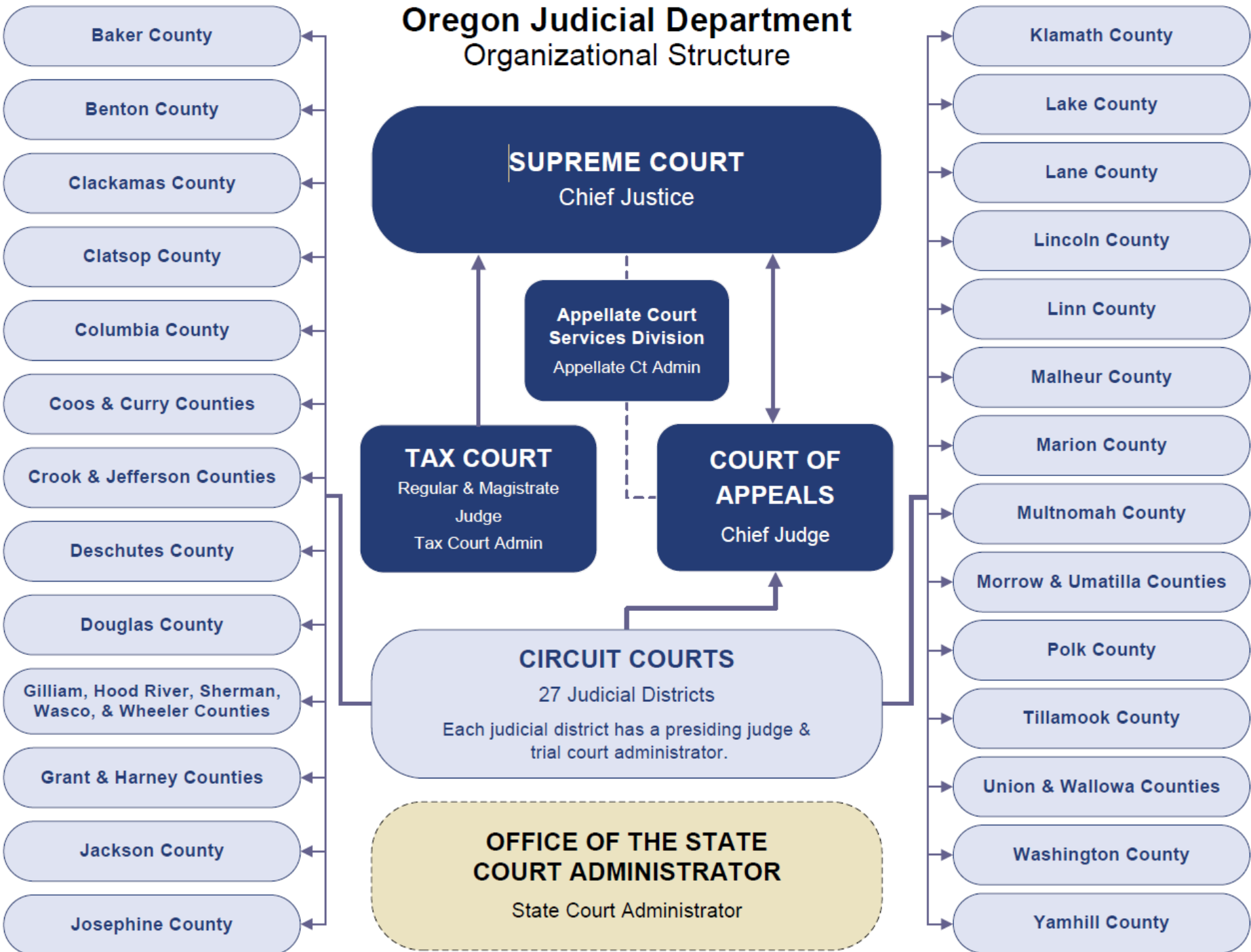
Circuit Courts

- 27 judicial districts
- Circuit courts in every county
 - 181 judges
 - 1,484 staff
- Serving 4.24 million Oregonians
- About 586,000 cases in 2024



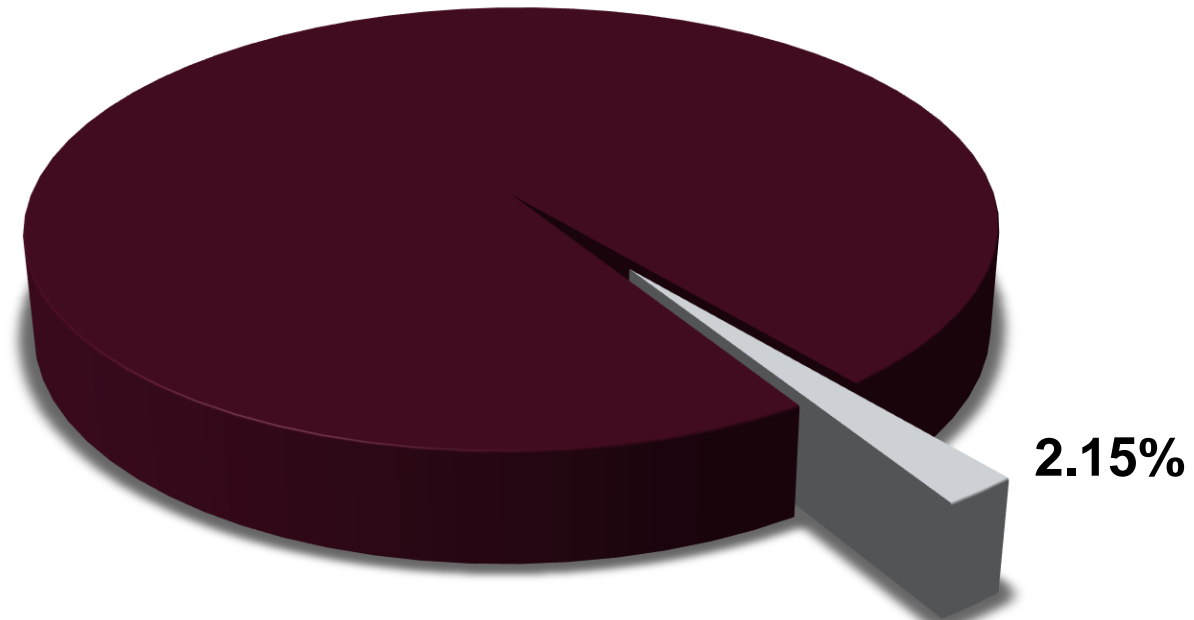
Number of judges in each judicial district

Oregon Judicial Department Organizational Structure



OJD's Budget is 2.15% of Total State Budget

2025-27 Governor's Recommended Budget



OJD's CSL as a percentage of Governor's Budget

State Courts & Shared Responsibilities

State

Responsible for:

- Staffing
- Judges
- Technology
- Central personnel
- Tools to provide justice services

Counties

Responsible for:

- Circuit court facilities
- Security

State provides limited funding to assist counties with:



Court security, law libraries, mediation

Touching All Aspects of People's Lives



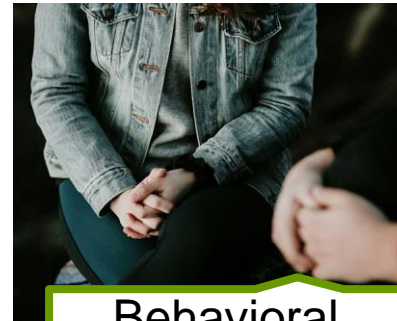
Family Law



Juvenile Cases



Protective Orders



Behavioral Health



Civil Law



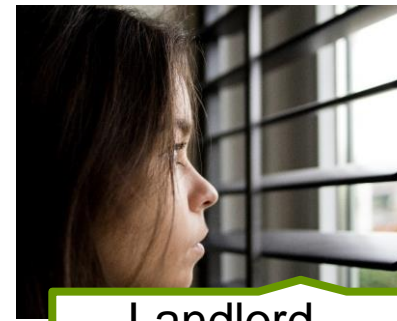
Criminal Law



Treatment Courts



Guardianships & Conservatorships



Landlord-Tenant

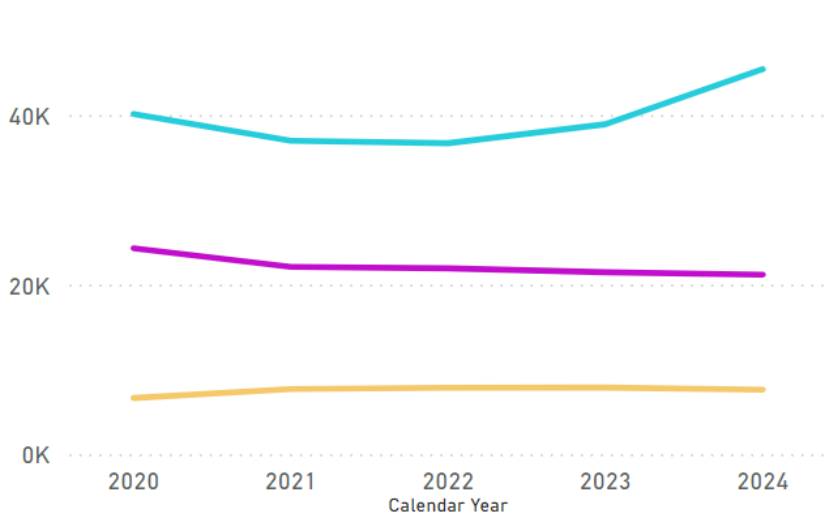


Oregon Circuit Courts Case Filing Trends

@ <https://www.courts.oregon.gov/data>

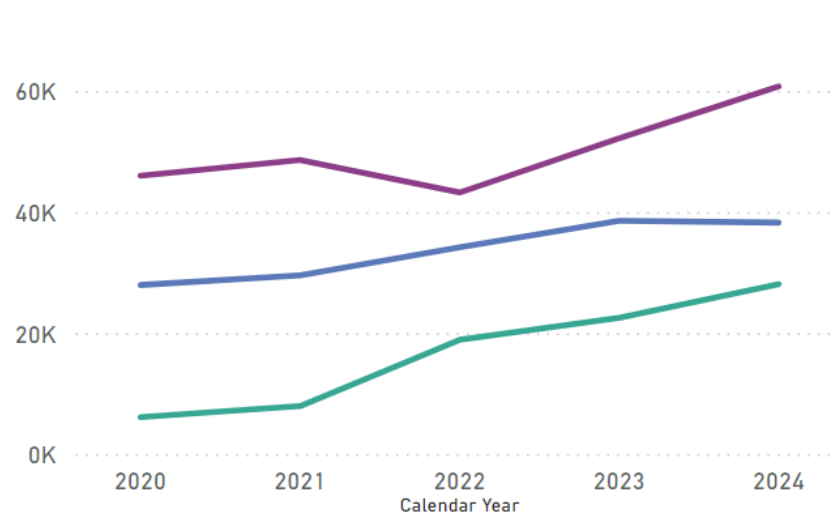
Criminal

Felony Misdemeanor Procedural Matters



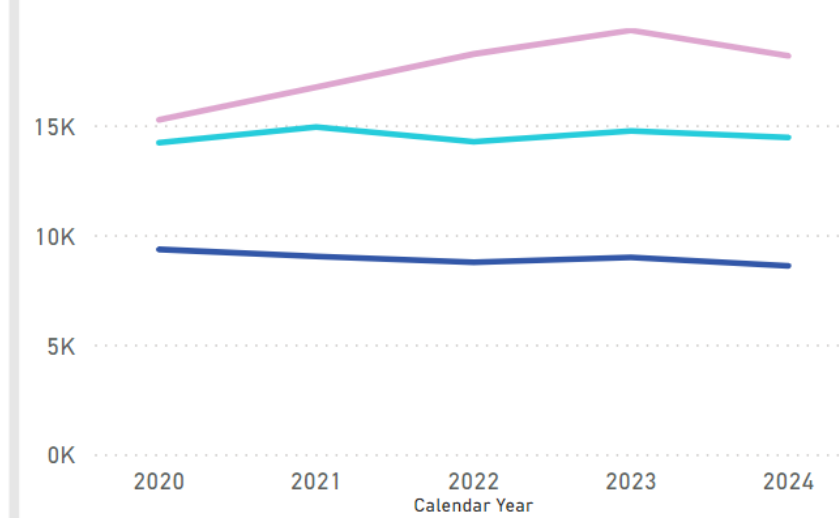
Civil

Civil Landlord Tenant Small Claims



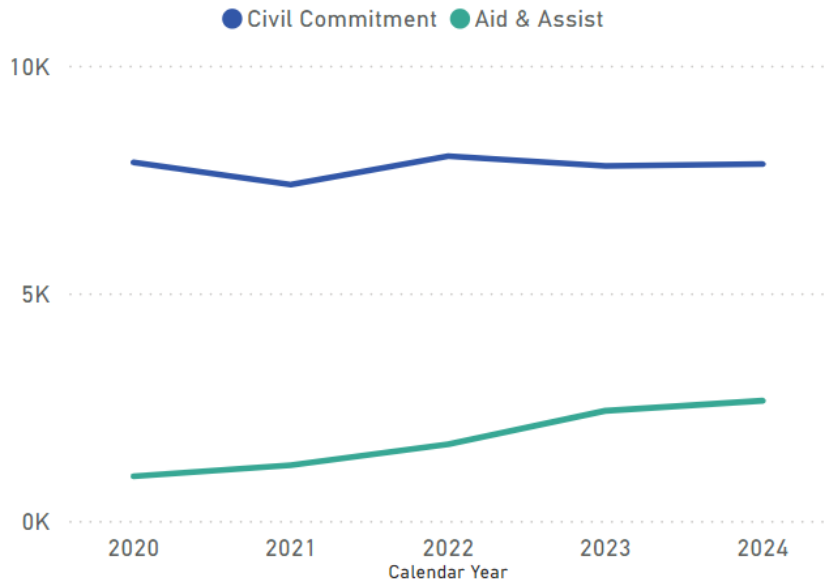
Domestic Relations

Dissolution Other Domestic Relations Protective Order



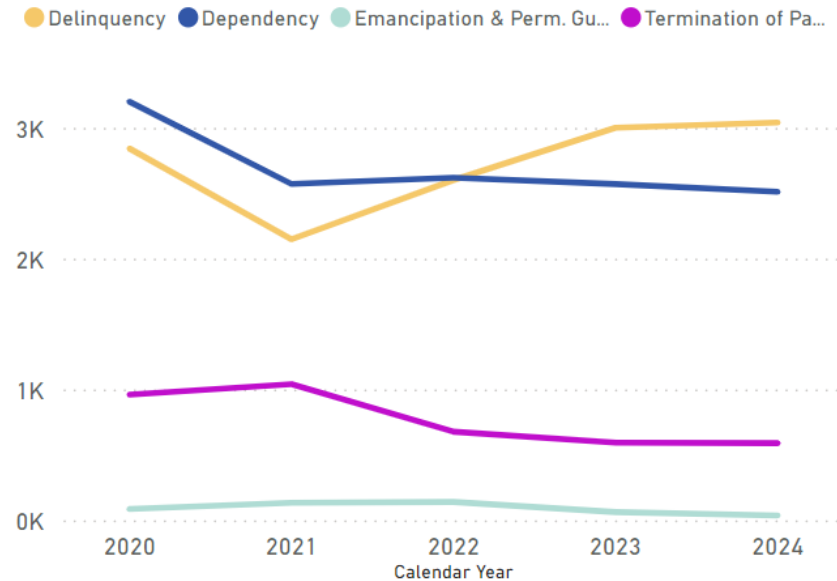
Behavioral Health

Civil Commitment Aid & Assist



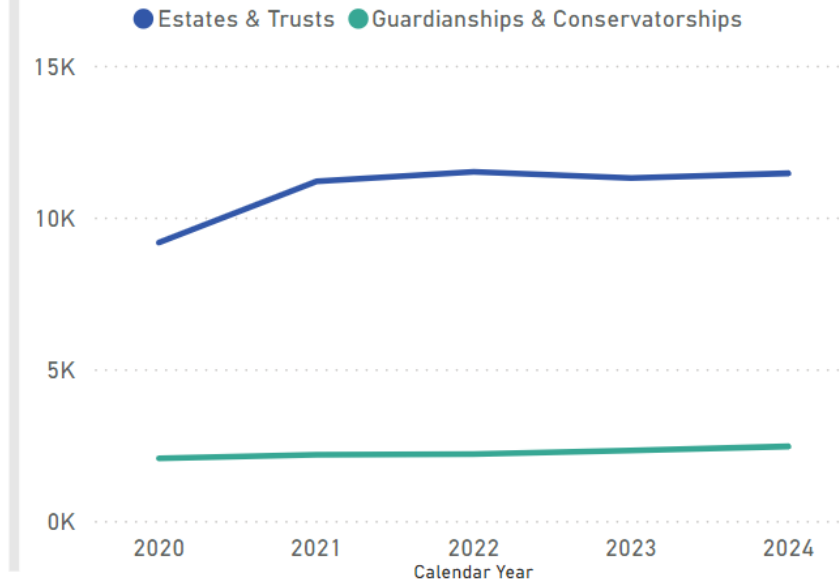
Juvenile

Delinquency Dependency Emancipation & Perm. Gu... Termination of Pa...



Probate

Estates & Trusts Guardianships & Conservatorships



Courts and Continuous Improvement

Partner engagement helps drive court improvement.

Committees dedicated to:

- Inclusion and fairness
- Civil justice
- Behavioral health
- Criminal justice
- Juvenile court improvement
- Security and emergency preparedness
- Statewide protective proceedings
- Family law
- Tribal, state, & federal court partnerships
- Adult guardianship

Oregon Family Law

Guide to Service Part 1: The Basics

Created by the Education Subcommittee of the State Family Law Advisory Committee (SFLAC)
May 2023

INSIDE:

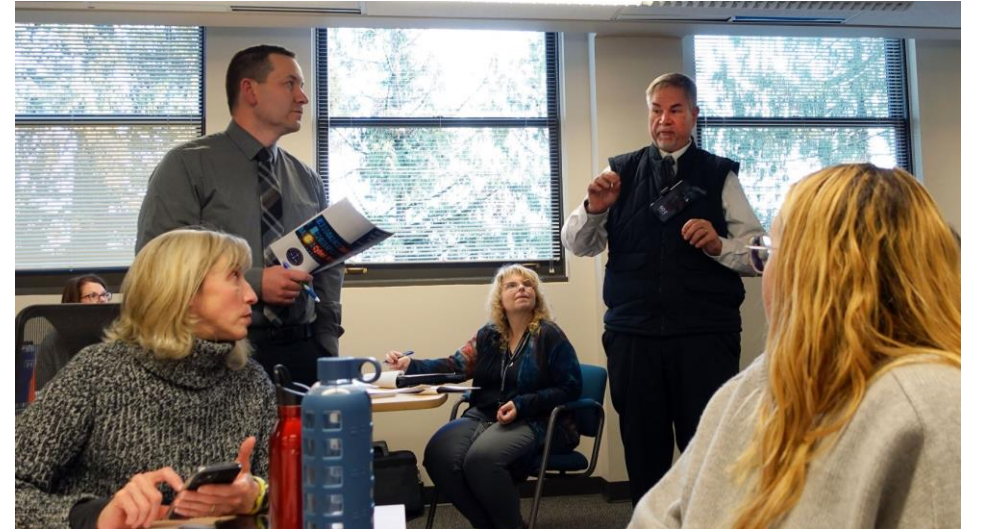
A step-by-step guide for how to serve legal papers in family law cases in Oregon.



Programs and Innovation

New and Expanding Services

- Alternative dispute resolution
- Behavioral health
- Centralized child support docket – leverages federal dollars to support better outcomes for Oregon families
- Remote court facilitation – helps self-represented litigants with forms, court processes, & resources, no matter where in Oregon they live
- Court Records Integrity Unit (set asides, expungement)



Regular education and training is critical to our commitment to effective, efficient service to our communities.

Programs and Innovation (continued)

New and Expanding Services (continued)

- Family & veteran treatment courts
- Guardianship & Conservatorship Auditing Program
- Juvenile Delinquency Improvement Program
- Juvenile State-Tribal Partnership
- Jury coordination
- Pretrial release
- Services for self-represented litigants

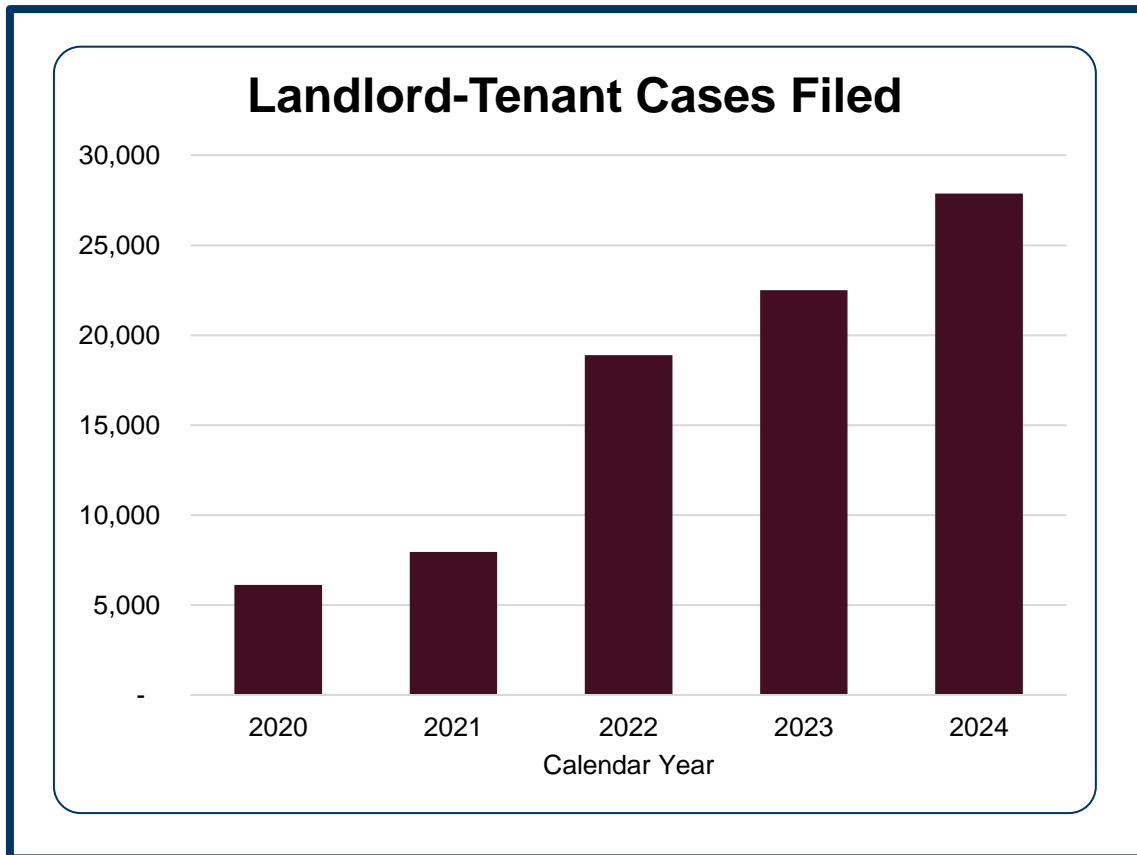


Top: Adult drug court graduation, Washington County.



Bottom: Veterans treatment court graduation, Lane County.

Landlord-Tenant Cases & Evictions



- Pandemic moratorium on non-payment cases ended in June 2021.
- Courts still processed “for cause” evictions during pandemic (damage to property, illegal conduct, safety concerns).
- Once the moratorium was lifted, non-payment evictions returned to normal rates.
- Case filings continue to grow, increasing 23% from 2023 and 50% from 2019.

How Courts Try to Help People Stay in Their Homes

Expanding facilitation services to eviction cases

- Help with forms, info about law & court procedures
- Connect people to community services

Diverting cases away from court proceedings

- Help landlords and tenants find alternatives to litigation
- Mediation, service connection, & community partnerships

Using mediation

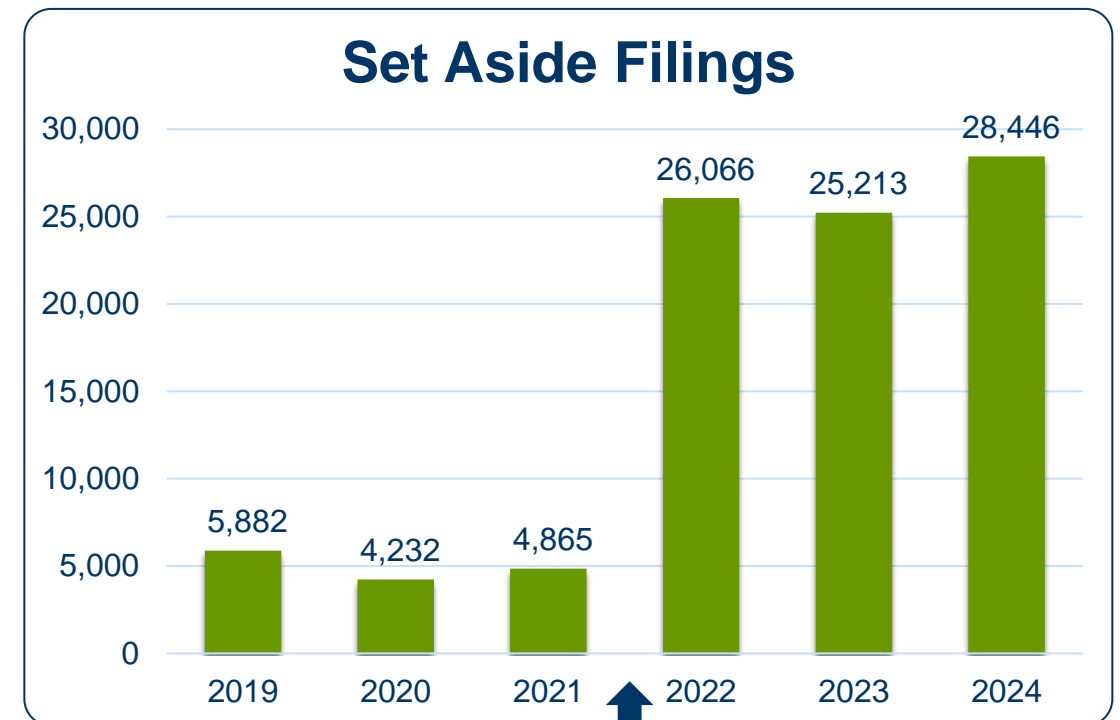
- Allows tenants flexibility to stay while catching up on rent
- Provides landlord with a legal enforcement mechanism



- **9** judicial districts offer **landlord-tenant mediation** programs
- Settlement rates range from **50%** (Jackson) to **90%** (Deschutes)

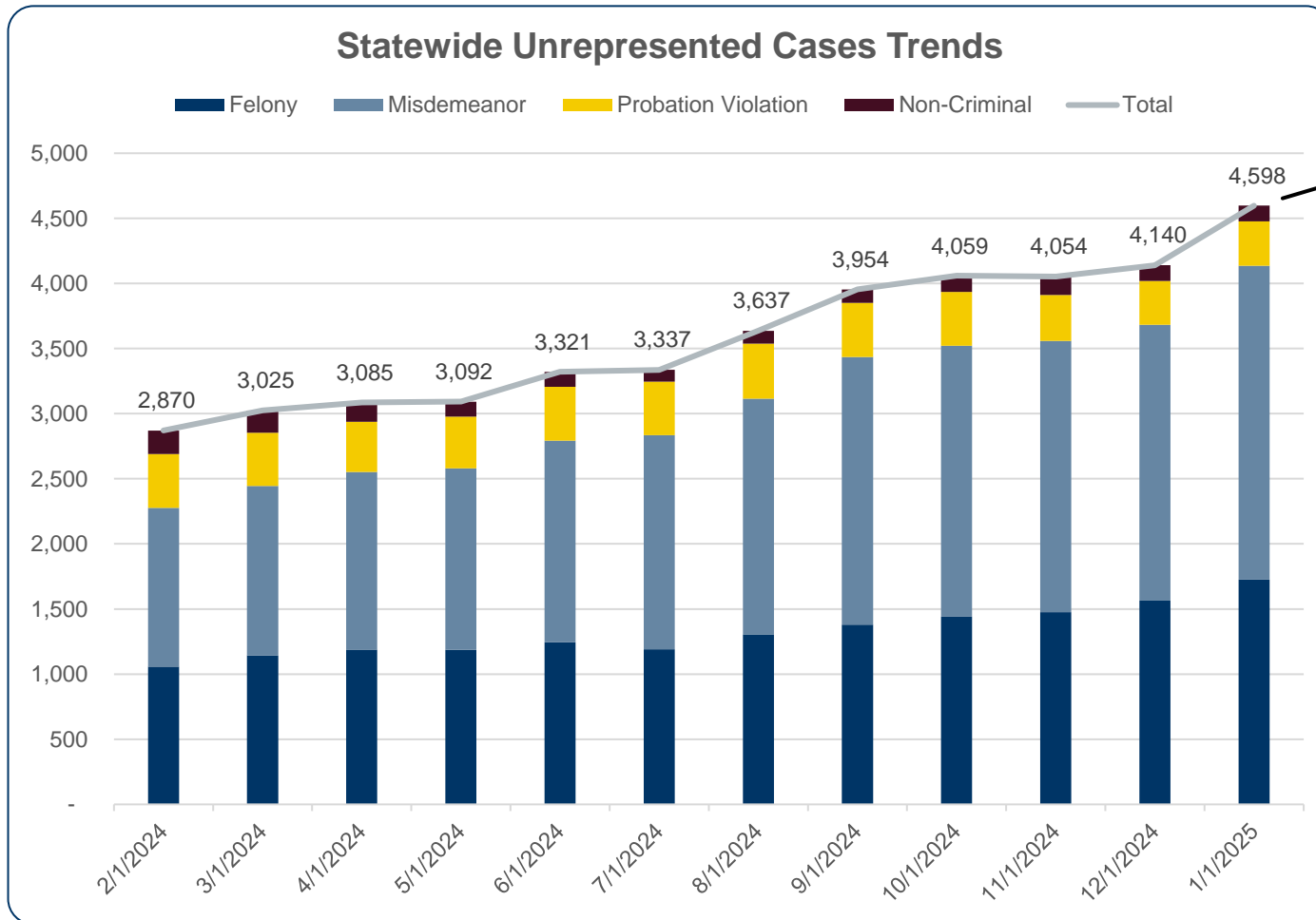
Set Asides & Expungements Require Automation

- **Drug Enforcement Misdemeanor** (HB 4002 (2024)): Developing automation requirements
- **Residential Evictions** (HB 2001 (2023)): 46,412 eligible judgments set aside and sealed in 2024, with more coming each year
- **Marijuana Possession** (Gov. Brown Pardon (2022)): 47,140 cases sealed in 2023



Law change (SB 397 (2021))
expanded eligibility

Unrepresented Cases are Growing



Total Unrepresented Cases on Jan. 1, 2025: **4,598 (a record)**

Responding to the Unrepresented Crisis

Court Staff

- Monitor maximum attorney caseload (MAC) usage
- Prioritize cases for appointment
- Monitor in-custody individuals subject to *Betschart* release
- Contact local attorneys to take cases

Presiding Judges

Implement SB 337 (2023) Unrepresented Defendant Crisis Plans in collaboration with local public safety partners

State Court Administrator

- Maintains unrepresented dashboard
- Assists OEA and OPDC with forecasting
- Submits Unrepresented Crisis updates

Courts are **statutorily prohibited** from exercising administrative control over the public defense system.

Human Costs of the Unrepresented Crisis

People Charged With a Crime

- Loss of housing, jobs, and relationships
- Inability to travel
- Extreme ongoing stress

Victims

- Unable to find closure and move forward
- Potential case dismissal
- Fear for safety from violence

Witnesses

- Long waits make their information stale
- Impacts willingness to participate
- Disrupts regular life

Courts

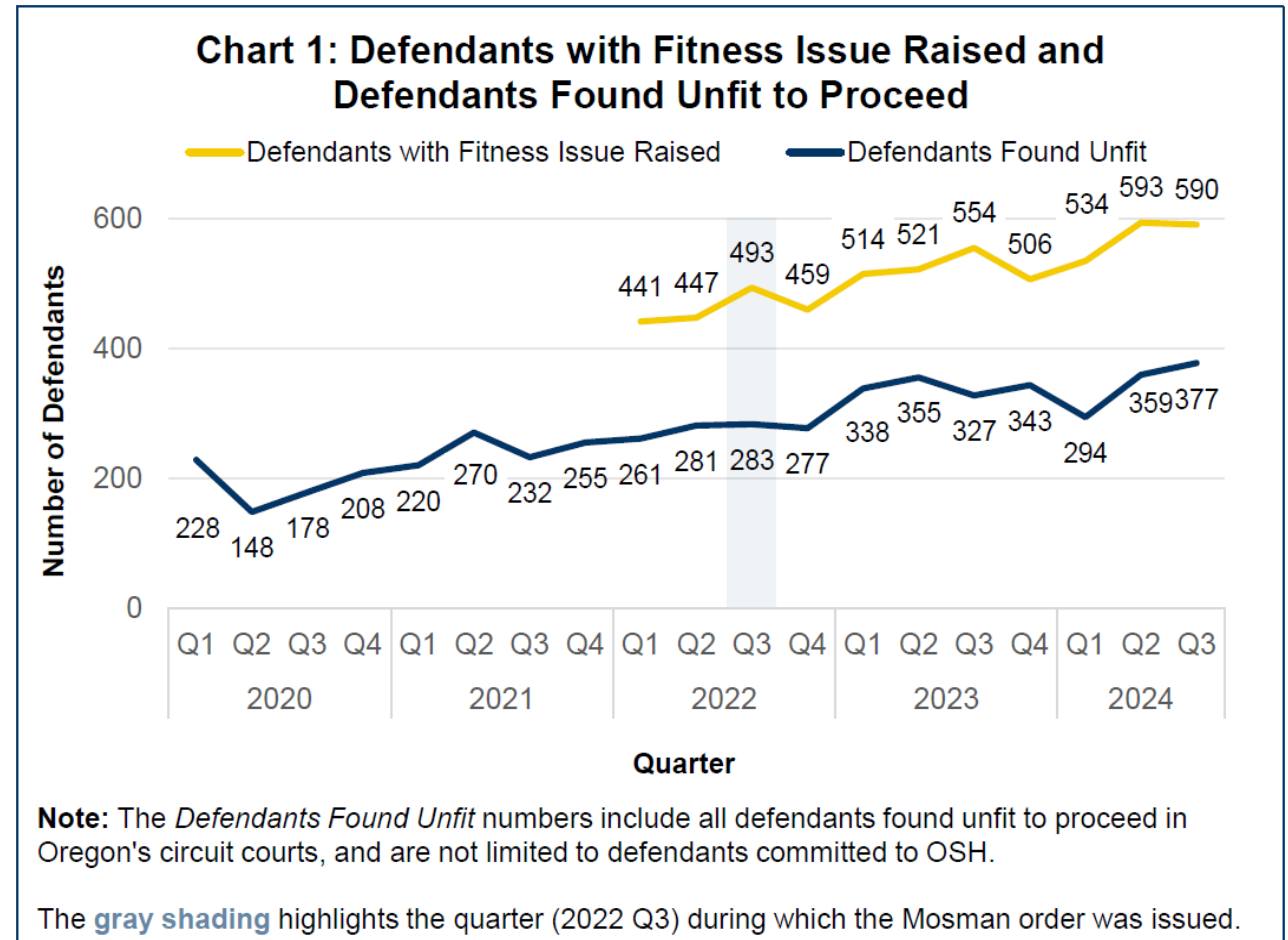
- Longer court dockets & more hearings
- Slower resolution of all cases
- Impacts **everyone** who seeks court services

Courts are ready to do whatever they can to ensure representation for eligible individuals.

Growing Behavioral Health Caseload: Demands on Judges and Court Staff

More efficiency & rapid response required

- Rapidly increasing aid & assist caseloads and hearing volume
- Truncated timelines for Oregon State Hospital restoration



Growing Behavioral Health Caseload: Demands on Judges and Court Staff (continued)

Courts need help to meet increased demands

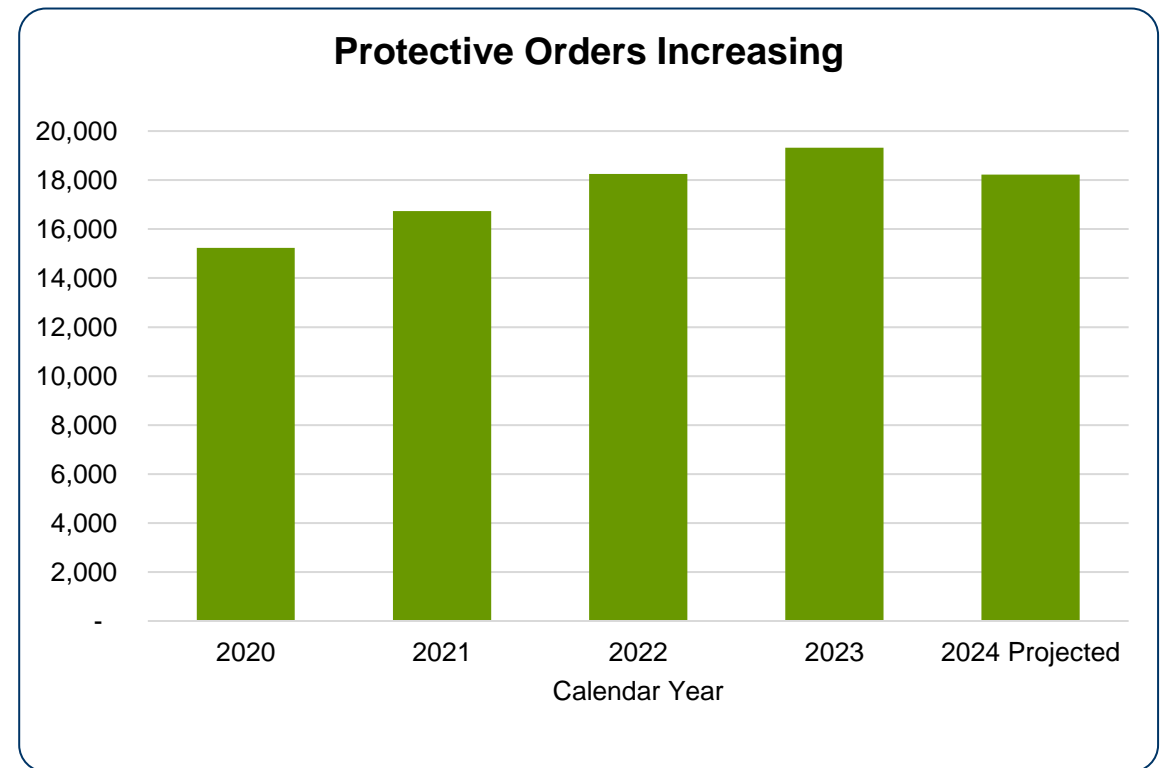
- Developing specialized dockets
- Mapping community resources
- Coordinating with system partners statewide
- Creating specialized forms & business processes
- Training to work with people in behavioral health crisis



Protective Orders Are Increasing

Orders to prevent:

- Domestic violence
- Abuse of elders
- Abuse of people with disabilities
- Sexual abuse
- Stalking
- Harm to self or others (“red flag orders”)



Protecting People in Unsafe Situations

Help for self-represented litigants

- Online and paper application forms in Self-Help Center
- Remote and in-person assistance from court facilitators

STOP VAWA (Violence Against Women Act) Formula Grant

- Staff attorney
- Training and education: judges, court staff, pretrial release officers

Specialized resources for judges

- Protective order bench cards & bench books
- 2024 Judicial Conference sessions on domestic violence
- On-demand training library





Guardianships & Conservatorships



Courts monitor **more than \$1.4 billion** in assets

Number of new cases has increased **13.5% in the last 2 years**

2 out of every 5 cases start with a protected person **over age 65**



Strengthening Protections for Vulnerable People

Conservatorship Auditing Program

- Reviews and audits annual conservator financial reporting
- Has reviewed/audited \$34,282,931 in assets

Monthly educational programming

- Delivered more than 1,200 hours of subject-specific training

State Protective Proceeding Advisory Committee

- Proposed updates to UTCR probate rules
- Drafted a protective proceeding bench book

Language Line translation services

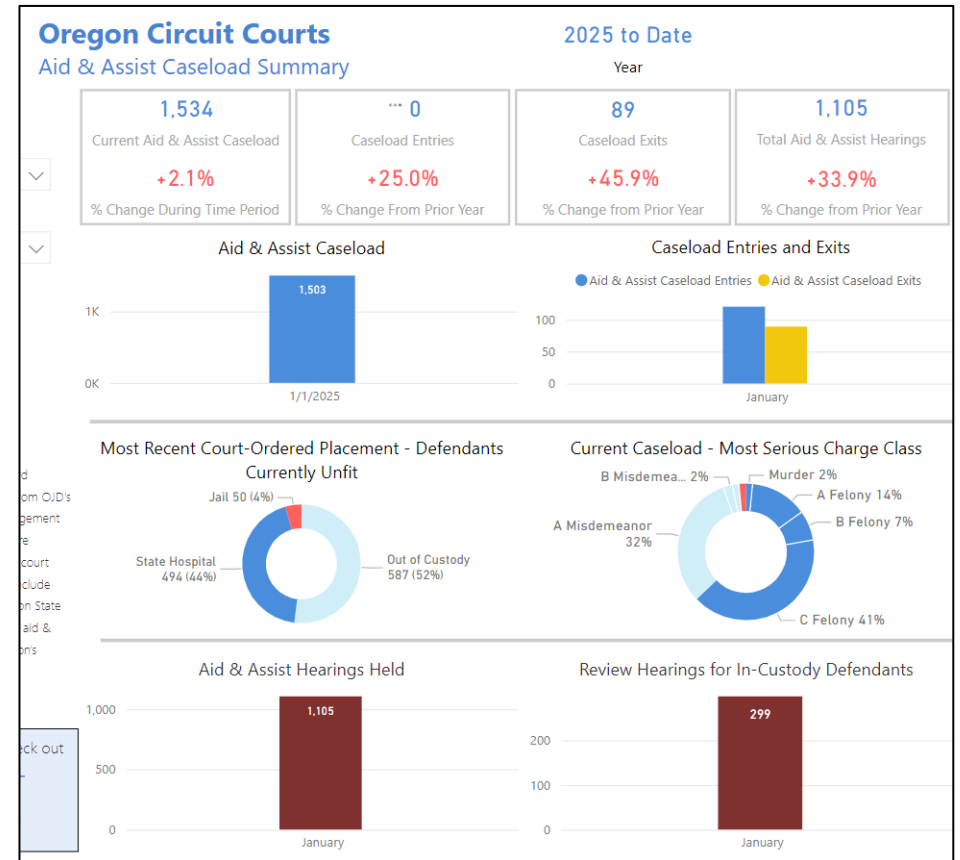
- Available to Court Visitors for official court investigation work



Using Data for Efficiency, Problem-Solving, and Improvement

OJD has developed data sources, dashboards and regular reports to drive improvements:

- Public Defense/Unrepresented Individuals
- Aid & Assist and Mink/Bowman (OSH releases)
- Civil Commitment
- Pretrial Release and Failure to Appear (FTA)
- Set Aside and Expungement
- Treatment Court
- Pending Cases
- Fines and Fees



Technology Solutions to Improve Access and Efficiency



**Oregon eCourt
Case Information
Online**



**Online ePay &
Violations Bureau**



eFile & Serve



**Guide & File
Intelligent Forms**



**Remote Hearing
Technology**



**Text Message
Payment Plan
Reminders**



**Text Message
Hearing
Reminders**



Data Analytics

Procedural Justice: Ensuring Equity and Fairness

- **Oregon Constitution:** Everyone must be treated equally under the law.
- **Oregon's courts:** Dedicated to access, fairness, respect, and justice for all.
- **Everyone** has the right to:
 - have their day in court
 - trial by a jury of their peers
 - fair and impartial procedures
 - be heard by a fair and impartial judge



Courts Impact Peoples' Lives

“My brother went through **drug court** years ago and although he had previously relapsed, he is over **five years clean** today and said he does still use some of the tools he **learned from drug court.**”

“I was in your courtroom to give a **victim impact statement.** That morning was one of the hardest times in my life. Thank you for **making me feel valued, respected, and heard.**”

“**Divorce** is not fun. Paperwork can be overwhelming. Your facilitator made it so much **easier and less stressful.**”

“**Thank you for giving me a chance.**”



2025 OJD Bills



SB 95: New Judges & Support Staff

- Adds judicial positions in high-need counties

SB 96: Judicial Compensation

- Increases compensation equivalent to senior lawyers at OPDC or DOJ

SB 97: Mediation in Family Law Cases

- Reporting and fee increases to support and improve local mediation/conciliation services

SB 98: Housekeeping & Technical Fixes

- Technical fixes, clarifications to statutory language, and improvements to court processes



Judicial Department: Key Takeaways

1. Courts uphold the law, protect rights, and preserve democracy.
2. Each case profoundly impacts people's lives.
3. Our work is critical to many of the Legislature's top priorities, including:
 - Public safety
 - Protecting children and families
 - Behavioral health
 - Homelessness
4. Courts are committed to improvement, access to justice, fairness, and equity.



It's about people.

Thank You

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