

The Honorable Floyd Prozanski
Chair Senate Judiciary Committee
State Senator
900 Court Street NE S-413
Salem, Oregon 97301
Sent via email to sen.floydprozanski@oregonlegislature.gov

Dear Chair Prozanski and Members of the Judiciary Committee,

I am writing on behalf of myself and the 14 members of Lane County Juvenile Lawyers Association to respectfully encourage you to support the Chief Justice's request to add two Circuit Judges to the Lane County Bench.

I have practiced law primarily in Lane County Juvenile Court for the past 26 years. Currently there are two full-time judges assigned to juvenile court. I appear there most days of the week and witness the long, heavy dockets which begin most mornings at 8:30, often go until 5:00 and frequently continue into the noon hour. On an average day there are between 10-15 families and delinquent youths who appear for hearings which determine critical issues such as where children will live, what is necessary to keep them safe and whether their parents should maintain custody of them. Despite the complexity and importance, many of these hearings only last 20-30 minutes, but in order to prepare for them the judiciary must read multiple, lengthy reports and familiarize themselves with prior hearings and rulings.

In addition to the above described docket, our juvenile court was a leader in beginning the alternative RAP court, following a treatment court model which involves intensive interactions and weekly hearings for its participants. RAP court occurs one afternoon a week. Furthermore, two mornings a month, the court's time is directed to new termination of parental rights cases wherein parents facing the permanent loss of their parental rights make their first appearances or are defaulted through prima facia hearings. Additionally, the two juvenile judges are responsible for hundreds of children in guardianships who are wards of the court. Those cases require judicial oversight and review of guardian reports, even when no hearings are scheduled.

All of us who work in juvenile court strive to collaborate for the benefit of the families and best interests of the children in juvenile court, but due to the incredibly high-stakes (loss of parental rights which in turn leads to loss of housing and other collateral losses), contested hearings are common. Contested matters typically last from a half court day to 2 days. Currently the earliest there is space on either judge's docket for such hearings is in July. Both judges understand that waiting months to have critically important issues decided is not what is best for families, however there is simply no room on the docket for the cases to be heard sooner.

While most juvenile matters are heard in juvenile court, Lane County Judges assigned to other dockets make themselves available when possible to help with the juvenile caseload. All termination of parental rights trials are heard by non-juvenile judges, as are some other multi-day contested hearings. When I appear on these matters in the main courthouse, I see how many trials of all varieties are assigned out every day and have occasionally had the experience of a judicial shortage wherein there are more trials than available judges.

Finally, in addition to presiding over full dockets, judges in Lane County also devote time to being involved in groups and committees which collaborate to address the issues which lead to members of our community to needing court involvement, such as mental health, poverty, homelessness and substance abuse. Presiding Juvenile Judge Love is active and instrumental in a number of statewide and national groups seeking to improve outcomes for children in juvenile court. Lane County Circuit judges also make themselves available to attorneys such as myself to discuss and problem-solve matters that present barriers to access to justice and equitable outcomes. I believe this pro-active, accessible culture is responsible for Lane County mostly avoiding the unrepresented persons crisis plaguing much of Oregon.

Frankly, the addition of two judges is probably not enough to truly serve the needs of Lane County, but it would certainly be of huge benefit and I encourage you to support this expansion.

Thank you for your time and consideration.

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