

Citizens' Campaign for Court Funding

May 22, 2019

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Dear Co-Chairs Johnson, Steiner Hayward, and Rayfield and members of the committee,

I am writing in support of SB 5513 as a member of the Citizen's Campaign for Court Funding, a group of a business and nonprofit leaders as well as Oregon State Bar leaders who are concerned about the continued under-funding of the courts.

Adequate funding is essential for the courts to provide safety for the public by resolving criminal cases, certainty for businesses and organizations in disputes with customers, competitors and the government, and resolution to families in crisis. Oregon's courts make up the third branch of state government, yet only receive 2.4 percent of the state's General Fund. By providing adequate funding for the Oregon Judicial Department at the current service level of \$505.6 million, the court will have the ability, among other priorities, to fund 80 staff positions currently held vacant.

The last few biennia have seen decreases in court service levels that have called into question whether the courts can uphold their constitutional duty to administer justice completely and without delay. Since the 2009-2011 biennium, the Oregon Judicial Department has lost 212 positions. This has affected timely case processing as well as public access to the courts. Currently, only one county in the state, Lane County, has a courthouse that is open the full business day with all public services. Clerks and support staff are the glue that hold the court system together; without adequate staffing the court's ability to work effectively is substantially cut.

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The Oregon Judicial Department plays a critical role in making sure children have safe permanent homes. Our constitution and statutes rightly require courts to deal with certain kinds of cases like criminal matters and many juvenile cases before others. This biennium, the legislature has the opportunity to assist the courts in better serving children and families by adding 14 judges and support staff (HB 2239). Funding for an additional four judgeships, found in HB 2258, will allow the courts to redouble their efforts to address backlogs in child dependency cases. An increase in judicial compensation, found in HB 3388, will help attract and retain highly qualified lawyers to the bench.

Access to the courts, whether by walking into a courtroom or logging on, requires the state to invest in infrastructure. The legislature has provided funding for a number of courthouses over the last decade. These projects have addressed seismic protection, updated dated facilities, and enhanced courthouse security. Providing state bond funds this biennium for Benton, Clackamas, Linn, Lane, and Multnomah counties will ensure court facilities are accessible and safe for both the staff and the public.

Oregon eCourt tools and website improvements have made it easier to do more court business online. Close to five million cases have been added to the eCourt system since 2012 and there are almost seven million OJD website visits each year. Technology, however, needs investment to stay functional and current. Funding technology maintenance and upgrades for Oregon eCourt will support electronic filing, online access to court documents, and online payments.

The Oregon State Bar is committed to engaging with the legislature and the governor in a conversation about the third branch, which has little control over the amount of its budget. We hope for a constructive dialog. We realize that all parts of our state government have to pull together to support education, public safety, and healthcare, but we are convinced that adequate funding for basic court services is a critically important component of that process.

Thank you for your work on these important issues.

Sincerely,

A handwritten signature in cursive script that reads "Christine R. Costantino".

Christine R. Costantino, OSB President