

Dear X:

We write to you today to ask for your public support for an adequate level of funding for Oregon's courts.

All of us were taught that our government has three separate branches – the executive, legislative and judicial branches. Each branch of government is equally important. Each branch of government is equally necessary. And each branch of government equally shares the responsibility to maintain an orderly society. Unfortunately in Oregon, funding for the three branches of government is not prioritized equally.

In recent years, as state agencies were forced to tighten their belts, Oregon's court funding was limited as well. These cuts led to court closures and staff reductions, while demand for court services increased. In the last decade, Oregon laid off court reporters, judicial assistants, and referee judges who handle traffic, small claims, and criminal matters. More recently, Oregon, along with the rest of the world, shut down due to the COVID-19 pandemic. And just like the Oregon's two other branches of government, even if the court system is required to physically close its doors, the work of the justice system must continue.

The last year has challenged all Oregonians to work together and find new ways to do more with fewer resources. The courts are no different. While court filing have decreased since the beginning of the COVID-19 pandemic, the workload and cost per case has increased by 25 percent. Further, the pending caseload grew 45 percent faster than in non-COVID years. Our judges and court staff have pivoted to remote hearings, mediation programs, and physically distanced or remote jury trials to meet the need. To do this important work, the courts must receive adequate funding. The courts must provide access to justice to all Oregonians - including those without home addresses, phones, and internet access.

Funding Oregon courts is an issue that matters to Oregon businesses and nonprofit organizations. In the hierarchy of cases on the court's docket, the Constitution requires criminal cases be handled first. Next on the list are typically those cases involving child welfare and/or the safety of a person from an abusive situation. Further down on the list are cases like civil disputes, small claims and evictions. If court funding continues to be limited and resources become less available, the courts will be forced to dedicate more and more their resources to cases at the top of the list, meaning those cases at the bottom will be even further delayed.

The cases at the bottom of the list are typically the ones that impact businesses and nonprofit organizations most directly. Providing inadequate funding to Oregon's already stretched court system will limit access to justice, and create an increasingly "wild west" climate where resolution of disputes is unpredictable. Such increased uncertainty needlessly risks jobs, services, and economic prosperity.

Oregon courts must be adequately funded to ensure access to justice to all Oregonians. Courts ensure public safety, protect vulnerable citizens, and resolve the problems of families in crisis. Even with the addition of new judges, the completed rollout of Oregon eCourt, and improved remote access, limited funding continues to limit the courts' ability to address many civil disputes.

During the 2022 Legislative Session, the Oregon State Bar is asking for your commitment to help us restore an adequate level of funding for Oregon's courts.

Thank you for your consideration of these issues. Susan Grabe from Oregon State Bar will follow up in the next few weeks to answer any questions and provide any additional information you might need.