



ACCESS TO JUSTICE FOR ALL COMMITTEE

Oregon Judicial Department

2001 PROGRESS REPORT

OVERVIEW

The Oregon Judicial Department (OJD) recently revised its long-term vision and identified access to justice among its highest priorities. The Access to Justice for All Committee (Access Committee) supported this goal in 2001 through legislative reform, judicial and legal education, workforce development, public outreach, monitoring and evaluation, and other initiatives.

MISSION

- ▶ To pursue and coordinate implementation of recommendations of the Oregon Supreme Court Task Force on Racial/Ethnic Issues in the Judicial System, the Oregon Supreme Court Implementation Committee, and the Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness;
- ▶ To monitor and evaluate the progress and effectiveness of implemented reforms;
- ▶ To offer recommendations for education, additional reforms, and study concerning gender fairness, access to justice for racial and ethnic minorities, and as otherwise directed by the Chief Justice.

PROGRESS

LEGISLATIVE REFORM

2001 Successes. The Access Committee sponsored three bills that became law to enhance court interpreter services:

- Courts now may appoint interpreters for non-English-speaking parents, guardians, or persons granted rights of limited participation in the predisposition phases of juvenile delinquency cases (Chapter 214, 2001 Oregon Laws);
- Interpreters who have not been certified by the State Court Administrator must submit their credentials and qualifications on the record (Chapter 242, 2001 Oregon Laws);
- A qualified and certified interpreter may be appointed in grand jury proceedings, or a noncertified interpreter if no certified interpreter is available (Chapter 243, 2001 Oregon Laws).

2001 Advocacy. The Access Committee also proposed a bill to provide certified interpreters and qualified translators for non-English-speaking jurors, but it died in committee.

Distributed information about the Access Committee and copies of the *Report of the Gender Fairness Task Force* and the *Report of the Oregon Supreme Court Task Force Racial/Ethnic Issues in the Judicial System* to members of the Oregon House and Senate Judiciary Committees.

The 2001 legislature established the Law Enforcement Contacts Policy and Review Committee to gather and analyze demographic data to ensure that law enforcement agencies do not unlawfully discriminate based on race, color, or national origin. The Access Committee will monitor the committee's work and findings.

JUDICIAL AND LEGAL EDUCATION

The Access Committee established education as its overarching short-term goal.

PROGRAMS

Access to Justice and Community Leadership. Three-hour presentation at the 2001 New Judge Seminar. The Chief Justice introduced the session, followed by presentations on Oregon's racial/ethnic demographics, the fairness task forces and implementation committee, the role of the Access Committee, access for people with disabilities, and certification program for court interpreters.

Allies for Fairness: Respect, Reflect, and Respond. Breakout session at the Oregon Association for Court Administration (OACA) Spring Conference, focusing on municipal and justice courts and on support available from the Access Committee.

Jury Issues Peer Information Exchange (PIE). Presentation to Oregon state court jury coordinators, supervisors, judges, and referees on task force recommendations to enhance the diversity of jury pools, instruct jurors about bias, and eliminate bias against jurors.

Understanding Racism. Two six-week workshops for appellate judges and state court administrator staff, hosted by the Access Committee and led by retired Chief Justice Edwin Peterson.

The Tower of Babel: Working with Interpreters in a Legal Setting. Workshop for judges and court employees developed and presented by the OJD's Court Interpreter Services Program.

ADVOCACY

Judicial Education Policy. The Access Committee's Education Subcommittee proposed a draft policy to OJD's Judicial Education Committee and Education Division to incorporate fairness and ethics issues in all education programs and products.

Continuing Legal Education. Under a new Minimum Continuing Legal Education requirement, Oregon attorneys must earn three education credits on diversity issues per three-year reporting period. The Access Committee actively promoted the rule change and is working with the Oregon State Bar and OJD Education Division to increase the number of qualifying programs.

ASL Interpreting. OJD's Court Interpreter Services Program presented at an education program for ASL interpreters in Vancouver, Washington to help increase the pool of certified ASL interpreters in Oregon.

WORKFORCE DEVELOPMENT

Diversity in the Judicial Branch. The Affirmative Action Subcommittee analyzed OJD's practices and strategies to enhance workforce diversity through recruitment, hiring, and retention of underrepresented groups.

- The OJD Personnel Division authorized and encouraged local courts to pay a bilingual differential to qualified staff members assigned bilingual customer service responsibilities. OJD worked with the National Center for State Courts to develop and administer qualifying tests in Spanish, Vietnamese, and Russian.
- The OJD Personnel Division instituted new rules requiring OJD employers who hire staff to report on efforts to recruit and hire employees from diverse backgrounds.

- The OJD Personnel Division developed a voluntary applicant tracking form that requests information about applicants' gender, race, ethnicity, and disability status.
- The OJD Education Division planned sessions for its supervisor education program on improving workforce diversity through effective recruitment, hiring, and retention.

Diversity in Law Firms. Several committee members participated in the 2001 Oregon State Bar Diversity Convocation with law firms and other legal employers to discuss recruitment, networking, and mentoring strategies to provide diversity in the legal profession. The Oregon State Bar adopted the Convocation's recommendation to establish a new Diversity Section of the Bar.

PUBLIC OUTREACH

Minority Youth. Helped plan and support the Fifth Annual Governor's Summit on the Overrepresentation of Minorities in the Juvenile Justice System. The Chief Justice spoke to OJD's commitment, and Access Committee members moderated the conference and helped present.

Female Youth Offenders. Provided support for the Second Annual Women's Symposium at a predominantly female juvenile correctional facility. This program highlighted stories of successful women who have overcome adversity and included a presentation by a circuit court juvenile judge.

Inmates. Participated in symposium on racial disparity in Oregon's criminal justice system organized by an African American inmate club at the Oregon State Penitentiary.

County Government. Worked with the Multnomah Task Force on Racial Overrepresentation in the Criminal Justice System to analyze Multnomah County's criminal justice system and, if necessary, develop recommendations to reduce disparate practices or inequitable conditions to the Local Public Safety Coordinating Council. This workgroup includes county commissioners, judges, professors, and other community leaders.

MONITORING AND EVALUATION

Task Force Recommendations Update.

The Access Committee completed a two-year effort to assess how the Gender Fairness Task Force (1998) recommendations have been implemented. The final report will be published on the Access Committee website in mid-2002. <http://www.ojd.state.or.us/access>

Coordinating Justice System Partners.

The Monitoring and Evaluation Subcommittee hosted a meeting with representatives of the Oregon Criminal Justice Commission, the Oregon Council on Domestic Violence, and OJD's Court Community Justice Services Division to collaborate on efforts to improve Oregon's domestic violence law enforcement practices.

OTHER

Response to September 11. The Access Committee Chair and the Chief Justice jointly issued a statement, called a "Recommitment to Fairness," urging all participants in our justice system to be especially mindful of racial and ethnic prejudice.

White Paper on Racial/Ethnic Fairness.

Helped draft the 2001 Conference of State Court Administrators (COSCA) White Paper on the responsibility of courts to address racial and ethnic bias. Identified best practices and recommended improvements.

Signage. Provided Oregon's circuit courts with Spanish translation of a poster that explains how court staff may help court-users, what court staff cannot do by law, and how to find legal help.

Cultural Competency Council. Served on *ad hoc* state intergovernmental committee that developed a proposal to the Oregon Department of Administrative Services (DAS) for a Cultural Competency Council to develop, coordinate, and implement statewide strategy for to improve state government's cultural competency.

Questions or need additional information? Contact :

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