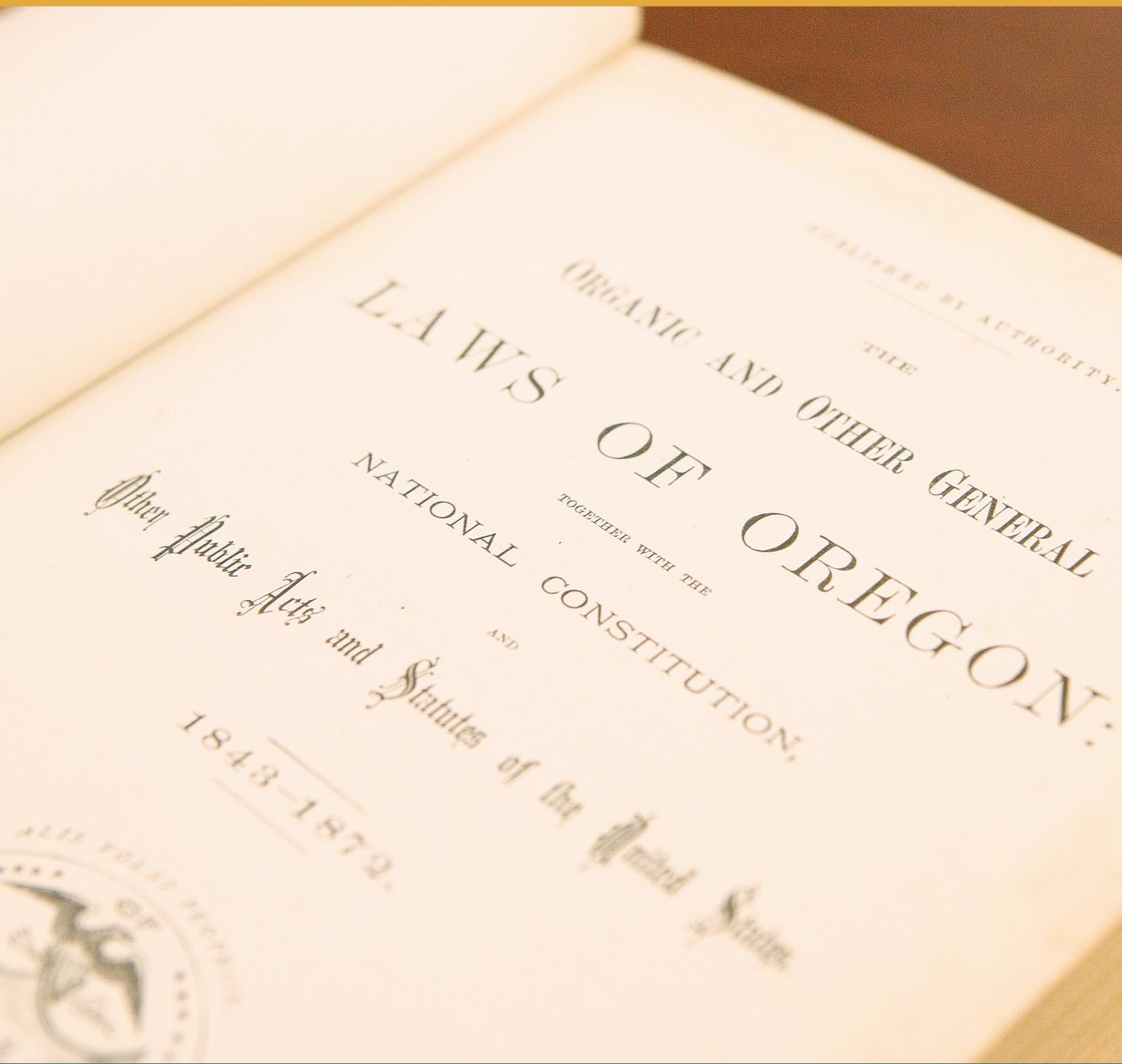


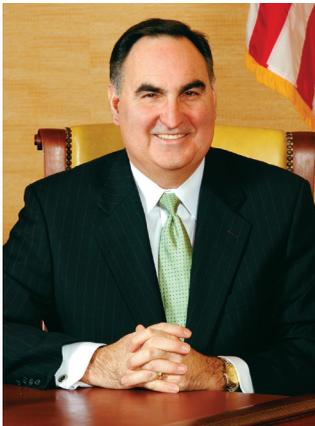
2006

STATE OF THE OREGON COURTS:
Justice in the 21st Century





A MESSAGE FROM THE CHIEF JUSTICE



Dear Fellow Oregonians:

It has been both a privilege and an honor to have served this past year as Oregon's 39th Chief Justice. That service has strengthened my belief that Oregonians are, and rightly should be, proud of the strong judicial system that we have in our great state. There can be no doubt but that the judicial branch of government is fulfilling its role as one of the cornerstones of our constitutional democracy.

We must thank a great many individuals, entities, and organizations for the Oregon Judicial Department that we have today. Our partners in the Executive and Legislative branches have been instrumental in recognizing the important roles that the courts play in protecting children and families, enhancing public safety, and enforcing economic and property rights. Likewise, the business community has acknowledged that an experienced, efficient, and impartial bench is a critical component of continued economic development in Oregon. Professional and civic organizations as well have offered their input and assistance when we have needed it most.

Above all others, however, I acknowledge and applaud the women and men of the Oregon Judicial Department for their tireless efforts, for their dedication, and for their ability to turn limited resources into creative solutions. They are unflagging in their commitment to ensuring that the courthouses of this state remain open to everyone; resolute that our branch of government produces work for which we can be proud; and always mindful that we must continue to manage prudently the public resources with which we have been entrusted.

I also want to offer my personal thanks to my predecessor, the Honorable Wallace P. Carson, Jr., Oregon's longest serving Chief Justice. It is his vision of our court system in Oregon that I have inherited, and I am both lucky and thankful for that. All of us owe Justice Carson a tremendous debt of gratitude for the wisdom, passion, and forward thinking that has guided him through his over 40 years of public service.

In the pages that follow, you will be introduced to a judicial system that is strong, accountable, and innovative; a third branch of government that is poised to take the administration of justice into the 21st century. But make no mistake about it, poised is all that we are. The role that courts must play in our constitutional government is not the same today as it was a generation or even 15 years ago. The judicial system of the 20th century is not equipped to handle the pace, volume, or complexities of the issues that we, as a society, are beginning and will continue to face. Adaptation and evolution are necessities, not options. We must continue to provide the level of service that the public has a right to expect.

The Oregon court system is a human institution as well as an accountable public institution. It therefore is fitting and appropriate to share with you the work in which your courts are engaged throughout the state. Share in the vision of a court system that is committed to protecting its citizens, strengthening its families, cementing the economic ties that bind us together, and providing courthouse doors that open wide to every person.

I am looking forward to the years ahead, to working with our partners both inside and outside of government, and together accepting the opportunities for constructive change and achievement that the new century is providing to all of us.

Respectfully,

A handwritten signature in black ink that reads "Paul J. De Muniz". The signature is written in a cursive style with a large, looping "P" and "M".

Paul J. De Muniz
Chief Justice



“[I]n the great enterprise of making democracy workable we are all partners. One member of our body politic cannot say to another – ‘I have no need of thee.’ We work in successful cooperation by being true, each department to its own function, and all to the spirit which pervades our institutions.”

U.S. SUPREME COURT CHIEF JUSTICE CHARLES EVANS HUGHES, ADDRESS TO CONGRESS (1939).

This is the first State of the Courts report that the Oregon Judicial Department has produced in many years. The Judicial Department would like to thank all of the judges, administrators, and staff who provided information about their courts’ programs and activities. A special acknowledgment is owed to Christina Jagernauth and the Court Programs and Services Division for their invaluable contributions.

A limited number of printed copies of the report are available. To request a copy, please contact the Executive Services Division of the State Court Administrator’s Office at (503) 986-5500. The report also is available online at www.ojd.state.or.us. To request a copy of the report in an alternative format, please contact the Statewide ADA Coordinator at (503) 986-5611.

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OREGON COURTS TODAY AND TOMORROW: *An Overview of Our Accomplishments and Our Strategic Priorities*

OUR ACCOMPLISHMENTS: *Oregon Courts Today*

“In the 21st century, Oregon’s courts lead the nation in providing fair, accessible, and timely justice to promote the rule of law, protect individual rights, and resolve conflicts. We respect, reflect, and respond to the diverse people we serve. We earn public trust, build partnerships, and promote safe, caring and engaged communities.”

Justice 2020: A Vision for Oregon’s Courts (2001).

The courts of Oregon, both individually and as a whole, are committed to working with their partners both inside and outside government to ensure that Oregonians in the year 2020 and beyond will continue to have a responsive, responsible, and progressive judicial system. During 2006, we moved closer to realizing our vision in several key areas:

Drug Courts, Mental Health Courts, and other Treatment Courts: Our courts have committed not only to maintaining but to enhancing our use of specialized courts – courts that collaborate with all our partners and stakeholders – to address what often are the most difficult cases that come before the bench. These courts work. They produce results

that are unmatched elsewhere in the systems of intervention and punishment, and they work largely because of the labor-intensive efforts that offer long-term solutions for the participants.

Business Courts: Business moves at a cyber pace and often well beyond traditional boundaries such as state lines and national borders. Oregon courts play a critical role in our state and national economies by providing a forum for the efficient and impartial resolution of commercial disputes involving economic and property interests. The Oregon judiciary is adapting to meet the complex challenges that modern-day business litigation presents. We owe it to ourselves as citizens and to the industries that fuel our economic prosperity to maintain a system of justice in this state that is the forum of first, not last, resort for commercial disputes at every level.

Model Courts: Oregon courts have taken a leadership role in bringing together stakeholders in the criminal justice system and members of the child welfare system to develop local standards and goals to improve criminal and juvenile dependency case processing. Judicial leadership and commitment has improved not only the timely resolution of these cases but also the effectiveness of the litigation process.

OUR STRATEGIC PRIORITIES:

Oregon Courts Tomorrow

The key to the success of all of these endeavors, and the key to ensuring that the judicial branch is equipped to meet the challenges that dispute resolution in the 21st century will present, ultimately lies in our ability to resolve the following issues facing the courts:

Judicial Compensation: Society's most difficult problems deserve to be answered with the best minds and the strongest wills. We have that now. Although there exists a pressing need for additional judicial personnel, the caliber of Oregon's bench is something for other states to envy. Nevertheless, it remains that Oregon's judges are compensated at a rate far below the salaries that judges in other states receive – judges who resolve cases of no greater weight than our own. The compensation of Oregon judges ranks near the bottom nationally, and Oregon judges have not received a pay raise – not even a cost of living adjustment – since 2002. Judicial compensation is not a matter of self interest for judges. It is a matter of public policy. It is a matter of public safety. It is a matter of importance to every Oregonian. If we cannot attract and keep on the bench the most qualified, experienced, and dedicated public servants, then we are bound to fail to meet our commitment to the people of this state.

Facilities: Our crumbling judicial infrastructure needs serious attention. In Oregon, no measurable guidelines establish what features court facilities must possess. Under current law, Oregon's counties own the court facilities and provide them to the state's judicial branch at the counties' expense. Aside from county general funds, there is no source of funds available to use to improve court facilities. In some cases obviously, and in other cases less so, the fact is that many of our facilities require substantial upgrade or repair. Some, quite frankly, need to be replaced. The ability of all citizens to freely access and safely use Oregon courts to conduct their public affairs depends on the development of innovative solutions to what has become a chronic problem.

Technological Capabilities: Technology has dramatically altered the way in which businesses, government, and individuals function. The judiciary is under increasing pressure to adapt as well. Our current case and financial management systems, built in the 1980s, are not capable of meeting today's needs. These systems: have only a limited ability to provide data for managing programs; provide little opportunity for the public and other government entities to interact with us electronically; and are extremely difficult to upgrade to accommodate the changing demands of the work we perform. New case and financial management systems need to be developed and installed to meet the changes in business practices. Oregon's investment in its electronic courthouse will be a significant one, but the dividends that the investment will pay will be innumerable, and the returns will continue well into future generations.

Judicial Personnel: The demand for judicial services in Oregon has steadily outpaced the supply of judges available to meet that critical need. In its November 2006 report, the Joint Committee on Trial Court Judicial Resources, which is composed of 10 members appointed by the President of the Oregon State Bar and the Chief Justice, has recommended that the Legislative Assembly add 13 trial court judge positions across the state. The Judicial Department endorses the joint committee's recommendations. With trial court dockets growing at a consistent pace for those case categories that require the greatest amount of judicial attention, and with only conservative additions to the system over the past decade, the need for these additional resources is great.

The Oregon Judicial Department is committed to building on the accomplishments of today and ensuring that its courts have the resources Oregonians need for tomorrow.

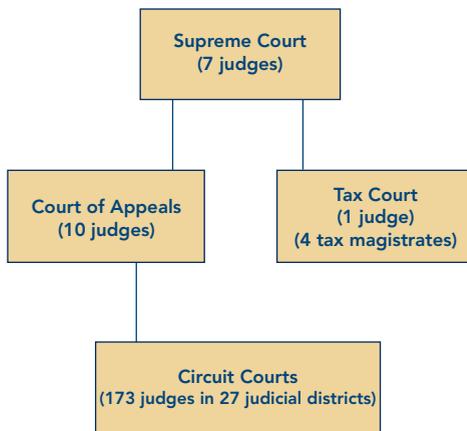
THE OREGON JUDICIAL DEPARTMENT: AN OVERVIEW

ORGANIZATION

Article VII (Amended), section 1, of the Oregon Constitution provides that “[t]he judicial power of the state shall be vested in one supreme court and in such other courts as may from time to time be created by law.” In 1981, the Legislative Assembly consolidated Oregon’s district courts (which since have been abolished), circuit courts, tax court, and appellate courts into a unified, state-funded court system. The system as we now know it – the Oregon Judicial Department (OJD) – became effective on January 1, 1983.

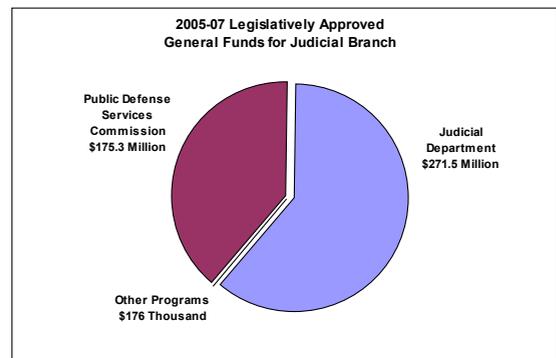
As the Legislative Assembly has shaped Oregon’s third branch of government, OJD presently comprises a Supreme Court, Court of Appeals, Tax Court, and 36 circuit courts in 27 judicial districts. The Chief Justice of the Oregon Supreme Court is the administrative head of OJD. Among other responsibilities, the Chief Justice appoints a presiding judge for each judicial district, the Tax Court, and the Court of Appeals and also appoints the State Court Administrator, the Judicial Department’s chief operating officer.

**Oregon Judicial Department
Court Jurisdiction Structure**

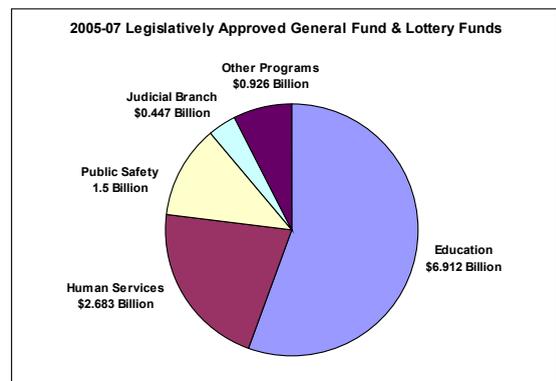


FUNDING

The Oregon Judicial Department receives its funding from three sources: (1) legislative appropriations from the General Fund; (2) federal funds; and (3) other funds (from various fees, proceeds from the sale of court publications, and grants). The total budget for the Judicial Department for the 2005-07 biennium is approximately \$305 million. General Fund money supports approximately 89% – or \$271 million – of the courts’ biennial budget. Federal and other funds make up the balance.



For budget purposes, the Oregon Judicial Department is grouped with several other public entities – most notably the Public Defense Services Commission (which is responsible for providing court-appointed legal counsel to qualified litigants) – into the “judicial branch.” For 2005-07, the legislature has allocated approximately \$447 million to the judicial branch out of nearly \$12.5 billion in approved General and Lottery funds. Overall, the \$305 million budget for the Oregon court system represents less than 0.7% of the overall state budget.



This pie chart is based on a similar chart included in the *Update Budget Highlights: 2005-2007 Legislatively Approved Budget* published by the Oregon Legislative Fiscal Office in May 2006

THE OREGON SUPREME COURT



Standing from left to right: Justice Rives Kistler, Justice Martha L. Walters, and Justice-Elect Virginia L. Linder
Sitting from left to right: Justice W. Michael Gillette, Chief Justice Paul J. De Muniz, Justice Robert D. Durham,
and Justice Thomas A. Balmer

OREGON'S COURT OF LAST RESORT

The Supreme Court is Oregon's highest court and exists by virtue of Article VII (Amended) of the Oregon Constitution. The Supreme Court has the ultimate responsibility for announcing and interpreting Oregon law.

The primary work of the Supreme Court is to perform its legislatively authorized discretionary review of decisions of the Oregon Court of Appeals. The court devotes substantial resources toward considering whether a particular petition seeking the court's review presents an important question for adjudication. In 2006, the court decided well over 1,200 petitions asking the court to review a decision of the Court of Appeals.

The court's discretionary jurisdiction competes with a substantial number of cases that fall under the court's mandatory jurisdiction – cases that, if filed, the Supreme Court has no choice but to decide. The court's mandatory caseload includes:

- (1) automatic reviews in death penalty cases (on average, five or six such reviews are filed each year; the cases are complex and extensively briefed);
- (2) appeals from the Oregon Tax Court (an average of six cases annually);
- (3) appeals (infrequent) involving certain types of labor disputes;

- (4) administrative reviews of prison, energy facility, and waste disposal siting decisions (also infrequent but often complex);
- (5) reviews in lawyer discipline and admissions matters (35 to 50 cases annually);
- (6) reviews involving questions of judicial fitness and disability (approximately one per year); and
- (7) specific cases or issues that the legislature has directed the Supreme Court to consider (challenges to the 2003 PERS legislation, as an example).

The court also considers a variety of election-related petitions, including ballot title review proceedings and challenges to explanatory and fiscal impact statements. On average, mandatory cases account for between 30 to 40 percent of the court's annual decisions.

A TRULY COLLEGIAL COURT

The Supreme Court considers the judicial matters before it en banc, with all seven justices participating in the decision. The court deliberates in conference on average three times each month to consider the opinion drafts and other matters that are pending before the court. Also, once each month, the court holds a public meeting at which it addresses important nonadjudicatory matters. By making its deliberations regarding those types of issues open

to anyone who wishes to watch them, the public is provided a valuable opportunity to see how the court works and how the justices interact.

ENHANCING SECURITY, VISIBILITY, AND PRODUCTIVITY: ONGOING INITIATIVES

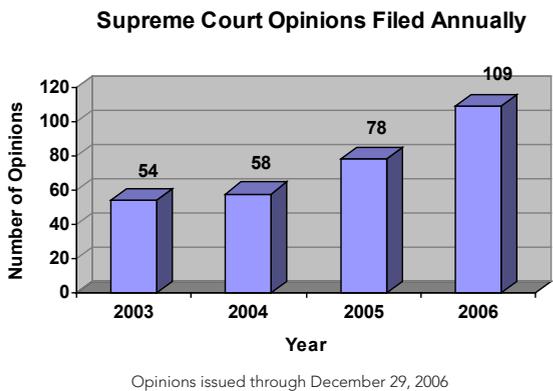
Court Security Enhancement Program. Using funds dedicated as a result of the passage of House Bill 2792 (2005), which established the State Court Facilities Security Account, the appellate courts have undertaken an aggressive program to enhance security in the buildings that house the Supreme Court, the Court of Appeals, and the offices of the State Court Administrator. As a result of that program, an Oregon State Police trooper now is stationed full-time in the Supreme Court building, a comprehensive security audit of all appellate and administrative offices has been completed, and several projects have been initiated to enhance and expand the security infrastructures at the nine appellate and administrative locations throughout the state – all of which have served to increase the safety and security of the public and judicial staff who use those state facilities.

Geographic Oral Argument Sitings. Going back at least to 1988, the Supreme Court has held some of its oral arguments at educational institutions across the state. Making this important aspect of the court’s work more accessible to the public enhances Oregonians’ understanding of the role that courts play in the administration of justice. Between 2004 and 2006, the Supreme Court held oral arguments annually at each of Oregon’s three law schools and visited West Linn, Grant, West Albany, Sandy, and Grants Pass high schools as well as Chemeketa Community College, Western Oregon University, Portland Community College, Ontario, and Baker City.

Chief Justice Initiatives. As administrative head of the Oregon Judicial Department, Chief Justice De Muniz has committed Oregon’s third branch of government to producing timely and quality work, providing responsible management of the public resources entrusted to the courts, and promoting access to justice for all Oregonians.

The Chief Justice, however, also is the judicial official who presides over the Supreme Court. In that regard, Chief Justice De Muniz is overseeing a comprehensive courtwide analysis of work distribution among the justices and court staff. Although the outcomes of that initiative will be implemented in 2007, the court already has committed itself to improving both (1) the number of written opinions that it issues and (2) the time from filing to decision.

With respect to the number of opinions, the court in 2006 will have issued more opinions than in any year in the past decade.



With respect to the period between argument or submission and issuance of a decision, the court has been making steady improvement on its time to decision over the past several years while at the same time clearing what once was a substantial backlog of pending cases. Of particular note are the facts that the court over the past two years has been deciding most of its cases within six months and this year decided nearly 40 percent of its cases within three months from argument or submission.

Time to Decision from Argument or Submission <i>(in approximate percentages)</i>			
Year	90 days or less	91 – 180 days	Over 180 days
2005	23%	33%	44%
2006	37%	22%	41%

THE OREGON COURT OF APPEALS



Standing from left to right: Judge Ellen Rosenblum, Judge David Schuman, Judge Virginia Linder, Judge Rick Haselton, Judge Rex Armstrong, Judge Robert Wollheim, and Judge Darleen Ortega
Sitting from left to right: Judge Walter Edmonds, Chief Judge David Brewer, and Judge Jack Landau

THE COURT'S BROAD RESPONSIBILITIES

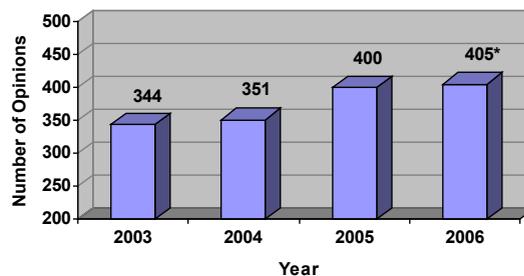
The Court of Appeals is Oregon's intermediate appellate court and has 10 judges elected on a statewide basis. By statute, the Court of Appeals is charged with deciding nearly all the civil and criminal appeals taken from circuit court and nearly all the judicial reviews taken from administrative agencies in contested cases. In other words, the judges of the Oregon Court of Appeals are quintessential utility players, being called on regularly to understand and apply procedural and substantive law across the broadest possible spectrum.

THE COURT OF APPEALS: OREGON'S APPELLATE WORKHORSE

Whether measured against the number of appeals taken by population or the number of appeals taken per judge, the Oregon Court of Appeals consistently ranks as one of the busiest appellate courts in the nation. Over the past decade, the Court of Appeals has received, on average, 4,000 filings per year, or 400 or so cases per judge. As a collegial court, however, most of the court's decisions are not the product of a single judge's efforts. Instead, most cases are decided by a panel of three judges, and a small percentage are determined en banc by the full 10-judge court. Each judge on the Court of Appeals likely participates in the decision-making of over 1,000 cases every year.

The court's heavy caseload means that each judge usually has between 25 to 30 cases assigned at any one time to produce a written opinion. Typically, the Court of Appeals issues between 350 and 400 written opinions each year, a range that the court will well exceed in 2006.

Court of Appeals Opinions Filed Annually



*Opinions issued through December 13, 2006

Written opinions provide the most visible aspect of the court's work. However, those drafting efforts compete with myriad other aspects of the judges' responsibilities. One example of the important but often unseen work of the Court of Appeals is the approximately 1,100 substantive, nonroutine motions that litigants file in the Court of Appeals each year. Those substantive motions are in addition to the approximately 20,000 administrative motions (for extensions of time, to substitute counsel, etc.) that are filed and decided annually. The court has a special three-judge department tasked with deciding the increasingly complex issues that motion practice presents.

MUTUAL BENEFITS: THE APPELLATE SETTLEMENT CONFERENCE PROGRAM

The Court of Appeals continues to utilize and improve upon its highly effective mediation program. That program allows parties to resolve on a collaborative rather than judicial basis between 125 and 175 civil, domestic relations, and workers' compensation cases each year. The current settlement rate for cases entering the program is approximately 72 percent, one of the highest in the nation. Under director Judy Henry and with the cooperation of numerous stakeholders, the settlement conference program is embarking upon the first pilot program in the United States to mediate select termination of parental rights cases.

IMPROVING THE PROCESS

Geographic Oral Argument Sitzings. The judges of the Court of Appeals continue to hold court sessions in schools throughout Oregon, making the process of justice both more understandable and more accessible to the public. During 2005 and 2006, the judges heard oral argument in McMinnville, Roseburg, Bend, Hood River, Canby, Pendleton, Sweet Home, Nyssa, Troutdale, and Astoria.

Trading Benches Program. The court developed and implemented this program in coordination with Oregon's circuit court judges. Through the program, trial judges periodically sit pro tempore on the Court of Appeals while appellate judges perform judicial



A panel of Court of Appeals judges hearing oral arguments at Hoke Center at Eastern Oregon University in La Grande, Oregon

work for the circuit courts. The program fosters a better understanding of the work that the other judges perform and helps to reduce the instances of reversible error on appeal.

The Appellate Case Management System (ACMS).

In 2005, the Oregon Judicial Department contracted for the development of ACMS for the Oregon appellate courts. ACMS will be the appellate courts' first true case management program, allowing the Supreme Court and the Court of Appeals to manage their respective caseloads and provide more appropriate and timely information than is available using the current system. The project has been broken down into five releases, the first of which will be completed in late 2006 and the last of which is scheduled for late 2007.

Court of Appeals Performance Measures Project.

In conjunction with the implementation of ACMS, the Court of Appeals established a seven-member design team charged with creating a performance measurement system anchored by a set of core success measures. Those measures will assess issues of quality, timeliness and efficiency, and public trust and confidence.

Juvenile Appeals Work Group.

The appellate courts have formed a work group that includes members of the Legislative Assembly and representatives of the executive branch to study the current system of processing and deciding appeals in juvenile dependency and termination of parental rights cases. The work group has made recommendations to improve the timeliness of decisions in these case categories, and the Court of Appeals is in the process of implementing those recommendations.

Internal Processes Assessment.

The Court of Appeals also has undertaken to analyze on a courtwide basis the internal processes for distributing work among its judges and staff. The court has partnered in that effort with the Willamette University College of Law to implement an intermediate appellate court model that will address staffing, workload distribution, and decisions.

THE OREGON TAX COURT

Created by statute in 1961, the Oregon Tax Court is one of only three state tax courts in the United States and, as of 1995, the only tax court that has two divisions: a Regular Division and a Magistrate Division. The Tax Court, which is located in Salem, has exclusive statewide jurisdiction over cases that involve Oregon's tax laws. The magistrates and the Tax Court judge decide both the factual and legal issues that the cases present – there are no jury trials – and any appeal is taken directly to the Oregon Supreme Court.

THE MAGISTRATE DIVISION: AN INNOVATIVE AND EFFECTIVE IDEA



Judge Henry Breithaupt
Tax Court

In 1995, the Oregon legislature transferred the first level of tax dispute review from the Oregon Department of Revenue to the newly created Magistrate Division. Currently, it takes on average only seven months from date of filing to the date of a magistrate's written decision.

Litigants who disagree with a magistrate's decision may seek a new trial before Judge Henry Breithaupt of the Oregon Tax Court Regular Division. In more than 90 percent of the matters decided at the Magistrate Division, the parties elect not to seek a trial at the Regular Division.

A COMMITMENT TO SHARING RESOURCES

In response to a decline in property tax valuation disputes over the past several years, the Tax Court has reduced the number of magistrates and operations staff. Those associated resources have been reallocated to other courts or Judicial Department divisions where they can be put to their highest and best uses.

With regard to filings in the Regular Division – which have declined as well – Judge Breithaupt initiated a partial reallocation of himself as a judicial resource. Among other things, he has volunteered to serve pro tem as a judge on the Oregon Court of Appeals and

also regularly hears summary judgment motions for the overburdened Multnomah County Circuit Court.

ACCESS TO JUSTICE

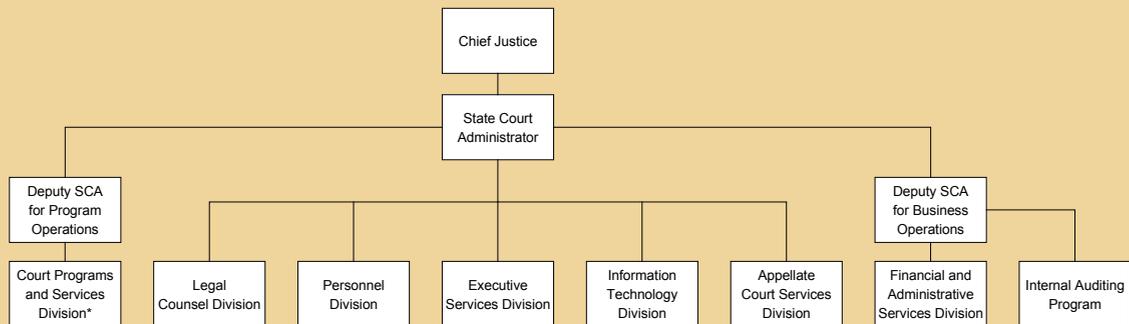
Although of concern to every court and litigant, access to the judicial process is particularly important in tax cases, because a substantial number of taxpayers elect to defend or prosecute their matters without the benefit of attorney representation. The Tax Court has undertaken a number of initiatives to make the tax appeal process as transparent and user-friendly as possible. For example, the opinions of the Regular Division and the decisions of the Magistrate Division are posted to the court's website and are keyword searchable.

In addition, the Tax Court maintains an ongoing public outreach program, the primary purpose of which is to provide permitted assistance to litigants regarding how to proceed with disputes in the Tax Court. For example, the court offers

- electronic versions of certain forms, including complaint and answer templates and other frequently used documents;
- a court handbook, including a how-to section on presenting an appeal and an explanation of Oregon's property tax system;
- a website that is updated based on user and staff comments;
- a recently added court calendar that projects court proceedings three months in advance; and
- public participation in the court's annual rulemaking process.

THE OFFICE OF THE STATE COURT ADMINISTRATOR

The Office of the State Court Administrator Organizational Chart



*Court Interpreter Services and the Citizen Review Board are part of the Court Programs and Services Division.



Kingsley Click
State Court Administrator

The Office of the State Court Administrator (OSCA) supports the Chief Justice in executing the administrative responsibilities of that judicial office and provides the majority of the infrastructure functions for the statewide, state-funded court system.

Verifying Requests for Court-Appointed Counsel.

Responding to the results of a 2006 audit by the Secretary of State's office, OSCA staff have increased their education and training of local court verifiers, refined worksheets and electronic calculators, and implemented a pilot program to centralize the verification of applications for court-appointed counsel. In most cases, OSCA is able to verify the eligibility of applicants and notify the requesting court within 24 hours. The pilot program will conclude in June 2007 and will provide data on the cost effectiveness of verifying 100% of the applications for indigent defense services.

PRUDENT MANAGEMENT OF THE DEPARTMENT'S RESOURCES

Consistent and Uniform Purchasing Practices.

OSCA has created a central procurement unit responsible for defining procurement policies and procedures for the Judicial Department. Among other benefits, this central unit will create efficiencies and permit the coordination of enterprisewide procurement initiatives that will allow the judicial branch to maximize its purchasing power.

Improving Collections. The OJD collections unit has strengthened the effectiveness of its collection practices statewide. The unit has replaced the old system of manual data entry with a newly developed automated interface with the Department of Revenue (DOR). Now courts are able to update their case files automatically with financial information from DOR. The new process eliminates errors and provides for the timely input of data.

IMPROVING COURT OPERATIONS

Technology Initiatives. OJD has developed and is working to implement a Statewide Strategic Plan that includes aggressive information technology initiatives that will replace the outdated case register system (OJIN), develop e-filing capabilities, create a paperless court environment, and improve our technology infrastructure.

Performance Measures. The administration of justice always has been at its most basic level an individualized function. It is appropriate that not every case of a certain type should receive the same judicial resources. Nevertheless, as accountable public institutions, it is equally appropriate that courts adopt and maintain standards and measures to guide and assess the functioning of the judicial system. Oregon courts have become national leaders in developing and using strategic plans and statewide performance measures to improve our overall operations.

ENHANCING ACCESS TO JUSTICE

Accommodating Persons with Disabilities. The Oregon Supreme Court / Oregon State Bar Joint Task Force on Access to State Courts for Persons with Disabilities, which Multnomah County Circuit Court Judge Janice Wilson chaired, published its final report in August 2006. The report contains recommendations to OJD, building owners that house state courts, and the Oregon State Bar. As part of the task force process, all state courts and OSCA evaluated access to their facilities, programs, and materials and should have transition plans in place by the end of 2006 to implement the task force's recommendations.

Ensuring Meaningful Participation. OJD's Court Interpreter Services (CIS) staff developed and piloted a qualification system for languages that Oregon does not certify. As part of that system, CIS is offering court interpreter training for a pilot group who speak certain African languages and dialects. After the pilot program has concluded, OJD expects to offer these training opportunities to all noncertified language speakers.

Keeping the Doors Open to Low Income and Pro Se Litigants.

The Judicial Department in 2006 established a workgroup tasked with improving the process by which low-income litigants seek a waiver or deferral of court fees and costs. The workgroup has prepared draft legislation to update and revise the relevant statutes, created forms for litigants to use, and recommended standards for courts to apply in considering those requests.

In addition, OJD staff and the State Family Law Advisory Committee (SFLAC) have worked closely together to improve the functioning of facilitation programs across the state. Those programs assist unrepresented family law litigants with the preparation and filing of court documents. That assistance not only improves access to the court system, but also assists the courts by ensuring that documents are both accurate and correctly filed.

Finally, in April 2006, SFLAC sponsored a statewide conference for judges, attorneys, and others involved in family law cases to address the issues presented by the increasing number of self-represented litigants in domestic relations proceedings. The conference paid specific attention to the practical aspects of how to best serve those litigants both in and out of the courtroom.

Justice 2020: Our Vision for Oregon's Courts

In 1992, as the first decade of a unified court system in Oregon approached, Chief Justice Wallace P. Carson, Jr. called for a conference to study the future of Oregon's courts. Participants included, among others, judges, court administrators, legislators, local government officials, attorneys, police, corrections officials, social service representatives, and the media. From that work, a Future of the Courts Committee was established that, in 1995, created a written vision for Oregon courts in the year 2020. Entitled "Justice 2020: The New Oregon Trail," that vision statement informed and guided the administration of the state court system for six years.

The future, however, sets its own pace. In 1998, the Chief Justice decided that the committee should both expand and update the vision of Oregon's judicial branch. The committee developed a new vision statement, "Justice 2020: A Vision for Oregon's Courts," which the Chief Justice approved in 2001. To ensure that the department's vision becomes a reality, the statement identifies five core components, provides specific goals relating to those components, and lists 10 suggested practices for achieving each goal. (The full vision is available at <http://www.ojd.state.or.us/osca/cpsd/programplanning/futures/index.htm>.)

The components, together with the department's overarching goals for those components, are:

- **ACCESS:** To ensure access to court services for all people.
- **ADMINISTRATION:** To make courts work for people.
- **DISPUTE RESOLUTION:** To help people choose the best way to resolve their disputes.
- **PARTNERSHIPS:** To build strong partnerships with local communities to promote public safety and quality of life.
- **TRUST and CONFIDENCE:** To earn the public's enduring trust and confidence.

THE CIRCUIT COURTS OF OREGON

OVERVIEW

The circuit courts are Oregon's trial courts. They are courts of general jurisdiction, which means that circuit courts hear cases regardless of the subject matter, amount of money involved, or severity of the crime alleged. In the 2005-06 fiscal year, approximately 610,000 cases – including violations (such as parking tickets and most traffic citations) – were filed in Oregon's circuit courts.

To handle the volume of cases, each of Oregon's 36 counties has a circuit court. In most counties, the court is located in the county courthouse. In a few counties – Multnomah County, for example – the court has offices and courtrooms in more than one location. For administrative purposes, the Legislative Assembly has divided the state into 27 judicial districts.

JUDGES AND PROFESSIONAL STAFF

The Legislative Assembly also determines, based on considerations that it determines appropriate (such as population and case volume), the number of judges elected in each judicial district. As of January 1, 2007, Oregon has 173 circuit court judges statewide.

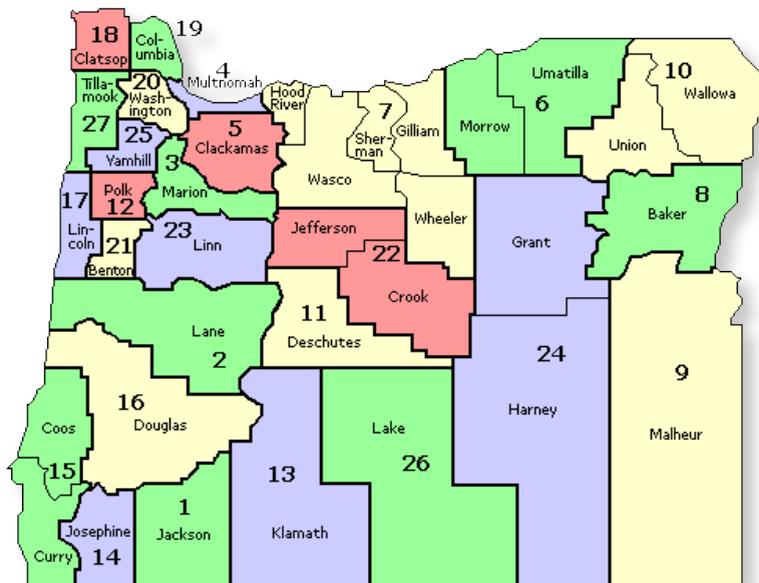
In the 2005-06 fiscal year, the judges of Oregon's circuit courts conducted over 24,000 trials.

The Chief Justice appoints a presiding judge for each judicial district. The presiding judges exercise general administrative authority and supervision over their districts and apportion the workload, make rules, and issue administrative orders. Presiding judges also appoint and supervise the professional trial court administrators who manage the nonjudicial operations of the trial courts.

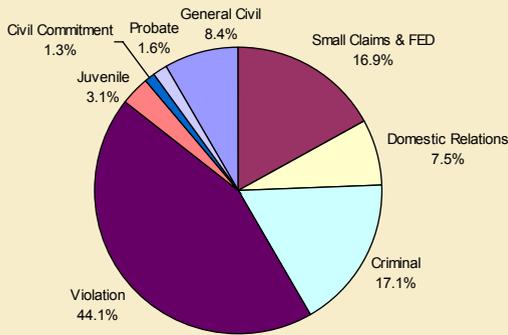
DISTRIBUTION OF CASELOAD AND WORKLOAD

The circuit courts assess judicial and staff workload by applying different weights to each case type. A weighted analysis derives from the fact that all case filings are not equal. For example, although violations constituted over 44% of the total filings in the 2005-06 fiscal year, violations represent less than 4% of judicial workload and about 12% of staff workload. By comparison, criminal cases – which represented only 17% of the total filings in the circuit courts – consumed almost 40% of judicial workload and 46% of staff workload.

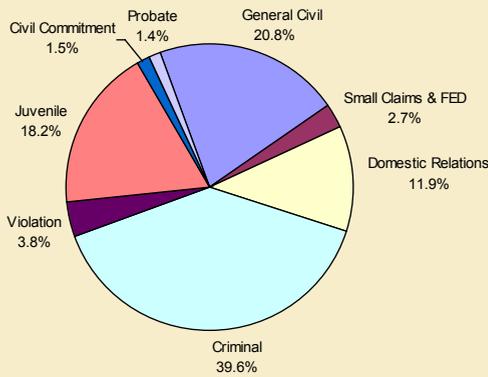
Oregon's 27 Judicial Districts



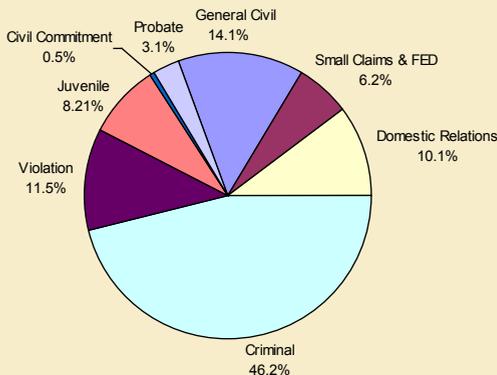
Distribution of Filings
(July 1, 2005 - June 30, 2006)



Distribution of Judicial Workload
(Based on 2005 Case Filings)

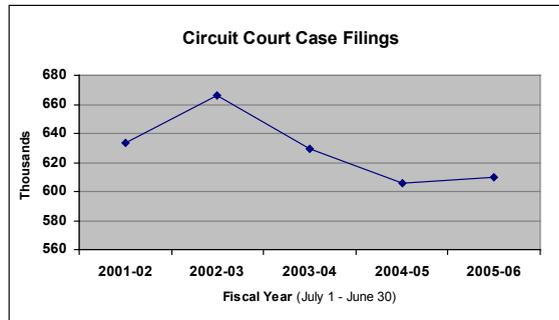


Distribution of Staff Workload
(Based on 2005 Case Filings)

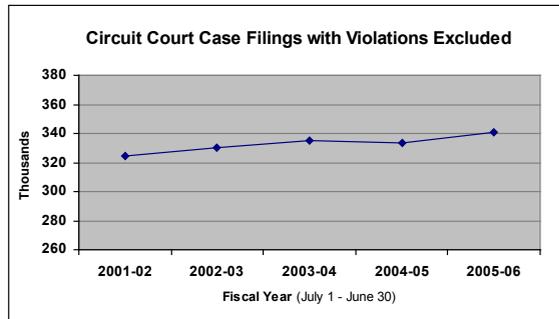


CIRCUIT COURT FILING TRENDS

Total trial court filings reached record levels in the 2002-03 fiscal year but decreased nearly 8% by the 2005-06 fiscal year. The decrease in total filings resulted primarily from a 20% decrease in violation case filings. However, because violations constitute such a large proportion of all filings, fluctuations in violation filing rates tend to drive raw filing totals disproportionately and obscure trends for other types of cases.



Removing violations from the case filing mix reveals an increase of 3% in the 2005-06 fiscal year compared to the 2002-03 fiscal year. Of potentially greater significance, however, are the major increases of over 8% in both felony and juvenile filing rates.



Circuit Court Felony and Juvenile Filings by Fiscal Year

	2002-03	2003-04	2004-05	2005-06
Felony Filings	36,647	38,028	39,137	39,958
Juvenile Filings	17,482	18,790	19,506	19,103

21ST CENTURY COURTS

Our constitutional democracy is founded in part on the principle that the judiciary is a co-equal and independent branch of government. Yet, in many important ways, the judiciary in Oregon is an **interdependent** branch of state government as well. The overarching theme of the Judicial Department's own vision of the future is one of cooperation. The problems that society faces today do not fit neatly within the lines where one department of government ends and another begins. These complex issues demand interdisciplinary solutions.

Some of the most exciting work in which the judiciary has been recently engaged involves the intersection of law and social policy. Treatment-oriented, "model," and community courts are not just the courts of the future; they are the courts of today. And they work. These resource-intensive courts work not only because they resolve the immediate issue that has put the litigants before a judge, but also because they involve our partners in the community coming together to address the underlying problems that, if not met head-on, will tend to bring these individuals and those around them back into court.

TREATMENT COURTS

Drug treatment courts, juvenile drug courts, family dependency treatment courts, mental health courts, and DUII courts all are part of our circuit courts' programs designed to improve outcomes for people who are addicted to drugs or alcohol, or who have mental health issues. These courts use a collaborative, community-based problem solving model to improve lives, reduce crime, and promote healthy communities.

Treatment Courts Save Taxpayers Money

Although comprehensive treatment requires a substantial commitment of both time and money, the investment is a prudent one. While cost savings has not been determined on a statewide basis, in July 2003, the Northwest Professional Consortium performed what has become a nationally recognized evaluation work on the second drug court to be established in the United States: the Multnomah County STOP program. The results of that evaluation can be found at <http://www.npcresearch.com>.

The study of Multnomah County's pioneering effort included the following findings:

- The Multnomah County Drug Court costs \$1,442 less per participant than "business as usual."
- The total cost and investment savings to taxpayers over a 30-month period (including victimization costs) averaged \$5,072 per drug court participant.
- With 300 participants entering Multnomah County Drug Court every year, the savings to taxpayers exceeds \$1.5 million.

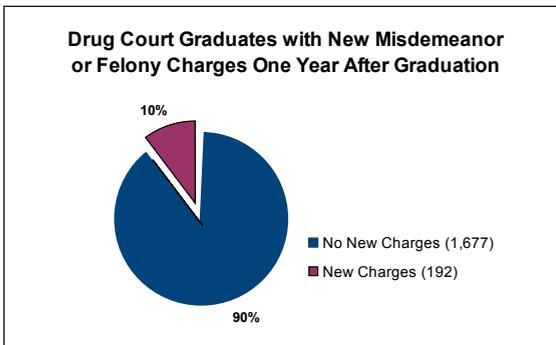
Moreover, data from the 2004-05 fiscal year revealed that 28% of Oregon's drug court participants had minor dependents (representing 395 children) and that 26% of unemployed participants (182 individuals) gained employment during treatment, which demonstrates that addressing drug addiction reduces the need to provide addicts and their families with other forms of public assistance.

Treatment Courts Reduce Future Crimes

Building on the successes of the early efforts to establish drug courts, particularly in the area of recidivism, courts across the country and in Oregon are expanding the principles that motivate those programs into other areas such as mental health and driving under the influence of intoxicants. During 2006, Oregon courts received both federal and state grants to expand services or start new treatment court programs. Currently Oregon has 46 such courts:

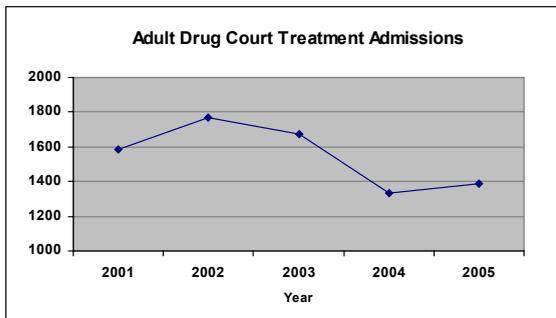
Specialty Court Type	Counties With Program	Current Participants
Adult	25	887
Juvenile	9	98
Family Dependency	5	89 families
Mental Health	5	102
DUII	2	700
Totals	46	1,876

With regard to the 25 adult drug courts in Oregon, initial reports show that Oregon's drug courts are working. Judicial Department data show, that, of the 1,869 drug court graduates between January 1, 2001 and June 30, 2005, 1,677 (90%) had no new misdemeanor or felony charges in an Oregon circuit court in the year after graduating – a recidivism rate that the traditional system cannot match.



*Percentages calculated from the 1,869 drug court participants that graduated between January 1, 2001 and June 30, 2005.

Moreover, and although the number of participants in drug courts has declined over the last several years, the 90% success rate for the first part of 2005 is reflective of the figures for 2001 through 2004, which also meet the Judicial Department's Legislatively Adopted Performance Measure target of 90% for drug court recidivism.



THE METHAMPHETAMINE EPIDEMIC

It is no secret that amphetamine and methamphetamine are Oregon's biggest drug problem. 49% of drug treatment court participants between July 2004 and June 2005 – and 61% of women participants – reported those drugs as their primary drugs of choice.

Legislative Efforts to Expand Drug Courts

House Bill 2485 (2005) addressed the public safety and public health issues associated with methamphetamine use in Oregon. That legislation provided general funds for expanding Oregon's active drug court programs and creating new drug courts. These new funds were used primarily to support drug treatment services for participants. The funds also supported a total of 3.5 full-time drug court coordinator positions divided among five of the programs.

Drug Court Programs Funded by House Bill 2485 (2005)

- 22nd Judicial District Drug Court (Jefferson/Crook Counties)
- Benton County Adult Drug Treatment Court
- Deschutes County Family Drug Court
- Fostering Attachment Family Dependency Court (Marion)
- Josephine County Prevention, Resources, and Opportunities (PRO)
- Jackson County Adult Drug Court
- Klamath County Adult Drug Court
- Lane County Adult Drug Court
- Lincoln County Drug Court
- Linn County Adult Drug Court
- Marion Juvenile Drug Court (STAR Court)
- Marion County Adult Drug Court
- Multnomah County STOP Court
- Washington County Juvenile Substance Abuse/Drug Court Program
- Union County Drug Court
- Umatilla County Drug Court

Byrne Methamphetamine Reduction Grant Program

The Criminal Justice Services Division of the Oregon Office of Homeland Security expanded drug court capacity through the Byrne Methamphetamine Reduction Grant Program. Funded programs provide interagency case management, addiction treatment, mental health care, and related essential services for drug court supervised parenting and pregnant methamphetamine-using women and their children.

Counties Receiving Byrne Grant Funds

- | | |
|-----------|------------------|
| Deschutes | Marion |
| Jackson | Wasco/Hood River |
| Josephine | Union |
| Lane | Washington |
| Lincoln | Yamhill |
| Linn | |

DRIVING UNDER THE INFLUENCE OF INTOXICANTS (DUI) COURTS

DUI courts closely supervise individuals who are a significant risk to the community based on having had multiple convictions of driving under the influence. Currently, Oregon has two DUI courts in operation. One is in Clackamas County; the other is in Multnomah County.

The program in Multnomah County is well established. Over a roughly seven-year period (1998 through 2004), the program tracked recidivism rates for 456 graduates and 209 participants who had their probations revoked. Only 5.7% of graduates had a later DUI arrest or conviction, compared to 17.2% of those who failed to complete the program. Overall, 73% of graduates had no new arrests or offenses in any category, while only 40% of nongraduates managed to avoid re-offending.

The numbers are just as promising out of the newly established DUI court in Clackamas County. To date, there have been 34 referrals, and 13 defendants have entered the 18-month program. **None** of the current participants has had a new charge since starting the program.

Mental Health Courts

Mental health courts borrow heavily from the successful drug court concept. They provide a continuum of services for nonviolent offenders who are willing to accept a package of social services in lieu of being jailed and later released without having received any treatment of their underlying conditions. Six mental health courts are currently operating in five Oregon counties: Clackamas, Coos, Deschutes, Lane, and Yamhill.

MODEL COURTS

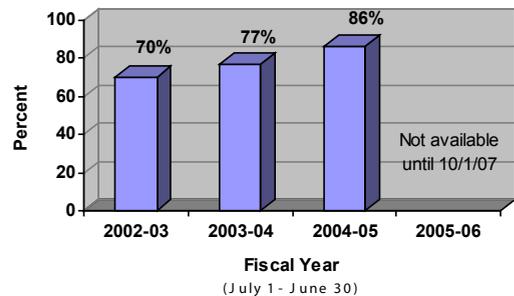
Model Court for Juvenile Cases

The Juvenile Court Improvement Project (JCIP) Model Court Program was designed to assist local courts with taking the lead in the development of county-level intergovernmental plans supporting permanency outcomes for children in foster care. The program is patterned after a successful project that the National Council of Juvenile and Family Court Judges implemented in pilot sites across the country.

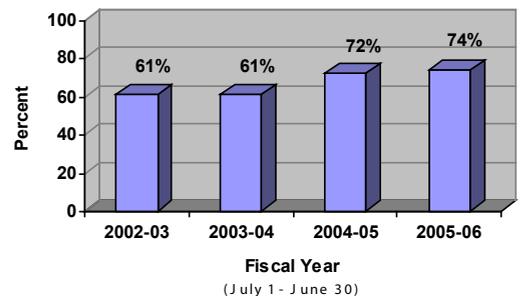
Local teams include representatives of the court, Citizen Review Board (CRB), child welfare agency, prosecution and defense counsel, Court Appointed Special Advocate (CASA) Program, and others.

One important subject that JCIP and JCIP model court teams have been addressing is caseload management to improve the timeliness of juvenile dependency proceedings. That factor is part of the Judicial Department's composite Timely Disposition performance measure. Another important subject is improving case management generally and enhancing the quality and use of data concerning these cases. Together, all of that work is supporting Oregon's effort to meet the requirements of the federal Child and Family Service Review, which provides for a national-level examination of each state's child welfare program.

Percent of Dependency Petitions With First Permanency Hearing Within 14 Months



Percent of Dependency Petitions Reaching Jurisdiction Within 60 Days



Model Court for Criminal Cases

Delay in the administration of justice is widely considered one of the most destructive and avoidable issues facing courts today. Not surprisingly, reducing delay has been the primary focus of reform efforts since the 1970s. In September 2004, the Governor's Criminal Justice System Task Force presented the Chief Justice's Criminal Justice Advisory Committee (CJAC) with a number of recommendations designed to reduce trial setovers and otherwise reduce the time to disposition in criminal cases.

CJAC, with input from judges, prosecutors, and criminal defense lawyers, responded by developing a "best practices" menu for every stage of the criminal adjudicatory process to improve the flow of cases through the system.

CJAC further developed a model criminal court project and selected five counties for the pilot program (Yamhill, Lane, Umatilla, Washington, and Douglas). Each county's diverse model court team has developed and implemented initiatives focusing on one or more of the following areas, among others:

- enhancing the use of early disposition programs at or near arraignment;

- requiring mandatory status checks for readiness to proceed to trial;
- streamlining assignments among the various judges;
- adopting differentiated case management procedures for different types of case categories;
- offering increased judicial management of plea negotiations; and
- improving the notices that defendants receive about future proceedings.

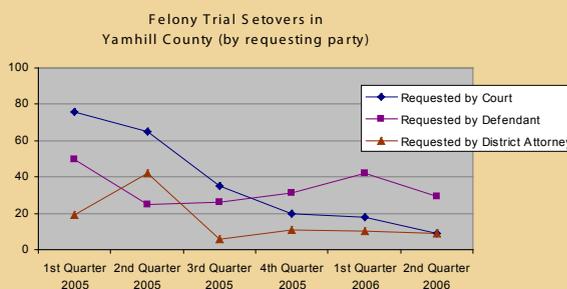
COMMUNITY COURTS

Community courts are neighborhood-focused initiatives that seek to harness the power of the justice system to solve local problems. The key to these courts is involving the broader community in the justice process, such as neighbors, victims, merchants, churches, and schools, and compelling offenders to confront the impact of their crimes on the area in which they live. Clackamas County has a community court, and Multnomah County – under the leadership of Presiding Judge Dale Koch – currently has four such courts in operation.

Yamhill County's Model Court Experience

As part of the model criminal court pilot program, one goal of the Yamhill County Circuit Court was to establish a set of best practices to reduce the number of trial setovers. With the assistance of Presiding Judge John Collins, the county's model court team developed and implemented a continuance policy that, among other things, requires all requests for postponement be made to the presiding judge. The results of that effort in felony cases over the last 1½ years have been impressive.

In 2007, the Yamhill County team will be focusing its efforts on ensuring that the rights of victims in criminal cases are respected and will be applying some of the lessons learned through the criminal model court project into the domestic relations context.



Courts must remain sensitive to the need of the private sector for a fair, efficient, and expeditious means of resolving those disputes that businesses choose to litigate in a public forum. In an age of alternative dispute resolution and private justice through arbitration, use of the term “choose” is appropriate. It is both good business and sound public policy for the courts of this state to provide the forum of choice to resolve those issues on which our state's economic well-being in good measure depends. Our courts are transparent, permit community involvement through trial by jury and in other ways, and establish precedents for industry to use in the shaping of its business practices.

LANE COUNTY COMMERCIAL COURT

In recognition of that need, and under the leadership of Presiding Judge Mary Ann Bearden, the Judicial Department in November 2006 launched its first “commercial court” in Lane County. Parties to cases in the Lane County Circuit Court – and parties to cases in any other circuit court in the state – may apply to the Presiding Judge of Lane County to have their cases assigned to the pilot program. The court considers, among others, the following types of cases and issues:

- products liability, medical-device, and pharmaceutical litigation;
- commercial real property disputes;
- technology and intellectual property cases;
- securities transactions;
- mass tort and other multi-party business or class action litigation;
- environmental litigation, including insurance coverage disputes;
- land use cases; and
- complex construction, insurance, professional liability, and business litigation.

Once accepted into the program, the case is assigned to the direct supervision of a single judge (with dedicated administrative and technical support) for all purposes, including referral to mediation, assignment to a settlement judge, and trial. A case management conference for these complex disputes will be scheduled within 30 days of the assignment, at which time a trial date within 12 months will be set, discovery and motion practice deadlines will be established, and other potential roadblocks to a timely disposition will be addressed.

Also, for those cases that do not resolve with the assistance of mediation or a settlement judge, the parties will be required to disclose all exhibits except impeachment exhibits within 10 days of trial. That mandatory disclosure, which is not provided for elsewhere under Oregon law, will provide litigants with additional certainty about the strengths and weaknesses of both their and their opponents' cases. With an increased level of certainty comes the ability to better evaluate a case based on objective business considerations, rather than speculation.

Finally, the Lane County Circuit Court has committed itself to tracking cases in its program, maintaining a database of commercial cases accepted and denied, and posting some of its decisions on the court's website – <http://www.ojd.state.or.us/lan/index.htm>.

The Judicial Department is looking forward to the results of this important initiative and transplanting it to other courts throughout the state.

MULTNOMAH COUNTY REFEREE SYSTEM

Civil litigation involving large construction projects requires special handling. To meet this need, the Multnomah County Circuit Court has adopted and made available a referee system for these disputes. Using the system is optional, but for large, complex cases the system is very beneficial. Under this program, the presiding judge allows parties to choose one of two case systems for construction litigation: (1) the normal 12-month trial system; or (2) the new referee system. If the parties choose the normal system, then they will not be granted trial extensions beyond the 12-month period absent extenuating circumstances.

Under the referee system, however, the parties pay the referee's fees, and the referee has the authority to manage discovery and case scheduling, including the setting of a trial date within 15 months of the initial filing date of the case. The referee also has the authority to extend the trial date to 18 months from initial filing on motion of a party and a showing of good cause. Any request for trial extension beyond 18 months requires the referee's recommendation to do so and approval by the presiding judge.

Multnomah County's program is a win-win for the court, the bar, and the parties. The court benefits from freeing up judicial resources while the lawyers and the parties benefit from the closer attention that referees can provide for these most complex of cases.

COMBATING VIOLENCE AGAINST WOMEN

The Oregon Department of Human Services estimates that there are approximately 78,289 victims of physical violence and 24,640 victims of sexual assault in Oregon each year. In 2005, prosecutors filed more than 7,000 cases in Oregon's circuit courts alleging at least one count of Assault IV, a charge commonly associated with domestic violence. Those numbers are disturbing and demand the attention of government at all levels.

In 2006, the Judicial Department applied for and received a grant from the Criminal Justice Services Division (CJSD) of the Oregon Office of Homeland Security. The grant was part of the STOP (Services, Training, Officers, Prosecutors) Violence Against Women Program that promotes a coordinated and integrated approach to improving the criminal justice system's response to women who are victimized.

The Judicial Department has applied that grant money toward funding a multi-pronged effort focused on improving the availability of services for Oregon's victims of domestic violence. Specifically:

- The judicial branch's Domestic Violence Subcommittee of State Family Law Advisory Committee has implemented an OJD "Domestic Violence Resources" website, which can be found at:

<http://www.ojd.state.or.us/oscal/cpsd/courtimprovement/familylaw/DomesticViolenceVer2.htm>. The website contains a wealth of information for petitioners, respondents, and attorneys.

- The Judicial Department is developing a technical assistance guide to help existing and emerging courts interested in establishing domestic violence court programs.
- The grant provided an opportunity for five OJD judicial officers to attend the U.S. Department of Justice, Office on Violence Against Women's Enhancing Judicial Skills in Domestic Violence Cases training. Those five judicial officers gained valuable instruction on domestic violence issues, will be able to handle domestic violence cases more effectively, and will be better equipped to work with the vulnerable population of women associated with these proceedings.
- The grant is supporting a multi-disciplinary work group that is evaluating issues surrounding the entry of no-contact provisions into the Law Enforcement Data System (LEDS) and is working to develop system requirements for the future electronic transfer of information directly into LEDS. Ensuring that law enforcement knows when a no-contact order is in place is a matter of high priority, particularly in the critical period when defendants are released from custody.

Multnomah County's Domestic Violence Reduction Program



Judge Stephen B. Herrell
Multnomah County
Circuit Court

Using a 2005 STOP Violence Against Women Act Formula Program Grant, the Multnomah County Circuit Court opened the Judge Stephen B. Herrell Domestic Violence Reduction Program (DVRP) in 2006. The program honors the memory of Judge Stephen B. Herrell, who passed away in 2006, and who spent his entire judicial career on the bench advocating for improvements in the way courts and the community address crimes of domestic violence.

The DVRP creates a court that manages all pretrial, sentencing, and probation decisions in domestic violence misdemeanor offenses and punitive contempt actions for the violation of a restraining order.

Managing these cases in a single venue permits the judge to maintain tight case controls and impose uniform sanctions on conviction that address both the behavioral and public safety concerns that surround these offenders.

During the first six months of operation, the court received 581 misdemeanor offenses, 166 punitive contempt actions, and 113 probation violations. As the court continues, the volume of cases and violations will continue to grow. The one-year grant expired on July 1, 2006; however, the court is committed to the program and has been using its own resources and those of its community partners to ensure its continuation.

ENSURING SAFE AND CONTINUAL OPERATIONS

The judicial branch of government has an obligation to provide services regardless of political, economic, or natural circumstances. The disruption of judicial processes in Louisiana and Mississippi following Hurricane Katrina emphasized the need for plans to ensure the safe and continued operation of Oregon's courts no matter what the conditions. Indeed, it is precisely in those times of crisis that the rule of law is needed most.

Closer to home, at least two separate events have served to remind us of the need for constant vigilance when it comes to court security. First, in late February 2005, an act of arson destroyed the court facility in Hermiston, the blaze taking with it many of the court's paper files. Two court employees worked for the better part of three months to recreate those records, and the judge and seven court staff were forced to move to temporary facilities before a new county government building opened in March 2006.

Second, in November 2005, a man drove a pickup truck through the front doors of the Marion County Courthouse and, during the four-hour period that followed before he was apprehended, set fires inside the courthouse that damaged nearly all of the contents of the court's offices.

Presiding Judge Paul Lipscomb was instrumental in coordinating the effort to relocate court operations temporarily – moving 14 judges and 90 judicial staff to nine separate locations – and ensuring that essential hearings occurred on the next judicial day following the attack. (Jury trials were cancelled for the first week only.) He also worked with Marion County officials and others to both repair and upgrade the facility. Rededicated in September 2006 as the result of a tremendous cooperative effort, the building is now one of the most modern and technologically equipped courthouses in the state. In December 2006, Judge Lipscomb received the Oregon State Bar's Award of Merit, the highest honor that the Bar bestows.



Police in bomb protection suits examine the crime scene outside the Marion County Courthouse.

ENHANCING SECURITY

Following the Legislative Assembly's enactment of legislation in 2005 addressing the issue of court security, the Judicial Department has developed security programs for judges, court staff, and law enforcement. Also, the department's Security & Emergency Preparedness Committee has prepared a Model Security Improvement Plan and has distributed the template to each circuit court to aid those courts in the development of their individual local plans.

EMERGENCY PREPAREDNESS AND BUSINESS CONTINUITY PLANNING

The Judicial Department also is actively participating in the Department of Administrative Services' Business Continuity Planning project to design an integrated strategy to ensure delivery of critical business services from all three branches of government in the event of a natural disaster or a security breach. This is a statewide initiative in which the judiciary has an important role to play. We are working to identify each of our mission critical functions, to prioritize those functions (according to, among other things, how quickly they must be restored to meet statutory or other requirements), and to provide business continuity plans for the functions of highest priority by the beginning of 2007.

BUILDING THE MOST ACCESSIBLE COURTHOUSE IN OREGON

The past three decades have seen more change in the way courts operate than in the entire century before. Technology has dramatically altered the way in which businesses, government, and individuals function. The judiciary is under increasing pressure to adapt as well. Our current case and financial management systems, built in the 1980s, are not capable of meeting today's needs.

In response, the Judicial Department has committed itself to building what will become the largest and most accessible "courthouse" in Oregon: a statewide electronic courthouse. That courthouse will provide a common experience for all citizens of the state, no matter where they are located. It will be the one place a citizen may visit and do business with any court in the state, at any time of the day, from anywhere in the world. And it will be constructed in five years.

Completing Oregon's electronic courthouse will require five major tasks:

Task 1 – BUILDING THE FOUNDATION:

The construction of an improved network and a modern data center will enhance the flow of information statewide.

Task 2 – BUILDING THE FRONT DOOR:

The installation of a Web portal with common access to all court services in each circuit court will allow the judiciary to provide:

- electronic documents and case status;
- electronic case filing; and
- common forms.

Task 3 – BUILDING THE INTERIOR FRAMEWORK:

The implementation of new, consistent business practices statewide will permit the flow of standardized information in and out of the courts and will maximize the efficient use of the courthouse.

Task 4 – BUILDING THE COURTROOMS:

New case and financial management systems need to be developed and installed to meet the changes in business practices brought about by information being accessed and received through the Web portal. Consistent data entry protocols will be implemented statewide to ensure the availability of management and outcome-related data.

Task 5 – BUILDING THE BACK DOOR:

We will create a common interface allowing our public and private stakeholders to send and receive data from systems electronically. Some of the groups and individuals who will benefit from this aspect of the electronic courthouse are:

- state agencies such as Corrections, the Criminal Justice Commission, Human Services, and Motor Vehicles;
- county and municipal entities such as sheriffs, district attorneys, and local human service agencies; and
- other partners such as attorneys and local treatment providers.

Oregon's investment in its electronic courthouse will be a significant one, but the dividends that the investment will pay will be innumerable, and the returns will continue well into future generations.

RECOGNITION AND THANKS

The courts of this state belong to all Oregonians. Nowhere is that ownership interest better demonstrated than in the nearly 1 million hours that citizens give to our court system each year. These people are our neighbors who serve on juries, our friends who review the case plans of children in foster care, and our fellow citizens who volunteer their valuable time as mediators in small claims and landlord / tenant cases. We work carefully with those people and all the other Oregonians who give generously of their time, wisdom, and experiences to ensure that equal justice is provided to all.

The judges and staff of Oregon's state court system value tremendously the unique and irreplaceable role that our citizens play as volunteers. It is appropriate that all those volunteers be recognized and thanked publicly for their efforts. Ultimately, there can be no justice without them.

JURORS

The right to trial by a jury is a fundamental protection – enshrined in both our state and federal constitutions – that each of us enjoys and that is an important part of our heritage. It is a particularly vivid example that ours, as Abraham Lincoln observed, is a government “of the people, by the people, for the people.”

Jury service is a significant civic responsibility and a fundamental duty of citizenship designed to protect our many rights and privileges. Citizens served nearly 200,000 jury service days from July 1, 2005 through June 30, 2006. At the same time, the limited fees and expenses that state law provides to jurors often means that jury service calls on jurors, their families, and their employers to sacrifice time, work, and money to preserve justice and the rule of law in our society.

Oregon's courts have been working to encourage people to respond to their summonses and appear for jury service. All courts periodically solicit feedback from jurors on their individual jury service experiences, and many courts have made improvements to juror room facilities this past year. The courts take the matter of juror satisfaction very seriously, so seriously that it is one of the performance measures that the courts track. Beginning with the current biennium, the goal is to move from at least an 85% satisfaction rating to a 95% overall satisfaction

rating by the 2007-09 biennium. In 2006, 94% of jurors reported that they were satisfied with their jury experience.

CITIZEN REVIEW BOARD MEMBERS

The Citizen Review Board (CRB) is a Judicial Department program that includes 375 community volunteers who serve on 88 boards in 33 of Oregon's 36 counties. CRB volunteer board members have a dual mandate (1) to review the cases of children and youth in the foster care system; and (2) to analyze trends and advocate for improvements to the system. Both mandates focus on making sure that foster care remains a temporary stop on the way to a permanent home. From July 1, 2005 through June 30, 2006, CRB volunteers reviewed the case plans of 8,828 children and youth in foster care. Board members served approximately 74,950 hours volunteering in this critical aspect of the judiciary's work.

MEDIATORS

Oregon courts have a strong tradition of volunteer-based mediation dating back to the late 1980s. In those programs, trained volunteers meet with their fellow citizens in a confidential setting to discuss whether there is a mutually acceptable resolution to their dispute before going to trial. Any agreement reached is enforceable as a court order, giving the parties the same rights as those who go to trial.

In several communities, court-connected volunteer mediation programs are provided by local nonprofit or government-based Community Dispute Resolution Centers (CDRCs). In addition to their court mediation programs, these CDRCs provide a wide range of other volunteer mediation services for their communities. By partnering with these local resources, courts often are able to make referrals to mediation before any case is filed, thereby minimizing the impact of community conflict on the resources of the Judicial Department.

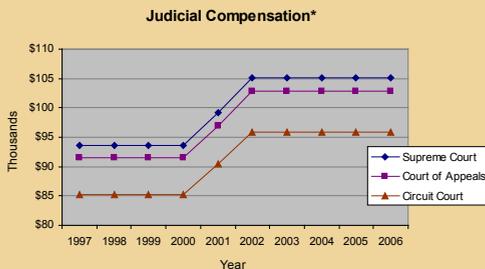
In 2006, 252 Oregonians served approximately 7,318 hours as volunteer mediators in their communities in the following areas:

- 20 counties mediate small claims cases;
- 11 counties mediate residential landlord / tenant cases; and
- 1 county mediates truancy cases.

THE JUDICIAL COMPENSATION PARITY INITIATIVE

THE PROBLEM

The compensation that Oregon judges receive for the demanding and critical work they perform on behalf of the citizens of this state is inadequate. It has been inadequate for a long time. Oregon historically ranks at or near the bottom in terms of judicial compensation compared to other states. And judges in Oregon have not received a salary increase – not even a cost of living adjustment – since 2002. The problem is acute, and it is not a matter of judicial self interest. The effects of judicial pay for state court judges are now being seen, and the future of the Oregon court system depends in substantial measure on how we respond.



*Data Sources: ORS 292.405 – 292.415 (1997-2005)

Commenting on the compensation of federal judges, the late Chief Justice of the United States Supreme Court, the Honorable William Rehnquist, stated in 2003 that “[w]e cannot continue to use an arrangement for setting pay that simply ignores the need to raise pay until judicial and other high-level government salaries are so skewed that a large (and politically unpopular) increase is necessary.” That, however, is the situation we face today in Oregon. To even begin to level the playing field, Oregonians – through the Legislative Assembly – must commit the resources that will enable us to maintain the most critical element of an effective judiciary: dedicated and experienced judges.

Whether compared against the salaries of judges across the country or against the salaries of judges in the western states, or compared against the compensation of public lawyers in Oregon or other professionals in state government, the salaries that we pay to our judges lie at or near the bottom of the comparisons. Yet Oregon judges work just as hard on cases just as complex as those before judges in our neighboring states and across the country. And they play just as important a role in Oregon’s system of

state government as do other public lawyers and officials. Our judges deserve at least a comparable wage, and that is all that the Judicial Department will be requesting of the Legislative Assembly this session.

THE MAGNITUDE OF THE PROBLEM

According to the National Center for State Courts in its most recent Survey of Judicial Salaries, the salary of circuit court judges in Oregon ranks 49th out of 50 states and the District of Columbia. The salaries for Oregon’s Supreme Court justices and Court of Appeals judges rank 48th out of 51 and 38th out of 39 respectively. (Only 39 states have intermediate appellate courts.)

In light of Oregon’s ranking nationally, it should come as no surprise that our state lies near the bottom of the list in terms of judicial pay across the western United States:



It is important to remember that the ranking set out above is based on salary figures from 2006. The goal posts in other states are continuing to move. For example, the salary that Montana will pay to its trial court judges will increase to \$99,234 effective July 1, 2007, with corresponding increases at the appellate level, which then will place Oregon squarely at the bottom of the judicial pay scale in the west.



“Judicial independence is public property; it belongs not to judges and courts but to every citizen. And, by recognizing the important role that each of us ultimately plays in the judicial process and the gains that can be had by innovative and cooperative decision making during difficult times, we all should expect a stable, adequately funded court system both in Oregon and elsewhere.”

FORMER OREGON CHIEF JUSTICE WALLACE P. CARSON, JR., JUDICATURE (JAN./FEB. 2005).



[A] strong and independent judiciary is not something that, once established, maintains itself. It is instead a trust that every generation is called upon to preserve, and the values it secures can be lost as readily through neglect as direct attack.”

U.S. SUPREME COURT
CHIEF JUSTICE JOHN G.
ROBERTS, JR. (2006).

WHY THE PROBLEM IS IMPORTANT TO EVERY OREGONIAN

For every defendant awaiting sentencing, for every business facing serious and expensive litigation, for every family struggling through marital dissolution proceedings, for every injured person awaiting his or her day in court, and for every other litigant or victim when her, his, or its vital interests are at stake, it means everything that the judge those litigants face is fair, impartial, focused, and experienced. It means everything that the judge in whose hands so much is placed is the best person for that job on that day.

Few civil servants have either the opportunity or the responsibility to impact so directly and immediately the lives of the public they serve in the way that the judges of Oregon do day in and day out. Oregonians need to ensure that the compensation that judges receive is both fair and adequate so as to make sure that the best, brightest, and hardest working lawyers in this state will continue to forego lucrative careers in private practice for government service. It is becoming increasingly difficult to justify to one’s self and to one’s family a decision to seek the bench when judges make less than first-year lawyers at Oregon’s largest and most prestigious law firms, when it is known that no attempt has been made even to keep judicial pay consistent with inflation for the last four years, and when many other public officials and public lawyers are paid more.

It is of course tempting to compare the salary that judges receive with the wages that Oregonians in other parts of government and in the private sector earn for the long hours they work on behalf of their employers. Judges recognize that, under such a comparison, they are paid generously. And they also recognize that there are many intangible benefits that go along with judicial service. But, in the end, this is not about the judges themselves. This is about the judicial system and ensuring that the salaries we pay are sufficiently competitive to make it feasible for some of the best lawyers in Oregon to bring their talents to bear on society’s most difficult issues.

As noted above and elsewhere, we have an outstanding judiciary in this state, but the chronic nature of judicial underpayment is beginning to take its toll on our bench. For example, although judges in Oregon do not have life tenure as in the federal courts, lawyers in Oregon generally make the transition from practice to the bench with career-long rather than short-term expectations. The period between age 60 and retirement often proves to be the most valuable period that a judge serves, because of the experience gained from prior years of judicial service. We need to maximize the benefit to the public, the bench, and the bar that only veteran judges can provide.

In Oregon, however, there has been a recent increase in the number of judges who are leaving the bench well before the mandatory retirement age of 75. Individual circumstances of course vary, but the numbers taken together warrant consideration. For example, of the 22 judges who retired or resigned in 2005 and 2006, 11 of those judges – half of them – were age 60 or younger. Ten years ago, however, in 1995 and 1996, there were only 11 resignations or retirements and, of those, only two were age 60 or younger.

Judicial Retirements – A 10-Year Comparison			
Years	60 or younger	61 - 65	Over 65
2005 and 2006 (22 total)	11	5	6
1995 and 1996 (11 total)	2	2	7

In other unmeasurable instances, it is the bell that did not ring. We simply do not know how many lawyers of the highest caliber and experience have decided against seeking election or appointment to our state’s bench. From the data, it is easy to infer that our missed opportunities are many.

Increasing judicial pay to an amount that is the average of the compensation for judges in the western United States, and then ensuring that pay keeps up with the cost of living, is the best means available to attract and then keep these dedicated public servants working on behalf of all Oregonians when the services they provide are most needed and most valuable.

SOLUTIONS

The issue of inadequate pay is not unique to the Judicial branch of state government, and many of the same types of concerns exist with regard to the amount of compensation that we as Oregonians pay to officials in the Legislative and Executive branches. The approach that the Judicial Department will recommend to the legislature next session will be two-phased. The first, or short-term, phase will be a step toward remedying the existing inequity in judicial pay. The second, permanent phase will provide a mechanism by which public officials in all branches of government can receive reasonable increases in their salaries over time, as free from political influence as is practicable.

Short-Term

On behalf of the people and the courts of this state, the Judicial Department will ask the Legislature for an immediate increase in the annual compensation paid to Oregon's judges. Circuit court judges should have their pay adjusted to at least \$125,000 annually, with Court of Appeals judges and Supreme Court justices receiving a comparable percentage adjustment. That increase will do no more than bring Oregon judicial salaries toward the average judicial pay of our neighboring states (Washington, California, Idaho, and Nevada). A trial judge in Walla Walla, Washington currently earns \$36,000 more a year than an Oregon judge fulfilling the same vital public role a mere 40 miles away in Pendleton.

Long-Term

It is clear as a matter of history that the judges of this state have endured long droughts in compensation. Those droughts have forced the judicial branch, as it must again this session, to go before the legislature seeking the kind of unnecessarily large and politically unpopular catch-up pay increases that the late Chief Justice Rehnquist warned against. Moreover, to the extent that judges have received increased compensation in the past, almost invariably those measures have been enacted at the end of the legislative session and without the kind of transparency that the public has every right to expect.

This pattern has not served anyone well, and Oregon deserves better. The hard-working public officials in the judicial, legislative, and executive branches deserve better. A more responsible method of adjusting compensation over time is both in order and long overdue.

The Judicial Department supports legislation that would establish a permanent mechanism for the regular salary review of public officials in all three branches of state government. Under that legislative proposal, judges will receive an immediate parity pay adjustment, and at a later date, judges, legislators, and executive branch officials will begin receiving cost of living adjustments (COLAs). The amount of future COLAs will be determined by a Quadrennial Commission on Executive, Legislative, and Judicial Compensation composed of qualified members of the general public appointed by representatives of the three governmental branches. The commission and later commissions will determine salaries and prescribe appropriate adjustments for the four-year period following their deliberations. The commission's recommendations then will take effect unless the legislature elects to abrogate or modify them. Each commission will dissolve itself after issuing its report.

A failure to address meaningfully the issue of judicial compensation at the next legislative session would have the very real potential of demoralizing this vital, responsive, and innovative branch of government. We owe it to ourselves – it is a matter of our own self-interest – to preserve and increase the competence and the efficiency of Oregon's courts and, ultimately, the public's respect for the courts' impartial enforcement of the rule of law.



*“That low salaries might force judges to return to the private sector rather than stay on the bench risks affecting judicial performance – * * * those judges would serve the terms their finances would allow, and they would worry about what awaits them when they return to the private sector.”*

LATE U.S. SUPREME COURT CHIEF JUSTICE
WILLIAM REHNQUIST
(2003).

JUDICIAL OFFICERS

OREGON NEEDS TO CREATE ADDITIONAL JUDICIAL POSITIONS

The demand for judicial services in Oregon has steadily outpaced the supply of judges available to meet that critical need. In its November 2006 report, the Joint Committee on Trial Court Judicial Resources, which is composed of 10 members appointed by the President of the Oregon State Bar and the Chief Justice, has recommended that the Legislative Assembly add 13 trial court judge positions across the state. The judicial branch endorses the joint committee's recommendations. With trial court dockets growing at a consistent pace for those case categories that require the greatest amount of attention by judges, and with only conservative additions to the system over the past decade, the need for these additional judicial resources is great.

Judgeships Requested and Authorized					
	1997	1999	2001	2003	2005
Judgeships Requested	11	16	15	9	11
Positions Authorized	3	0	6	0	4

Cases Filed and Active Cases Pending Per Judicial Position (excluding violations)								
	1998	1999	2000	2001	2002	2003	2004	2005
Judicial Positions	160	163	163	163	163	167.5	169	169
Filings Per	2,021	1,926	1,990	1,994	2,040	1,961	1,953	2,018
Active Pending Per	593	599	585	600	630	615	569	577

THE BASES FOR THE JOINT COMMITTEE'S RECOMMENDATIONS

The joint committee, which has been issuing similar reports for over a decade, bases its recommendations on a number of considerations:

LEGISLATIVE AND CONGRESSIONAL

ACTION: The committee has identified 11 specific items tied either to the Legislative Assembly or to Congress that have impacted the workload and functioning of the judicial branch. For example, the

federal Adoption and Safe Families Act – for which the Oregon legislature enacted implementation legislation in 1999 – sets a number of time limits for juvenile cases. Meeting the resource-intensive requirements of that federal act is critical, because compliance is a prerequisite to Oregon's continued eligibility to receive federal foster care funds.

AN UPDATED JUDICIAL WORKLOAD

ASSESSMENT STUDY: In 2000, the Oregon trial court system received an objective judicial workload assessment from the National Center for State Courts showing which courts needed additional judge resources and by what percentage demand exceeded supply. Using the model from that assessment, the Judicial Department has updated the analysis using 2005 actual case filings for each of Oregon's 27 judicial districts. The data and results from this updated study provide the most valuable current, objective information to be used in determining where the need for additional judicial resources is most pressing.

INFORMATION OUTSIDE OF WORKLOAD

ASSESSMENTS: Although neutral data provide the best source for decision-making, it remains that other factors – factors that may be difficult to quantify – also seriously affect the functioning of individual courts. Accordingly, the committee also took into account matters such as (1) availability of referees to assist the judges; (2) concentration of complex cases; (3) district attorney charging practices; (4) use of labor-intensive but tremendously effective drug and family courts; and (5) post-conviction and habeas corpus proceedings in districts in which state correctional facilities are located.

INCREASED JUDICIAL EFFICIENCY:

In addition to the implementation of alternative dispute resolution mechanisms (including settlement conferences, mediation, and arbitration), trial courts have been utilizing technological advancements to improve the efficiency of their operations. For example, the committee considered the greatly expanded use of both the computerized Uniform Criminal Judgment and closed-circuit video conferencing for proceedings involving incarcerated persons when making its judicial resource recommendations.

THE PASSAGE OF TIME: As a critical fifth component of its analysis, and although it declined to make any recommendations based upon future projections, the committee nevertheless recognized the significant lag between the decision to add a judge to a court and the time at which the new judge actually takes the bench. For example, the Legislative Assembly created four new judicial positions during the 2005 session – with the benefit of filing data from 2003 – that will be funded effective January 1, 2007. In other words, at best there has been a four-year span between the time that a need arises and when the need can be filled.

THE JOINT COMMITTEE’S SPECIFIC RECOMMENDATIONS

Overall, the 13 judicial positions that the joint committee has concluded the judicial branch requires would be spread across six Oregon counties and are prioritized below. The full report is available on the Judicial Department’s website at: http://www.ojd.state.or.us/oscal/documents/2006-07_Report.pdf

Priority Ranking of the 13 Recommended Judicial Positions		
Judges	Judicial District	Priority Ranking(s)
4	3 rd Judicial District (Marion County)	1 st , 7 th , 10 th , and 11 th
4	4 th Judicial District (Multnomah County)	5 th , 8 th , 12 th , and 13 th
2	20 th Judicial District (Washington County)	3 rd and 9 th
1	14 th Judicial District (Josephine County)	4 th
1	16 th Judicial District (Douglas County)	2 nd
1	22 nd Judicial District (Crook/Jefferson Counties)	6 th

As with the need for increased judicial compensation, the need for an adequately staffed trial court bench should be first and foremost an issue of concern for the people of Oregon. After all, Oregonians have the most to gain from a responsible and responsive judicial system, either directly as consumers of judicial services or indirectly as the beneficiaries of the increased public safety and economic activity that such a system provides.

THE CONDITION OF OUR COURTHOUSES



On February 28, 2005, the Umatilla County Courthouse in Hermiston was completely destroyed by an arson fire. One year later, the circuit court moved into a new 25,000 square foot Umatilla County constructed building that it now shares with other county services. The Stafford Hansell Government Center is the first newly constructed building housing a circuit court in seven years.

THE CHALLENGE

For many of us in Oregon, the county courthouse is also the seat of the county's government as well as a hub of civic activity. Courthouses in our communities stand as constant reminders that ours is a nation that governs itself according to the rule of law. And, just as Oregon's capitol building reflects both the power and influence of the executive and legislative branches of state government, so too should Oregon's courthouses reflect both the integrity and the accessibility of the judiciary.

Unfortunately, many of our facilities require substantial upgrade or repair. Some, quite frankly, need to be replaced. A recent survey to which 32 of Oregon's 36 counties responded indicates the following:

- **15** counties – nearly half of those responding – reported “serious structural deficiencies” in their courthouses. Although some identified problems with the buildings’ structural supports or exteriors, a common thread running throughout was the need for seismic retrofitting.
- **12** counties – or about a third – reported problems of “significant deferred maintenance,” including the need to address heating, ventilation, and air conditioning concerns.
- **13** counties indicated that upgrading courthouse facilities is a “high” priority for them in comparison to the completion of other county projects.

As a few examples, consider the following:



File storage in the basement of the Multnomah County Courthouse.

- The Multnomah County Courthouse, built in 1914, was designed to serve as the seat of government for 250,000 residents. The building originally housed 17 courtrooms, the county commission, all county departments, law enforcement agencies, and jail facilities. Today the county offices have relocated, and the building houses much of the Multnomah County court system and other related offices serving more than 660,000 residents. As many as 5,000 people pass through its lobby daily. The courthouse, however, is crowded, uncomfortable, and dangerous due to various fire and safety issues as well as mechanical and electrical problems. Perhaps most worrisome is the near certainty of a catastrophic collapse in the event of a significant earthquake.
- Due to its inadequate size, the Coos County Courthouse in Coquille can house only three of its four judges – the fourth is assigned to a satellite courtroom in North Bend that can accommodate only certain kinds of cases. The expansion of essential services has forced other crucial operations into badly designed and inadequate space. For example, there presently is no room in the courthouse to house the records that the court needs to retain and use on a daily basis. Moreover, due to the condition of the water pipes, the county has removed all water fountains from the courthouse. Finally, the condition of the electrical system requires clerks to be

careful not to use certain pieces of equipment at the same time to avoid blowing circuits, and the heating system fails at least twice a winter.



View from the jury box in one of Union County's courtrooms. There is a person seated at the far counsel table.

- Due to safety issues with the Union County Courthouse in La Grande in 1989 – the building later was condemned – the courts were moved first into basement facilities underneath the county jail and later, in 1991, into an old hospital facility. The courts have been there ever since. There is only one toilet available to women. Staff must walk through the courtroom to access the

accounting department. The public has no access to both the records and accounting departments without walking outside the building. Finally, concrete pillars in what are now the courtrooms obstruct the views of judges, jurors, and lawyers, which creates significant safety and legal issues.

The ability of all citizens to freely access and safely use those buildings to conduct their public affairs and the well-being of the public servants – whether they be county or state – who spend their professional lives in those facilities depends on the development of innovative solutions to what has become a chronic problem.

THE SOLUTION: ONE SIZE DOES NOT FIT ALL

A task force composed of members from the judicial branch, representatives from the Association of Oregon Counties and the Oregon State Bar, legislators, and others has been assessing data about the condition of our county courthouses.

For now, this much has become clear through the task force's preliminary efforts:

Each county courthouse has individual needs and is put to individualized uses; therefore, each will need particularized consideration and treatment. In other words, a universal, or one-size-fits-all, approach cannot work under these circumstances.

In Oregon, no measurable guidelines establish what features court facilities must possess. Under current law, Oregon's counties own the court facilities and provide them to the state's judicial branch at the counties' expense. Aside from county general funds, there is no source of funds available for the improvement of court facilities. And, due to reduced income several years ago and other claims on county budgets, few counties have been able to address serious court facilities problems in recent years.

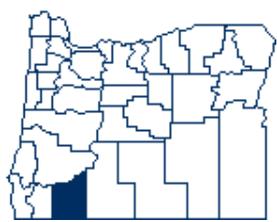
The status quo no longer is an option, and the task force has been exploring the potential for innovative solutions – solutions that involve examining the ownership structure for new and certain existing facilities; developing new financing alternatives for renovations, maintenance, and new construction; and providing a mechanism to ensure that future issues can be resolved efficiently and effectively, and to the mutual benefit of all the courthouses' shared users.

To begin to address these issues, the task force is recommending that the Legislative Assembly in 2007 create a source of new revenue to be used to finance capital outlays for court construction and remodeling. These new revenues would be collected beginning in the 2007-09 biennium. Next, the task force urges that a State Court Facilities Commission be established consisting of representatives from the Governor's office, the Legislative Assembly, Oregon's counties, the courts, and the Oregon State Bar. The Commission would establish standards, create a methodology for prioritizing court facility projects, and issue a report to the 2009 legislature. The Legislative Assembly then would provide for the allocation of the funds collected during 2007-09 to specific projects, either through the Commission or otherwise.

SNAPSHOTS: JUDICIAL INITIATIVES DISTRICT-BY-DISTRICT

JUDICIAL DISTRICT: 1

County: Jackson
 Presiding Judge: Mark Schiveley
 Trial Court Administrator: Jim Adams
 Judge(s): 9
 Staff: 80.17 positions



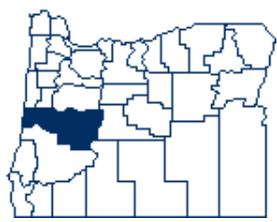
The Jackson County Board of County Commissioners and the circuit court forged a creative partnership and leveraged their resources to purchase an Internet-based video-arraignment and multimedia courtroom

technology system. The court began using the system to arraign inmates remotely from the jail in 2006. The county already is benefiting from improved courtroom security and substantial savings due to reduced inmate transportation costs. The system will be fully implemented in 2007, and will support courtroom multimedia presentations, digital audio and video evidence, and remote expert witness testimony.

Using the authorization of a new circuit court judge position together with a grant from the Criminal Justice Commission, the circuit court opened Jackson County's Adult Drug Court in March 2006. The program currently provides services to more than 80 high-risk addicted criminal defendants. Initial results indicate that the program is successfully diverting criminal addicts from expensive incarceration to evidence-based treatments.

JUDICIAL DISTRICT: 2

County: Lane
 Presiding Judge: Mary Ann Bearden
 Trial Court Administrator: David Factor
 Judge(s): 15
 Staff: 112.85 positions



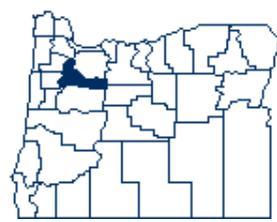
Lane County established its Commercial Court Pilot Program in November 2006 to accelerate the time-to-disposition of commercial and complex civil disputes. The program provides judges and

litigants with appropriate procedural mechanisms for the fair, efficient, and expeditious management of commercial and business litigation. It is designed to handle complex commercial disputes – whether they arise in or outside of Lane County – that otherwise would be burdensome to the normal docket of the courts.

Over the past several years, the Lane County Circuit Court has been involved in a joint project with the Lane County Sheriff and the county office of Probation and Parole / Post-Prison Supervision to design and implement the Defendant / Offender Management Center (DOMC). The program is referred to as the Sherman Center in memory of Richard Sherman, who was the Lane County Sheriff's Director of Mental Health Services. The broad-based effort has two essential components. First, the project ensures that every defendant released pretrial has an appropriate conditional release agreement based on validated risk assessment tools. Second, the project provides for the active management of offenders in county custody as they move from jail to jail alternatives and provides for the imposition of immediate sanctions for violations. The DOMC initiative has become the center point for enhancing community safety by focusing the management of offenders on the risks of re-offending, dangerousness to the community, and the failure to appear.

JUDICIAL DISTRICT: 3

County: Marion
 Presiding Judge: Paul J. Lipscomb
 Trial Court Administrator: James Murchison
 Judge(s): 14
 Staff: 101.3 positions

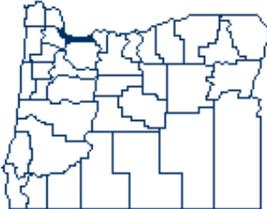


An assault on the Marion County Courthouse on November 12, 2005, required a complete renovation of the entire building and forced the court to relocate its offices. All essential hearings

were conducted in 14 different remote sites, even on the first judicial day following the loss of the building. To assure the maximum flow of information to the public, an information tent was set up in front of the building, notices were posted on the premises, and court websites were updated regularly. The building was rededicated on September 4, 2006. Its infrastructure had been upgraded to support the latest technology and most efficient utilization.

JUDICIAL DISTRICT: 4

County: Multnomah
Presiding Judge: Dale R. Koch
Trial Court Administrator: Douglas Bray
Judge(s): 38
Staff: 332.7 positions



Using a 2005 STOP Violence Against Women Act Formula Program Grant, the Multnomah County Circuit Court opened the Judge Stephen B. Herrell Domestic Violence Reduction

Program (DVRP) in 2006. The purpose of DVRP is to create a court that manages domestic violence cases in a single venue, which permits judges to maintain tight case controls and impose uniform sanctions on conviction that address both the behavioral and public safety concerns around these offenders.

To better manage complex multimillion dollar commercial and residential construction defect cases, the Multnomah County Circuit Court adopted a system under which parties may choose one of two tracks: (1) the normal 12-month trial system; or (2) a new referee system. If the parties choose the normal system, then they will not be granted trial extensions beyond the 12-month period absent extenuating circumstances. Under the referee system, however, the parties pay the referee's fees, and the referee has the authority to hear and decide motions to join parties and to extend the trial date to 18 months from initial filing on motion of a party and a showing of good cause.

Wraparound Oregon is an initiative in Multnomah County, which the Presiding Judge and Chief Family Court Judge manage, to build an integrated system of community-based supports to help children, youth, and families who need the most intensive and costly care from multiple agencies. The program will create integrated services and resources for children who are involved in multiple systems; provide families with an opportunity to "drive" decision-making; keep children in their own homes, in their own schools, and out of trouble; and improve educational and mental health outcomes.

JUDICIAL DISTRICT: 5

County: Clackamas
Presiding Judge: Steven L. Maurer
Trial Court Administrator: Mari L. Miller
Judge(s): 11
Staff: 95.06 positions



With funds provided by a federal grant, the Clackamas County Circuit Court started a Driving Under the Influence of Intoxicants (DUII) Court in 2006. To date, 13 offenders that pose

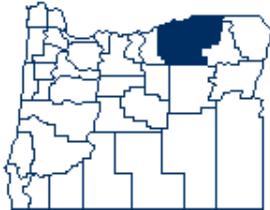
significant risk to the community due to their multiple convictions for DUII have entered the 18-month program. Because the grant was for start-up costs only, permanent funding is needed to continue and expand the number of participants.

In collaboration with the Clackamas County District Attorney, the circuit court implemented a community court in early 2005 that is paying off dividends in solving neighborhood crime in the Overland Park area. In exchange for a guilty plea, the court imposes community service in the Overland Park community rather than fines or incarceration. The recidivism rate in the program is extremely low. Between October 2005 and June 2006, only 1 out of 147 participants re-offended.

After completing a successful pilot program, the court and the Clackamas County Sheriff's Office fully implemented an electronic system for issuing and processing traffic citations. The system provides data entry efficiencies to both the court and law enforcement. The Sheriff's Office has saved over 2,500 hours in data entry time, and the court has been able to transfer 1.32 positions out of the Traffic Bureau to the understaffed criminal and civil case processing units.

JUDICIAL DISTRICT: 6

Counties:	Umatilla and Morrow
Presiding Judge:	Garry L. Reynolds
Trial Court Administrator:	William C. Jones
Judge(s):	5
Staff:	40.19 positions



In February 2006, one of Umatilla County's circuit courtrooms in Hermiston moved from a temporary facility it had occupied, after an arson fire destroyed its former location, to a new building that the

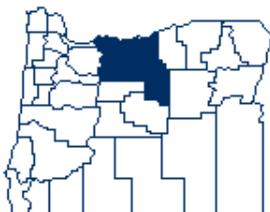
county constructed. Another circuit courtroom is being furnished in the building and will begin operations in January 2007.

In August 2006, the Umatilla County Circuit Court started its first drug court, which now is fully operational and convenes weekly.

Utilizing new video conferencing technology, the 6th Judicial District already has processed 120 post-conviction relief and 43 habeas corpus cases from the two state prisons in Umatilla County.

JUDICIAL DISTRICT: 7

Counties:	Hood River, Wasco, Sherman, Gilliam, and Wheeler
Presiding Judge:	Donald W. Hull
Trial Court Administrator:	Charles Wall
Judge(s):	4
Staff:	26.99 positions



The 7th Judicial District offers drug courts in Wasco County and Hood River County. While Wasco County's program has been operational for more than four years, Hood River County's program had

its first anniversary in 2006. As the number of graduates steadily increases, additional resources are needed to meet their needs.

This judicial district also has a very active family law facilitation program. It assists hundreds of families each year, with results that continue to improve. The program has added family parenting classes to its Court Annexed Mediation Program.

JUDICIAL DISTRICT: 8

Counties:	Baker
Presiding Judge:	Gregory L. Baxter
Trial Court Administrator:	Elaine Radabaugh
Judge(s):	1
Staff:	6.91 positions



In 2006, the Baker County Circuit Court upgraded its Parent Education Program for parties involved in domestic cases with children. The court now has a private party with a masters degree in social

work instructing a parent education class for two hours each month.

JUDICIAL DISTRICT: 9

County:	Malheur
Presiding Judge:	J. Burdette Pratt
Trial Court Administrator:	Pamela J. Barton
Judge(s):	2
Staff:	14.5 positions



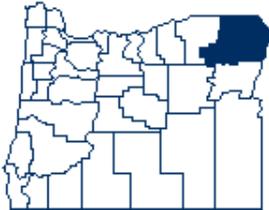
The Malheur County Circuit Court developed an electronic form for criminal cases that can be generated automatically from information entered into the court's computer system. Before the new

system, staff were required to input information and then transfer that information into a WordPerfect template. The automated form has reduced the amount of staff time needed to produce orders and documents.

The court also has developed a backup server to enable off-site storage of video or digital recordings from its own hearings as well as those from Harney, Grant, and Baker counties. Each week, Malheur County's system is replicated onto an external device and stored in a safe deposit box at a local bank. In the event of a disaster, each county will have an off-site backup of the information.

JUDICIAL DISTRICT: 10

Counties:	Union and Willowa
Presiding Judge:	Phillip Mendiguren
Trial Court Administrator:	Michelle Leonard (interim)
Judge(s):	2
Staff:	18.4 positions



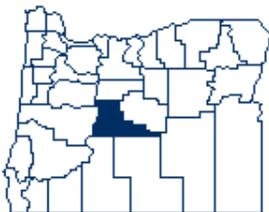
The Union County Circuit Court is currently in a period of transition. The court is working with an interim trial court administrator until January 2007, and the county has been without a district

attorney for a few months. The 10th Judicial District, however, has a very successful drug court program that recently hired a new coordinator. The drug court currently is working to fulfill the requirements of two grants that the program received in 2006.

Union County also has installed video conferencing equipment in all three of its courtrooms. The system is saving the judges in Eastern Oregon significant travel time while still providing the personal face-to-face time that court cases require.

JUDICIAL DISTRICT: 11

County:	Deschutes
Presiding Judge:	Michael C. Sullivan
Trial Court Administrator:	Ernest Mazorol
Judge(s):	7
Staff:	55.32 positions



Presented with the challenge of beginning a family drug court, the Deschutes County Circuit Court began utilizing the Oregon Treatment Case Management System (OTCMS). The

system allows only “in-house” and “off-site” users to share information by periodically exporting the data and sending it to the other party. Deschutes County upgraded the system to make it accessible over the Internet. Now users are entering their information into the same place no matter where they access the system. The web design provides better security, easier access, and centralized data backup and management.

In April 2006, the Deschutes County Circuit Court set up four obsolete computers in their jury assembly room. The

computers were connected to the Internet via cable modem that also served as a wireless access point. Since the Internet connection would be used by jurors, the connection was classified as community service and was half the normal cost. As a result of these efforts, jurors can stay connected while waiting in the jury assembly room.

JUDICIAL DISTRICT: 12

County:	Polk
Presiding Judge:	Charles Luukinen
Trial Court Administrator:	Candia Friesen
Judge(s):	3
Staff:	22.38 positions



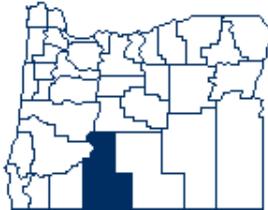
For a number of years, court records in the Polk County Circuit Court were archived and stored in a cell block of an old jail building. The situation presented a security problem for court records

and safety issues for court staff. Using court security funding, the court worked with Polk County to have the cell block renovated into a proper and secure file room. Security in other areas of the court has been improved with the installation of bullet resistant glass and door keypads.

In July 2005, the Polk County Circuit Court started an adult drug court. The Mental Health Department was able to hire a part-time mental health counselor to perform the treatment portion of the program without any grant funding. Two participants have graduated from the program, and a number of others have reached the third phase of the three-phase program. In October 2006, Polk County received notice that it will be receiving a \$25,000 grant from the Grand Ronde Tribe for use in its drug court program.

JUDICIAL DISTRICT: 13

County: Klamath
Presiding Judge: Cameron F. Wogan
Trial Court Administrator: Val S. Paulson
Judge(s): 5
Staff: 37.15 positions



Following a federally sponsored drug court implementation training in 2005, the Klamath County Circuit Court is starting its first juvenile drug court. It will be joining the county's Integrated Treatment

Court, which already includes an adult drug court, family court, and family facilitation program. Because these programs all represent efforts to deal with participants in more effective and sometimes nontraditional ways, they were consolidated into one integrated system.

The Klamath County Circuit Court has been working with local schools, the county juvenile department, and law enforcement to create an Expulsion Diversion Program designed to moderate the current zero tolerance policies in schools. Through the program, students caught committing a crime may be allowed to stay in school under the close supervision of the court and the Juvenile Department.

In a major collaboration with the Klamath Tribes, the circuit court has been exploring ways to deliver more effective and culturally appropriate services to Native-American youth who come before the court. This population is substantially over-represented in alcohol and drug treatment programs, and the circuit court's authority is not always recognized. Conversely, the newly formed Klamath Tribal Courts lack resources in areas of enforcement and sanction capability. The court is meeting regularly with the Klamath Tribes to explore ways to share resources and reach this population of youth.

The Klamath County Circuit Court continues to prepare for the Klamath Basin Adjudication cases, expected in late 2008, by doing the groundwork to move to an electronic filing and content management program. The program will allow more efficient handling of this mega-litigation.

JUDICIAL DISTRICT: 14

County: Josephine
Presiding Judge: Lindi L. Baker
Trial Court Administrator: Kirk Brust
Judge(s): 4
Staff: 39.18 positions



The Josephine County Circuit Court has organized a peer group composed of nonmanagement employees that meet on a monthly basis to discuss a wide range of topics and present

feedback to management. The group has been responsible for creating a mentor/mentee program for new employees, administering an employee satisfaction survey, and setting up a training room/resource center.

Court security is an integral part of court operations in Josephine County. In 2006, the local Court Security Committee conducted three independent risk assessments, developed an emergency evacuation plan, conducted an interagency security training, collected security equipment donations, and initiated a long-term funding strategy to address courthouse security enhancements. It also planned and implemented "Operation Clean Sweep," during which an entire day was dedicated to removing all weapons of opportunity from the court and any items that might pose a safety or security threat.

JUDICIAL DISTRICT: 15

Counties: Coos and Curry
Presiding Judge: Richard L. Barron
Trial Court Administrator: Ed Jones
Judge(s): 6
Staff: 42.34 positions



In 2006, the Coos County Circuit Court led a cooperative effort to establish a mental health court to better serve the needs of mentally ill offenders who routinely come in contact with the

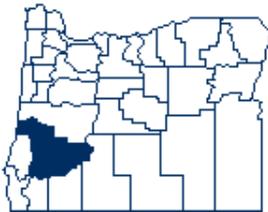
criminal justice system primarily due to mental health problems. There currently are four defendants in the program. Three were in jail at the time they entered the program; one was being housed in the mental health ward of a local hospital. All four defendants now are living in the community, taking their medication, and staying out of trouble.

The Coos County Circuit Court upgraded one of its courtrooms with a video-arraignment / video-conferencing system. Among other things, the system allows attorneys to make PowerPoint presentations, video presentations, and evidence presentations from laptops at the attorney tables.

The Curry County Circuit Court led a cooperative effort to complete a security remodel of a courtroom. The project required demolition of the courtroom and was completed in 30 days and within budget.

JUDICIAL DISTRICT: 16

County: Douglas
 Presiding Judge: William L. Lasswell
 Trial Court Administrator: Jessie M. Larner
 Judge(s): 5
 Staff: 43.37 positions

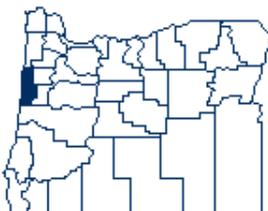


Under the leadership of Judge Joan Seitz, the Douglas County Circuit Court partnered with representatives from the district attorney's office, the defense bar, and law enforcement to

implement best practices in criminal caseload management. The coalition currently is working to establish an early disposition program, a plan for equitably distributing criminal cases among judges, and a requirement that prosecution and defense counsel be present for pretrial and trial readiness conferences.

JUDICIAL DISTRICT: 17

County: Lincoln
 Presiding Judge: Robert J. Huckleberry
 Trial Court Administrator: Nancy Lamvik
 Judge(s): 3
 Staff: 25.8 positions



In 2006, the Lincoln County Circuit Court volunteered to participate in a pilot centralized verification project through which applications for court-appointed counsel are electronically

transferred to the Office of the State Court Administrator in Salem. Financial eligibility for appointed counsel is then verified and reported back to the circuit court within 24 hours. The pilot will conclude in June 2007, with data on the cost effectiveness of 100% verification as well as new

tools and resources for streamlining the verification process at the local level.

The circuit court also recently has completed the planning phase of a new adult drug court. The District Attorney began referring cases to this program in November 2006.

JUDICIAL DISTRICT: 18

County: Clatsop
 Presiding Judge: Philip L. Nelson
 Trial Court Administrator: Bryant J. Baehr
 Judge(s): 3
 Staff: 24 positions



The Clatsop County Circuit Court is in the process of developing a juvenile drug court that is anticipated to begin in January 2007. The program will provide a developmentally and

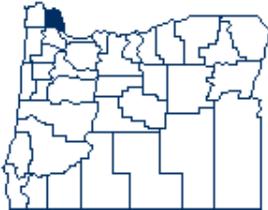
culturally appropriate continuum of services that will build on family strengths while holding youth offenders accountable. A graduation ceremony will be held upon successful completion of the 12-month program.

With the assistance of a college student, the Clatsop County Circuit Court developed a user-friendly website and expanded information for pro se litigants.

In 2006, Clatsop County and the circuit court took a lead role in organizing and producing a county-wide Meth Summit. More than 400 people attended the event to develop an action plan to fight methamphetamine use. Several of these projects already are underway, including development of a family drug court.

JUDICIAL DISTRICT: 19

County: Columbia
Presiding Judge: Steven B. Reed
Trial Court Administrator: Susan Hill
Judge(s): 3
Staff: 18.6 positions



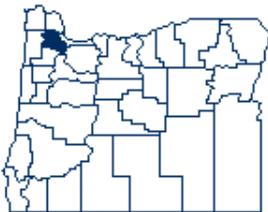
The Columbia County Circuit Court has been developing a plan to implement an adult drug court. The planning team hopes to start enrolling participants by July 1, 2007. The county

and court have been pursuing grant funding and other fundraising efforts to support the program.

After attending an Oregon Judicial Department training on criminal caseload management in September 2006, the Columbia County Circuit Court has been modifying its docketing system to improve caseload. The court also has changed its continuance policy to tighten the number of set-overs and has discontinued its use of multiple “status” appearances in favor of a court call system.

JUDICIAL DISTRICT: 20

County: Washington
Presiding Judge: Thomas W. Kohl
Trial Court Administrator: Richard Moellmer
Judge(s): 14
Staff: 107.85 positions



The Washington County Circuit Court partnered with representatives from the district attorney’s office, criminal defense lawyers, and law enforcement to expand the court’s early disposition program

(EDP) for less serious misdemeanors to include serious misdemeanors and lesser felonies. The court will begin accepting defendants into this expanded EDP starting January 2007.

JUDICIAL DISTRICT: 21

County: Benton
Presiding Judge: Locke A. Williams
Trial Court Administrator: Tracey Cordes
Judge(s): 3
Staff: 23.63 positions



In 2006, the Benton County Circuit Court, in consultation with its Mediation-Arbitration Commission, launched a domestic relations mediator assessment project. Mediators

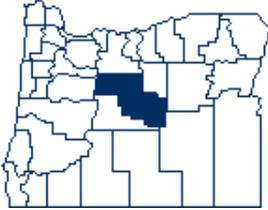
associated with the program for fewer than five years are participating in co-mediations with a successful, veteran mediator for the purpose of identifying skill strengths and challenges. These assessments represent ongoing skill building opportunities for the mediators while also offering assurance to the community about the quality of mediation services provided in domestic relations cases.

Also in 2006, the court volunteered to participate in a pilot centralized verification project. Each day, court staff electronically submit applications for court-appointed counsel to the Office of the State Court Administrator in Salem where financial eligibility for appointed counsel is verified and reported back within 24 hours.

In collaboration with the Benton County Sheriff’s Office, the court applied for and received a grant through the Criminal Justice Commission to expand its existing adult drug court program. This successful application now funds a mental health professional, a data entry clerk, child care services, and staff training for program participants.

JUDICIAL DISTRICT: 22

Counties: Crook and Jefferson
Presiding Judge: George W. Neilson
Trial Court Administrator: Amy Bonkosky
Judge(s): 3
Staff: 22.67 positions



In 2006, a website was created for the circuit courts in Crook and Jefferson counties to improve public access and increase efficiency. The public now is able to access court calendars on-line,

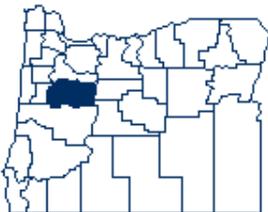
and jurors are able to determine when they must report for jury duty. The site has received more than 13,000 hits.

The 22nd Judicial District received a one-year grant from the Criminal Justice Commission to increase the number of participants in Crook County's existing drug court and to restart the Jefferson County drug court program that had been suspended due to lack of funding.

The majority of judgments in criminal and violation cases now are entered into the court's computer system, signed by the judge, and distributed to all parties in the courtroom immediately after rendering the sentence. This improved practice allows defendants to leave fully informed of their sentences.

JUDICIAL DISTRICT: 23

County: Linn
Presiding Judge: Rick J. McCormick
Trial Court Administrator: Donald Smith
Judge(s): 5
Staff: 36.97 positions



After receiving an \$80,000 grant from the Criminal Justice Commission in 2006, the Linn County Circuit Court was able to hire a part-time drug court coordinator, increase the number of participants in

the program to 25, and provide the necessary treatment for women who are addicted to methamphetamine and have children.

In February 2006, the Linn County Circuit Court implemented a juvenile drug court. The program currently has six participants and had its first graduation ceremony

on November 15, 2006. The drug court team is committed to continuing this program and will seek future funding as it becomes available.

During the last quarter of 2005, the Linn County District Attorney's Office received a two-year federal grant to fund a domestic violence program. A portion of the grant was used to fund a .60 pro tem judge position and a .60 court operations specialist. The goal of the program is to prioritize and expedite all domestic violence cases to resolution within 45 days of arrest and arraignment so as to improve victim safety and hold the offender more quickly accountable. During its first seven months, the program expedited all eligible cases within the 45-day period.

JUDICIAL DISTRICT: 24

County: Harney and Grant
Presiding Judge: William D. Cramer, Jr.
Trial Court Administrators: Tammy L. Wheeler (Harney) and Carol Page (Grant)
Judge(s): 1
Staff: 8.05 positions

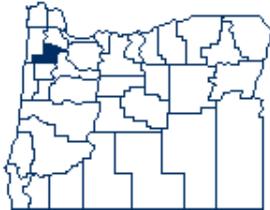


The 24th Judicial District has installed video-conferencing technology in each of its courtrooms. In this one-judge, two-county district, the technology has been well received and much utilized. The

technological upgrade has reduced judge travel between the two counties and prisoner transports from as far away as Multnomah County. The new system also will allow expert witness testimony by video, thereby reducing litigation costs for court customers. Video conferencing also has allowed both sign and foreign language interpreters to avoid two days of travel for a 60-minute hearing and has increased security due to reductions in local transports between the jail and courtroom.

JUDICIAL DISTRICT: 25

County: Yamhill
Presiding Judge: John L. Collins
Trial Court Administrator: Phil McCollister
Judge(s): 4
Staff: 31.61 positions



In October 2006, the Yamhill County Circuit Court added a family drug court to its existing adult drug court and mental health court. In the past year, these three programs have funneled 66

defendants into treatment. Eighteen criminal cases were dismissed following successful completion of the programs, and three babies were born to drug-free mothers.

In conjunction with the Model Juvenile Court Project, Yamhill County Circuit Court partnered with other juvenile dependency participants to form the Juvenile Dependency Excellency Council. The council has seen renewed enthusiasm in the past year. The addition of members from the defense bar has resulted in more efficient resolution of issues and increased attorney participation in dependency cases.

As part of the Criminal Model Court Pilot Project, the Yamhill County Circuit Court partnered with other public safety stakeholders to improve local criminal case processing. A set of written best practices was developed, as well as a policy for improving trial date certainty by requiring all requests for continuances to go through the presiding judge. The court also worked with the Public Defense Services Commission to compensate consortium attorneys for appearing at arraignment, which has resulted in some cases being resolved much earlier in the process.

JUDICIAL DISTRICT: 26

County: Lake
Presiding Judge: Lane W. Simpson
Trial Court Administrator: Val S. Paulson
Judge(s): 1
Staff: 4.8 positions



The installation of video-conferencing equipment in Lake County's courtroom has allowed the judge and sometimes the lawyers to avoid the 200-mile round trip drive between Lakeview and Klamath

for certain matters. Lake County also has installed an improved acoustics system in its courtrooms, which allows for better compliance with requirements of the Americans with Disabilities Act.

JUDICIAL DISTRICT: 27

County: Tillamook
Presiding Judge: David W. Hantke
Trial Court Administrator: Bev Lutz
Judge(s): 2
Staff: 11.1 positions



As part of the Model Juvenile Court Project, the Tillamook County Circuit Court partnered with other juvenile dependency participants to identify and remove barriers to permanency. Settlement

conferences now are being scheduled before adjudication, which has resulted in successful settlements of some cases thought unlikely to be resolved. The local juvenile department now is being included in juvenile dependency case meetings with the Department of Human Services.

After a recent security issue in a courtroom, Tillamook County's Court Security Committee recommended that \$10,000 of the Court Security Fund be used to examine the feasibility of expanding the courthouse. While that process was underway, the county was approached by a local business offering to sell its building to the county, which would free up space within the existing courthouse. The county made an offer that was accepted and will hold hearings on the use of the space within the courthouse and the newly acquired building.

