

# OREGON JUDICIAL DEPARTMENT



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## Chief Justice's Recommended Budget

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**2011-13 Biennium**

Submitted to the  
76<sup>th</sup> Legislative Assembly  
by  
The Honorable Paul J. De Muniz  
Chief Justice, Oregon Supreme Court

**OREGON JUDICIAL DEPARTMENT**  
**Chief Justice's Recommended Budget 2011-13 Biennium**

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THE SUPREME COURT

**To the Honorable Senators and Representatives of the 76<sup>th</sup> Legislative Assembly:**

I am pleased to present the Chief Justice's Recommended Budget for the Oregon Judicial Department in the 2011-13 biennium. I look forward to working with you to ensure that the legislative and judicial branches meet Oregon's constitutional requirement to administer justice for Oregonians "completely and without delay."

This budget will provide resources to Oregon's state courts that will allow them to continue to provide fair and accessible justice that protects the rights of individuals, preserves community welfare, and inspires public confidence.

I present this budget with the full understanding of the difficult choices you will be asked to make in these challenging economic times. In response to these challenges, Oregon's state courts have repeatedly reduced their budgets, remained open every business day while taking the same number of unpaid furlough days as the executive branch, initiated a re-engineering process to streamline operations, and improved their efforts to collect court-imposed financial obligations that restore crime victims and support a wide range of state and local government services.

Your state courts see the tragic results of a struggling economy every day as judges fulfill their constitutional and statutory obligations to ensure that Oregon's children have safe places to live, enforce criminal laws that protect Oregonians from people who would prey on their neighbors, and ensure that the rights of Oregon's businesses and consumers are enforced in economic transactions. Although we cannot control what comes in the courthouse doors, we make every effort to make decisions in these cases in a fair, impartial, and timely manner under the rule of law.

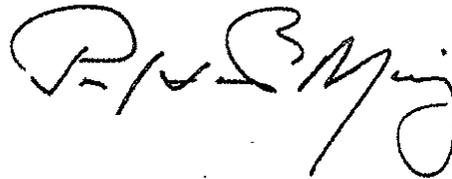
The resources you provided in the 2009-11 budget allowed the Judicial Department to continue its core functions, operate drug courts and other problem-solving courts that greatly improve outcomes for the people who appear in those courts and for Oregon taxpayers,

and make investments in court technology and facilities to improve judicial efficiency, effectiveness, and safety. These investments and innovations already pay dividends that will continue under this budget.

Part of our role as careful stewards of public funds is to collect court-ordered fines and other financial obligations. In addition to the direct services the Judicial Department will provide with these requested resources, we project that we will collect approximately \$272 million for the state General Fund, the Criminal Fine and Assessment Account for public safety services, and other state and local government programs. We also plan on collecting \$27 million on behalf of victims of crime.

Although Oregon's courts comprise an equal and independent branch of state government, we recognize and embrace our interdependence with other branches and agencies. We value the trust and confidence placed in us by the people of Oregon, and we ask that you help us continue to fulfill our responsibilities in order to maintain that trust.

Respectfully submitted.

A handwritten signature in black ink, appearing to read "Paul J. De Muniz". The signature is fluid and cursive, with a large loop at the end of the last name.

Paul J. De Muniz  
Chief Justice

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## OREGON COURTS TODAY AND TOMORROW: AN OVERVIEW OF OUR ACCOMPLISHMENTS AND OUR STRATEGIC PRIORITIES

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### OUR ACCOMPLISHMENTS: OREGON COURTS TODAY

- **Record level collections.** By the end of the 2009-11 biennium, the Judicial Department projects collecting a record \$287 million for the benefit of the State, local governments, and victims of crime. These collections contribute to the state General Fund, the Criminal Fines and Assessment Account that supports state and local public safety programs, other local government services, and send tens of millions of dollars in restitution and compensatory fines to victims of crime.
- **Initiated Oregon's eCourt program.** When fully implemented, Oregon will be the first state in the country to have a statewide eCourt system. Oregon eCourt will expand and simplify access to courts, enhance information available for judicial decision making, create work process efficiencies, and improve the availability of information the courts share with their justice partners and stakeholders.
- **Accepted more than one million new cases filed** and continued to successfully reduce the number of cases pending in state courts. These cases range from relatively simple small claims or traffic violation cases to complex commercial litigation and aggravated murder cases where the death penalty can be imposed.
- **Took the first step in increasing judicial compensation** to improve Oregon's ability to attract highly-qualified candidates to the bench from all areas of the practice of law, and better reflect the responsibility of the position and the skills and experience necessary to be a 21<sup>st</sup> century judge. Oregon still lags far behind most states in judicial salaries.
- **Initiated a process to address the glaring safety deficiencies in Oregon's court facilities.** We worked with the joint Interim Committee on Court Facilities to assess seismic, safety, and other needed improvements to Oregon's 48 state court facilities, and are developing a long-term plan to improve or replace these facilities.
- **Played lead roles in efforts to maintain and improve Oregon's justice system.** When Oregon's rural timber counties faced dramatic reductions in public safety services, Oregon's presiding judges built on the work done by the Governor's Timber Task

Force to ensure communication and leadership to address this threat to public safety and legal services. The presiding judges of Oregon's two appellate courts participated with key legislators in efforts to improve Oregon's dependency proceedings to ensure that good decisions were being made to protect Oregon's most vulnerable children.

- **Maintained and expanded Oregon's successful problem-solving courts.** While labor-intensive, Oregon's drug courts, mental health courts, and family courts produce better results for the people who appear in those courts and for Oregon's taxpayers.
- **Published the department's Strategic Plan for 2009-2013.** This continues a process started in 1992 to establish and pursue a vision for Oregon's courts for 2020. The department has continued its five strategic priorities from its original vision and identified specific actions to advance those long-term goals.

#### **OUR STRATEGIC PRIORITIES: OREGON COURTS TOMORROW**

- **Improve access** to court services by removing safety hazards and other barriers to service in court facilities, applying modern technology for filing and processing court documents and for accessing court information, providing assistance to the growing number of self-represented litigants, and addressing financial and cultural barriers to accessing courts.
- **Maintain public trust** and confidence by continuing our education and outreach efforts to schools and community groups, removing barriers to jury service, and continuing to emphasize efficient delivery of quality judicial services.
- **Provide quality dispute resolution services** by continuing Oregon's problem-solving courts, developing a statewide commercial court to divert complex cases from regular caseloads and develop specialized judicial expertise, and continue to provide a diverse range of alternative dispute resolution options to resolve disputes under the rule of law in a public forum that provides transparency and guidance to others.
- **Build strong partnerships in communities** to ensure Oregon's court services meet the needs of the public. Ensure Oregon courts provide appropriate leadership, coordination, services, and information with community partners and stakeholders.
- **Ensure effective administration** of Oregon's courts by providing training to presiding judges and professional court administrators, and establishing and monitoring performance standards in order to ensure ongoing efficiency and accountability.

## **2011-13 BUDGET PRIORITIES: GETTING TO TOMORROW**

- **Ensure adequate resources** so Oregon courts can appropriately fulfill their core responsibilities established by Oregon's Constitution and statutes.
- **Continue investing in eCourt technology** to preserve existing investments, obtain work efficiencies, expand access to the courts, improve information for judicial and management decision-making, and replace failing or antiquated information systems.
- **Support appropriate revenue strategies** to supplement state General Fund resources for courts without compromising judicial impartiality or unduly burdening access to court services.
- **Establish a long-term state court facility improvement plan** that will prioritize improvement and replacement projects and identify a funding source for that work. Just as we need to maintain the rule of law as the philosophical foundation of our society, we need to provide safe and appropriate physical foundations for court services. Many of Oregon's court facilities are unsafe or insufficient, and need urgent attention.
- **Create a statewide commercial court** to develop specialized judicial expertise in business litigation, improve Oregon's business climate by expediting resolution of complex economic litigation, and remove time-consuming cases from regular judicial dockets.
- **Preserve drug courts, other specialty courts, and alternative dispute resolution** programs that produce effective results for clients, litigants, and taxpayers.
- **Continue to address judicial compensation shortfalls.** While Oregon no longer is 50<sup>th</sup> in judicial compensation, it remains far below the median for comparable states. Appropriate compensation recognizes the level of responsibility inherent in judicial positions and will help attract highly-qualified candidates to the bench.



# Certification

We hereby certify that the accompanying Chief Justice's Recommended Budget, including summary and detailed statements, is true and correct to the best of our knowledge and belief.

Kingsley W. Click,  
State Court Administrator



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January 3, 2011

David T. Moon, Director,  
Business & Fiscal Services



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January 3, 2011

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