

2014 PUBLIC AFFAIRS COMMITTEE

Travis Prestwich, Chair, *Salem*
 Hunter Emerick, Vice-Chair, *Salem*
 Patrick Ehlers, *Portland*
 Matthew Kehoe, *Hillsboro*
 Audrey Matsumonji, *Gresham*
 Timothy Williams, *Bend*
 Ray Heysell, *Medford*
 Caitlin Mitchel-Markley, *Hillsboro*
 John Mansfield, *Portland*
 Simon Whang, *Portland*



Racial and Ethnic Impact Statements Go Live for 2015 Legislative Session

The deadline to register to vote is coming up!

If you need to register or update your registration, you can do so online at the [Oregon Secretary of State's website](#), by mail, or in person at the county elections office.

House of Delegates Annual Meeting
 Friday, November 7th

Legislative Days
 December 8th - 10th

During the September Legislative Days, [Senator Chip Shields](#) hosted a forum on [Senate Bill \(SB\) 463](#). The bill requires the Oregon Criminal Justice Commission (CJC) to prepare racial and ethnic impact statements for proposed legislation related to criminal-sentencing or child-welfare policies. SB 463 was sponsored by Senator Shields and passed during the 2013 Legislative Session.

Impact statements must be requested in writing by one member of the legislative assembly from each major political party. The statute requires the CJC to not only describe the effects of the proposed legislation on the criminal-offender population and recipients of human services in the statement, but to also include the following information:

- An estimate of how the proposed legislation would change the racial and ethnic composition of the criminal-offender population or recipients of human services;
- A statement of the methodologies used and assumptions made in preparing the estimate; and
- If the racial and ethnic impact statement addresses the effect of proposed legislation on the criminal-offender population, an estimate of the racial and ethnic composition of the crime victims who may be affected by the proposed legislation.

The concept was first proposed in Oregon in 2009 by Senator Shields, Oregon attorney [Jess Barton](#), and Marc Mauer, executive director of [The Sentencing Project](#). Similar impact statements have been used in Iowa, Connecticut, and Minnesota.

The CJC will post a form to request a racial and ethnic impact statement on their [website](#) prior to the 2015 Legislative Session. The form should be submitted to Angela Albee, CLC Legislative Coordinator, when completed.

Emergency Board Approves Funding for Housing Counselors

During the September Legislative Days, Oregon's budget writers gathered for an Emergency Board meeting to consider 58 separate items, including a request from the Housing and Community Services Department (HCSD) for an additional \$1.182 million for the Oregon Foreclosure Avoidance Program.

facing foreclosure to participate in a mediation process with their lender. While the Oregon Department of Justice manages the mediation program, the HCSD, with financial support from the General Fund, provides housing counselors to homeowners regarding the mediation process. HCSD expects that its current funding will support the program through December 2014, while

During the 2012 and 2013 Legislative Sessions, the legislature created a process for Oregonians

(Continued on page 2)

PUBLIC AFFAIRS DEPARTMENT

Susan Grabe,
Public Affairs Director
 Amy Zubko,
Public Affairs Legislative Attorney
 Matt Shields,
Public Affairs Staff Attorney
 Amanda Lunsford,
Public Affairs Assistant

(Continued from page 1)

an additional \$659,300 is needed to fund the program through March 2015.

The Alternative Dispute Resolution Section (ADR) of the Oregon State Bar, along with the Oregon Law Center, the Oregon Association of Community Dispute Resolution Centers (OACDRC), the Housing Alliance, and the Neighborhood Economic Development Corporation all submitted [testimony](#) in support of additional funding for housing counselors.

The full Emergency Board allocated \$659,300 from the General Purpose Emergency Fund to the HCSD to fund housing counselors through March 2015. At that time, additional data on the program will be available for the legislature to evaluate.

If your section is interested in taking a position on pending legislation issues, please contact the Oregon State Bar's Public Affairs Department at pubaff@osbar.org and complete the [Public Affairs Form](#).

Mandatory eFiling for Oregon eCourt to be added to the Uniform Trial Court Rules

Oregon is taking the next step towards a paperless court system with the implementation of eFiling or File and Serve. The system is expected to go into effect on December 1, 2014 for attorneys filing cases in the eleven circuit courts that currently operate under the Oregon eCourt system under proposed UTCR 21.140. Mandatory eFiling in the remaining circuit courts would take effect 60 business days after each [court goes live](#). Mandatory eFiling in the Oregon Court of Appeals and the Oregon Supreme Court is expected to go live in the spring of 2015. The implementation of mandatory eFiling for the Oregon Tax Court will be determined at a later date.

In addition to the mandatory eFiling requirement, the Oregon Judicial Department has adopted the following proposed amendments under [CJO 14-049](#):

- UTCR 21.040 - Format of Documents to Filed Electronically
- UTCR 21.070 - Special Filing Requirements
- UTCR 21.080 - Electronic Filing Deadlines
- UTCR 21.120 - Retention of Documents by Filers

The Oregon State Bar, at the request of the Oregon State Bar/Oregon Judicial Department eCourt Implementation Task Force, has created a [one-stop web page](#) with information on training, eFiling, ePay, document access, CLEs, and technical support. In addition, the web page has a FAQ section, links to the [Oregon Judicial Department's Oregon eCourt web page](#), and contact information for Tyler Technologies, the Oregon eCourt vendor.

Bill Expanding Tribal Law Enforcement Powers Nearing Sunset

On September 18th, members of tribal and county law enforcement, attorneys, legislators, and representatives of local government met in Grand Ronde for a forum discussing authorized tribal police officers. In 2011, the legislature passed [SB 412](#), which created a certification process whereby Oregon tribal

governments may have tribal police officers entrusted with the powers and protections of nontribal law enforcement officers in Oregon. Under the bill, tribal police officers have greater latitude to pursue offenders outside of Indian country and to arrest nontribal members on tribal land. SB 412 was

phased in, and took full effect on July 1, 2013. The bill is currently set to sunset on July 1, 2015.

The bill specifies a number of requirements in order for an individual to become an authorized tribal police of-

(Continued on page 3)

(Continued from page 2)

ficer, including certification by the Department of Public Safety Standards and Training.

Presenters discussed the larger issues raised by federal Indian law, including historic constitutional limitations on tribal law enforcement and the real life practicalities of implementing SB 412.

Most of the law enforcement officers at the forum indicated the bill has been extremely effective, and has aided county law enforcement especially in rural areas. To varying degrees, all of the presenters, including legislators in attendance, seemed to indicate support for continuing the collaboration between tribal and county law enforcement that is allowed by SB 412. At this time, no specific legislation extending or repealing the sunset has been made publicly available, but the issue appears likely to come before the legislature this spring.