



LWV Corvallis

Serving Benton and Linn Counties

April 2007

State Study on the Oregon Judiciary



Monday, April 16

7:30pm

Corvallis Caring Place, upstairs meeting room
(elevator and parking available)
23rd and Fillmore in Corvallis

&

Wednesday, April 18

1:30pm

US Bank, upstairs meeting room
(no elevator, but plenty of parking)
9th and Walnut in Corvallis

Facilitators:

Karen Nibler & Paula Krane

State Study on the Oregon Judiciary

We are beginning part two of LWVOR's study on the Oregon Judiciary. The everymember material just came out in our March LWVOR VOTER. Look for it. On April 16th and 18th we will be having consensus units to discuss this important topic. Part one was sent out in the mail last spring and if you cannot find your copy, it is available on the state web site <http://www.lwvor.org/studyreport.htm>.

The current state League positions used to address issues of judicial policy and the discussion questions, are on page 3.

Town Hall Meeting

The next Town Hall meeting will be held March 31st at the Corvallis Public Library Saturday morning from 9:30-11:30 am. Topics for this one will be state revenues and social policy (including health care). Karen Nibler will moderate and Senator Frank Morse (Ways & Means Committee), and Representatives Sara Gelser and Andy Olson (both on Revenue Committee) have agreed to be there. Baked goods will be appreciated.

Subsequent Town Halls are scheduled on April 28, June 2, and June 30 and are co-sponsored by the Corvallis-Benton County Public Library.

League of Women Voters of

Corvallis will have it's annual meeting on Wednesday, May 23rd at 5:30PM. Save the date. We are planning a buffet dinner. Details will be in the May bulletin. This could well be the last annual meeting.

Last May we started the year with NO President. Karen agreed to stay on till December and we were unable to find a president to start in January. So the board agreed to divide up the duties of the president to finish the year. We have been coping, but worrying about whether tasks are getting done.

In December at the program planning meeting the nominating committee led a discussion of the future of the Corvallis League. We have many members (in fact we are one of the largest Leagues in the state), but we have reluctance by members to step forward and take on leadership roles. At the December meeting in December we talked about different board structures and decided to try an Executive Board without a president. The consensus of the group was to form an administrative team on a trial basis. Still no one has stepped forward to become part of the team. Many of you have been on the board in the past or have been on committees. Many members want to travel, need to take care of your children, grandchildren or parents, but if members are not willing to serve on the board, we won't have a Local League.

If you have never been on the board, maybe it is your turn. If you have not been on the board in awhile, maybe it is your turn again. With the new structure, if someone takes each of these defined tasks, then we should have a smooth running League without making the job overwhelming. With a larger the team, there is less work for each person.

As all of you know I feel very strongly about the League, but one person or even a few can not do it all. Please come forward and volunteer. Contact the nominating committee Jean Marvell (753-6475), Mary Anne Nusrala (745-5712), Tanya Shively (929-6498) or me (752-2361). Keep the League of Women Voters of Corvallis alive.

Paula Krane, Director,
League of Women Voters of Corvallis

Board of Directors '06-'07

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Vice President – vacant
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Mission

The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy.

LWVOR

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The bulletin is the newsletter of the LWV Corvallis and is produced nine times a year. Members subscribe through their dues. Membership is open to anyone 18 years or older.



Governance – Constitutional Provisions (adopted 1963; Revised 1980):

E. The Oregon Constitution should provide for a judicial system uniform in organization and administration with:

1. Full time, legally trained judges paid by the state;
2. Rule-making power vested in the Supreme Court;
3. Mandatory retirement of judges;
4. Judicial appointments that are made by the governor from a slate presented by a judicial nominating committee.

Judicial System (adopted 1979):

A. The League of Women Voters of Oregon believes that the following criteria should be used in evaluating a system of selecting judges in Oregon. The system should:

1. Be as free from political influence as possible;
2. Encourage and attract the most competent and experienced people;
3. Include a method of evaluating judges by which the public and/or commission can make judgments;
4. Provide increased citizen participation.

B. The following criteria should be used in evaluating a system of financing the district and circuit courts. The system should:

1. Provide equalization of services statewide;
2. Provide fiscal accountability;
3. Provide adequate and stable funding;
4. Preserve flexibility and local control.

C. In financing district and circuit courts in Oregon, the system should provide for continuation and expansion of partial state funding. State mandated programs or procedures should be funded by the Legislature.

II. Judicial study discussion questions

The study committee has produced two documents as part of the study of the Oregon judiciary: *Part I: An Overview of the Oregon Judiciary* (available at www.lwvor.org) and *Part II: Challenges for the 21st Century*. After each question you will find the page reference(s) for the text that relates to the question.

* * *

1. What are the most significant threats (1) to judges' ability to decide the outcome of cases in a fair and impartial manner and (2) to the public's perception of this fairness?

- a. Pressure of public opinion to decide a case in a certain way
- b. Pressure of special interests who disagree with a ruling and have the financial ability to actively oppose the judge at the next election
- c. Pressure from other branches of government, for example, threats from the legislature to limit OJD funding because of a particular ruling of the Oregon Supreme Court
- d. Pressure to comment on controversial issues during election campaigns (as result of the loosening of restrictions in this area by Republican Party of Minnesota v. White)
- e. The need to raise campaign funds
- f. Sentencing guidelines and mandatory sentencing laws which may restrict a judge's ability to take into account all relevant factors in sentencing a defendant in a criminal case
- g. The threat of a recall election for a judge's unpopular decision
- h. Diversity of judges and the ability of judges to understand people of other cultures and economic backgrounds
- i. Other

(Part I, pages 5-7; Part II, Pages 4, 12, 20-22, 24-26, 31)

1. How can we best protect the public perception of the fairness and impartiality of the judiciary? (Part II, page 31)
2. What are the benefits and the disadvantages of alternative dispute resolution? (Part I, page 13; Part II pages 12-13)
3. The study report discusses specialty courts. Some of the specialty courts are problem-solving courts such as drug court and mental health court. Specialty courts that are not problem-solving courts include family law court and commercial court. What are the advantages and disadvantages of specialty courts and problem-solving courts? (Part II, pages 13-15)
4. What are the advantages and disadvantages of each of the following methods of selecting judges?
 - a. Appointment
 - b. Appointment with a nominating commission
 - c. Appointment with nominating commission and retention election
 - d. Partisan election
 - e. Nonpartisan election
 (Part II, pages 22-28)
5. Is the current system of judicial selection working well in Oregon? (Part II, pages 25-26)
6. What are other options for funding judicial campaigns in Oregon? (Part II, pages 29-30)
7. Should public campaign financing be used in judicial elections? If yes, at what levels of the judiciary should public financing be available?
 - 1.. Supreme Court
 - 2.. Court of Appeals
 - 3.. Tax Court
 - 4.. Circuit Courts
 (Part II, pages 29-30)
8. What are the most important issues concerning Oregon's circuit court facilities that need to be resolved? (Part II, pages 5-8)
9. What are the basic elements necessary to assure that courthouses meet the needs of the public, judges and staff?
 - a. secure courthouses for judges, staff, and public
 - b. sufficient office space for judges and all court staff
 - c. courtrooms designed to accommodate comfortably the judge, jury, court staff, attorneys, parties to the case being heard, witnesses, public, and any equipment needed during trials and hearings
 - d. courtrooms designed to allow all participants and those present in the courtroom to see and hear the proceedings
 - e. designated spaces for jury assembly, mediation, arbitration, law library, records storage, conference rooms, child care,
 - f. security personnel and equipment, and other essential services or functions of the court
 - g. adherence to all ADA regulations
 - h. regular maintenance services
 - i. 21st century technology for judges and staff
 - j. electrical systems that accommodate that technology
 - k. heating, ventilation, and air conditioning systems in working order
 - l. a courthouse building that is structurally sound
 - m. secure passageways in the courthouse for safe movement of prisoners in custody
 - n. other
 (Part II, pages 5-8)
11. The current system in Oregon allows the executive and the legislative branches of government to establish the OJD's budget. The Constitution requires the Governor to present a balanced budget to the Legislature. The Governor's practice is to make across-the-board cuts in all state "agency" budgets (including the budget of the OJD) to meet that goal. Are there better alternatives to Oregon's system of funding the OJD? Do you favor advocating against the governor exercising power over the OJD's budget? (Part II, pages 20-21)
12. Salaries of Oregon's state court judges are very near the lowest of judges of any state court in the nation. What are the consequences, if any, of such comparatively low compensation? (Part II, page 22)

Book Club



The LWV Book Club will meet April 9th at 7:15, at Roxana Bodine's home to talk about *River Town: Two Years on the Yangtze* by Peter Hessler (now available in paperback). With China in the news almost everyday, and with so many of our friends and neighbors traveling to China, this gives us a chance to learn more about the Middle Kingdom. Call Roxana if you plan to attend. Also, *Intuition* by Allegra Goodman, the book chosen for May 14, is now in local bookstores in paperback so pick up your copy and begin reading now.

What Happened At the Recycling Forum?

Julie Jackson of Allied Waste and Justin Fleming of OSU Recycling gave a wonderful presentation. Over ninety people attended, and most were not league members. We thank Walter Barkan for moderating.

The most frequently heard comment was, "I learned so much." Allied Waste is doing a much better job than we thought. 98% of our curbside recycling is recycled! OSU is experimenting with recycling kitchen/food waste. The biggest disappointment is that plastics are shipped to China because there is no market for them here. Perhaps Corvallis and OSU could create a research/business center in Corvallis that develops plastic recycling technology and products that people need!

At the Unit meeting, we chose four areas LWV could pursue:

Oregon Bottle Bill (due to be updated this legislative session)

Food Waste (We will investigate pre and post-consumer food waste as well as Food Gleaner activities, Linn Benton Food Share, 10 Rivers Food Web and Oregon Food Bank)

Commercial recycling, esp. hotels & restaurants

Education – Write to Tupperware, Ziploc and Gladware Their chemical formulas are secret and therefore their plastics cannot be recycled. They need to take responsibility for their products.

Louise Marquering, 753-0012

NEW MEMBERS

Please welcome Dianne Safford who has recently joined the Corvallis League. We have also received notice of three new members who joined LWVUS. They are Don Minore, Albany, Anna Otte, Albany, and Joan Warren, Lebanon. We have invited them to participate in the Corvallis League.

-Jean Nath

509J Candidates Forum

Mark your calendars and save the date. Tuesday, April 24th at 7:00pm in the Linus Pauling assembly hall League will hold a forum for the seven candidates for four open positions on the Corvallis 509J School Board. Ballots are due to be in our mailboxes by April 28th, so this will be a timely way to prepare for the May 15th election.

Kathy Conner is busy inviting candidates for the four open positions. If you would like to help, please give Kathy a call, 753-4797.

RAFFLE TICKETS STILL AVAILABLE

Selling raffle tickets also benefits your local League. Marolyn Tarrant will have tickets for us at the upcoming April League events or you may also get them by calling her at 753-8145. See the flyer (next page) for details.

“Empowering People”
LWVOR Convention
McMenamins Edgefield, Troutdale,
Oregon
May 18-20, 2007

Time & Place The 2007 Convention starts at 12:30 p.m. on Friday, May 18. Preceding the Opening of Convention is an optional parliamentary procedure workshop at 10:45 a.m. Convention ends at 12:30 p.m. Sunday, May 22.

Purpose The convention shall consider and authorize a program for action; shall elect the president, first vice-president, secretary, three directors (two-year terms), one director (one-year term), and three members of the nominating committee, as well as a chair of the nominating committee; shall adopt a budget for the ensuing year; and shall transact such other business as may be presented.

The Corvallis League is entitled to have 7 delegates attend the convention. Contact a board member if you would like to attend. Registration is due by April 2. This is a wonderful way for a new member to see how the state and local Leagues work together and to meet some of the brightest women in Oregon.

DAY AT THE LEGISLATURE
April 19, 2007
Oregon State Library
 Sponsored by League of Women Voters of Oregon

The 2007 legislative session is an exciting one for the League. Legislators are considering many issues of importance to us and we are pleased to be able to influence the debate on some of these priorities! Come hear what is happening, and help us by adding your voice to ours in lobbying your senator and representative. **(We suggest you make an appointment with your legislators for the afternoon.)**

We promise a Day at the Legislature full of interesting information. Space is limited – register early! Space will be filled on a first come, first served basis. If you would like to carpool or need a ride, contact Karen Nibler or Paula Krane.

<p>DAY AT THE LEGISLATURE REGISTRATION FORM – <u>Due April 13</u></p>
Name: _____
League/Branch: _____
Address: _____
City, State, Zip _____
Phone/Email: _____
Check all that apply: Member of <input type="checkbox"/> LWV <input type="checkbox"/> AAUW <input type="checkbox"/> Guest
I have enclosed a check made out to LWVOR for: <input type="checkbox"/> \$16.50 LWV or AAUW member registration <input type="checkbox"/> \$21.50 guest registration
<input type="checkbox"/> I prefer a vegetarian lunch
Questions? 503-581-5722 or lwvor@lwvor.org
Please mail your registration form and check, by April 13 , to: LWVOR • 1330 12th St. SE, Suite 200 • Salem, OR 97302