

Deschutes County Access to Justice Committee

Deschutes County Circuit Court
Deschutes County Bar Association

David Rosen, Chair
Attorney at Law

Andrea Malone
Legal Aid Services of Oregon

Jennifer Pedersen, Vice-Chair
Deschutes Public Library

Sue Nell Philips
Community Member

Erica Strader
Attorney at Law

Hon. Alycia Sykora
Circuit Court Judge

Helen Tompkins, Secretary
Attorney at Law

Hon. Wells B. Ashby, Ex-Officio
Presiding Judge

Jeff Hall, Ex-Officio
Trial Court Administrator

Emmanuel Miller, Ex-Officio
DCBA President

March 15, 2021

Judge Wells Ashby, Presiding Judge
Deschutes County Circuit Court
1100 NW Bond Street
Bend, OR 97703

Mr. Emmanuel Miller
Deschutes County Bar Association
210 NW Irving Ave Ste 101
Bend OR 97703

Dear Judge Ashby and Mr. Miller:

Please accept this letter as the 2020 annual report of the Deschutes County Access to Justice Committee. As you are aware, the Committee was formed in January of 2016 under a charter jointly adopted by the Circuit Court and the Deschutes County Bar Association (DCBA).

Over the past year, the Committee has maintained its focus on the two on-going projects: Lawyer in the Library and Circuit Court Case File Records.

Although 2020 was a very challenging year, the Committee was able to meet those challenges head on, in large part due to previously existing community relationships and partnerships.

Response to the Pandemic

Very early in the pandemic, our Committee coordinated with the Circuit Court to ensure that information about Court operations and the type of cases being heard was made publicly available. Through a press release in both English and Spanish (enclosed), we also pushed out vital Covid-related legal resources provided by Legal Aid.

The Committee felt that the gap in accurate information concerning the courts and changing laws due to the pandemic was the first step in addressing the Access to Justice gap furthered by Covid. The next step was to get our Lawyer in the Library program up and running over Zoom – and for individuals who did not have access to Zoom, by telephone. More on that below.

Lawyer in the Library Program

In 2020 the program served a total of 296 community members, eleven of whom required the services of an interpreter. Because of our partnership with the Deschutes Public Library and the extraordinary efforts of Jenny Pedersen, we were able to seamlessly transition our program onto Zoom, and along with it our attorney volunteers. The Library worked quickly to get all of our forms online so that both attorneys and participants had immediate access. The work by the Committee and the attorney volunteers, was a great example of the legal community coming together, acting quickly, and ensuring folks had a place to go to get their legal questions addressed.

The Committee has continued its efforts to recruit volunteer attorneys for the program and the program currently has 12 attorneys regularly volunteering. However, the lack of attorney volunteers remains a weak point in our programming. We need more help in this area.

The Committee wishes to acknowledge the following attorneys who volunteered in 2020. We are incredibly grateful for their continued service:

- Peter Straumfjord*
- Rich Miller*
- Brian Hemphill*
- Sean Trimble*
- Stephen Mensing
- Helen Tompkins
- Dave Rosen
- Erica Strader
- Marc Tisher
- Grant Wiltshire
- Jeff Hinman
- Alison Hohengarten

*Mr. Straumfjord (22 volunteer sessions), Mr. Miller (12 sessions), Mr. Hemphill (9 sessions), and Mr. Trimble (8 sessions) were our top volunteers of 2020, going well above and beyond what could be asked of any volunteer.

Certified Pro Bono Program

As you are aware, in September 2019, the Oregon State Bar approved our application to become a Certified Pro Bono Program. Certification provides Professional Liability Fund (PLF) coverage to volunteer attorneys who do not carry their own PLF coverage, such as government attorneys, in-house counsel, unemployed attorneys. Certification also provides coverage to the library and the Committee for incidents involving such attorneys.

This past year we worked with the PLF to revise our attorney application forms and fully understand the coverage available through the OSB Certified Pro Bono Program. It is our hope that the insurance coverage along with changes to the indemnification language in the volunteer agreement will increase the number of attorney volunteers.

Circuit Court Case File Records

A pilot program was launched on March 1, 2019 to provide access to electronic case file documents at the Redmond Library branch and later expanded to the Sisters, La Pine and Sunriver branches. The program allows library staff to log in to the Oregon Judicial Case Information Network (OJCIN) at any public computer in the library and then allow the library patron to access the electronic case files on their own. Access is provided to all public case types except protective order cases (Federal law prohibits publishing protective orders on the internet).

In 2020 thirty-one library patrons accessed records across all of the participating branches. The library branches were closed to public access from March through July with limited access post July. The monthly totals show 9 and 10 patrons accessing recording in January and February and 1 to 3 patrons using the access each month from August to December. We expect these numbers to pick back up when normal operations resume.

Revised Charter

In 2020, the Committee also worked on revising its Charter. Amendments to the Charter related to organizational functions, clarifying membership roster and terms, and moving toward an annual reporting basis.

Looking Ahead

With LITL and Circuit Court Case File Records now well established, the Committee is beginning to discuss additional areas where the Committee can support increased access to Justice. The Committee also recognizes that we need more assistance with the LITL program in the form of attorney volunteers and that remains an issue we need to address.

As mentioned in our most recent February 2021 meeting, we anticipate some turnover within the Committee in 2022, and per Judge Ashby's suggestion, the Committee plans to look into expanding the base of the Committee to ensure the longevity of these programs.

The Committee would welcome any input from the Circuit Court Judges and the Deschutes County Bar Association Board on areas which they believe the Committee should explore.

Sincerely,



David Rosen
Chair, Deschutes County Access to Justice Committee

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Honorable Wells B. Ashby
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Erica Strader
Attorney at Law

Sue Nell Philips
Community Member

Laura Craska Cooper
Attorney at Law

April 18, 2020

MEDIA RELEASE

RE: Deschutes County Access to Justice working to address access issues during COVID-19

The Deschutes County Access to Justice Committee (DCATJ) is a joint committee formed by the Deschutes County Circuit Court and the Deschutes County Bar Association in partnership with the Deschutes Public Library.

Since its inception in 2016, DCATJ has identified three prongs to reduce the Access to Justice gap: 1) access to attorneys; 2) access to documents; and 3) access to information.

At this time, we recognize that access to attorneys and/or access to legal information for some members in our community is critical. Part of addressing this need is getting information out to the community about where they can go. We want to make individuals aware of the following information:

Lawyer in the Library Program is up and running

The Lawyer in the Library program is currently operating remotely using Zoom conferencing software. The software is free to individuals, and telephone appointments are also available for those who do not have access to Zoom. Spanish interpreter services will continue to be available on demand.

Lawyer in the Library provides free 30-minute consultations with a volunteer attorney in the areas of family law and general civil matters (such as employment law, landlord tenant, estate planning, public benefits).

Appointments will be held remotely on Wednesday evenings from 5:30-8:00pm. Sign up is required in advance.

Information regarding sign up is on the library's website: <https://www.deschuteslibrary.org/services/lawyerinthelibrary>

Information and Resources related to COVID 19 online

Oregonlawhelp.Org has published a statewide page relating to COVID-19 issues, including housing, employment, emergency public assistance, domestic violence, consumer protection and public health. The website is a free service which is made possible by the ongoing support of legal aid

programs in Oregon. The specific page for COVID 19 related issues can be found at: <https://oregonlawhelp.org/issues/covid-19-resources>

Court Services

The following information is summarized from the Deschutes County Circuit Court:

Court operations are consistent with [Chief Justice Order 20-006](#) and [Amended Chief Justice Order 20-006](#). Court operations are currently limited to three, and at times four, courtrooms. Most hearings are conducted by conference call. In-person appearances are limited. Some hearing types are conducted by video and the Court is working to expand video opportunities. Current dockets are populated primarily with criminal cases and urgent matters such as stalking, restraining, immediate danger and dependency hearings. To maximize in-court work production, remaining available court time is used to hear family and civil motions.

Protective Orders

The deadline for filing protective orders (FAPA, SAPO, etc.) remains at 11:00 AM each court day. Please note that hearings on initial petitions has been moved to 1:15 PM on Mondays and 3:00 PM Tuesday through Friday. Ex parte Petitions are heard by conference call.

Saving Grace has closed their on-site advocate office, however, persons seeking assistance in filing a protective order petition may talk to the Saving Grace Advocate by calling 541-815-1801 between 8:30 AM and 11:30 AM, Monday through Friday.

Family Law Facilitator

The Family Law Facilitator on-site office is closed. Persons needing assistance can e-mail the facilitator at shana.j.falb@ojd.state.or.us to request a telephone consultation and provide copies of the paperwork they need reviewed. Currently telephone appointments are available same-day or next-day.

Landlord – Tenant

Landlord-Tenant cases may be filed with the court; however, petitioners should first ensure that any case filed is legally permitted under Governor Brown's [Executive Order 20-13](#) (for example, at the time of this press release, the Executive Order has placed a temporary hold on residential evictions based solely on unpaid rent). First appearances are currently being set in June. It is unknown at this time whether mediation services will be available in June and, if available, what form they will take.

Small Claims

Small claims cases may be filed with the court. First appearances are currently being set in July. It is unknown at this time whether mediation services will be available in June and, if available, what form they will take.

Sincerely,



David Rosen
Chair, Deschutes County
Access to Justice Committee

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Media questions concerning:

- DCATJ can be directed to [David Rosen](#), attorney at [High Desert Law](#), (541) 306-6553.
- Lawyer in the Library can be directed to Jennifer Pedersen, Librarian, [Deschutes Public Library](#), (541) 617-7089.
- Court services can be directed to Jeff Hall, Trial Court Administrator, [Deschutes County Circuit Court](#), (541) 317-4780.

Comité Para el Acceso a la Justicia del Condado de Deschutes

Tribunal Circuito del Condado Deschutes

Colegio de Abogados del Condado Deschutes

David Rosen, Presidente
Abogado

El Honorable Juez Wells B. Ashby
Presidente del Tribunal

La Honorable Juez Bethany P. Flint
Juez del Tribunal Circuito

La Honorable Juez Alycia N. Sykora
Juez del Tribunal Circuito

Jeff Hall
Administrador del Tribunal Circuito

Seth Johnson
Opportunity Foundation

Andrea Malone, Vice-Chair
Servicios Legales de Oregon

Jennifer Pedersen
Biblioteca Pública de Deschutes

Erica Strader
Abogada

Sue Nell Philips
Miembra de la Comunidad

Laura Craska Cooper
Abogada

April 18, 2020

COMUNICADO DE PRENSA

RE: El Comité Para el Acceso a la Justicia del Condado de Deschutes trabaja para responder a las cuestiones de acceso durante COVID-19

El Comité Para el Acceso a la Justicia del Condado de Deschutes (DCATJ) es comité conjunto formado por el Tribunal Circuito del Condado Deschutes y el Colegio de Abogados del Condado de Deschutes en asociación con la Biblioteca Pública de Deschutes.

Desde su inicio en 2016, DCATJ ha identificado tres enfoques para reducir la brecha al Acceso a la Justicia: 1) el acceso a los abogados; 2) el acceso a los documentos, y 3) el acceso a la información.

En este momento, reconocemos que el acceso a los abogados y/o el acceso a la información legal para algunos miembros de nuestra comunidad es crítico. Parte de la respuesta a esta necesidad es brindarle a la comunidad la información sobre adónde ir. Queremos informarles a los individuos de lo siguiente:

Sigue funcionando el programa de Abogados en la Biblioteca

El programa de Abogados en la Biblioteca está funcionando a distancia por medio del software de conferencia Zoom. Este software es gratis a los individuos, y las citas por teléfono también se ofrecen a los que no tienen acceso a Zoom. Se brinda la interpretación al español cuando se pide.

Abogados en la Biblioteca provee consultas gratis de 30 minutos con abogado voluntario en las áreas de derecho familiar y de asuntos civiles generales (por ejemplo el derecho de empleo, de propietario e inquilinos, de planificación patrimonial, de prestaciones o ayudas públicas).

Se celebran las citas a distancia las tardes de miércoles desde las 5:30-8:00. Es necesario inscribirse de antemano. Se encuentra la información sobre la inscripción en el sitio de web de la biblioteca: <https://www.deschuteslibrary.org/services/lawyerinthelibrary>

Información y Recursos relacionados a COVID-19 en línea

Oregonlawhelp.Org publicó una página al nivel estatal relacionada a las cuestiones de COVID-19, incluso la vivienda, los empleos, la ayuda pública de emergencia, la violencia doméstica, la protección de consumidores, y la salud pública. El sitio de web es servicio gratis que ha sido posible gracias al apoyo continuo de los programas de servicios legales en Oregon. Se puede encontrar la página específica para las cuestiones de COVID-19 a:

<https://oregonlawhelp.org/issues/covid-19-resources>

Court Services

La siguiente información es un resumen que proviene del Tribunal Circuito del Condado Deschutes:

Las actividades del Tribunal corresponden a [Chief Justice Order 20-006](#) y [Amended Chief Justice Order 20-006](#) (Dos órdenes del Juez Presidente). Se limitan actualmente las actividades del tribunal a tres y a veces, cuatro salas de audiencia. Se celebran la mayoría de las audiencias por teleconferencia. Se limitan las comparecencias en persona. Se celebran algunos tipos de audiencia por video y el Tribunal está tratando de ampliar las oportunidades que se ofrecen por video. Las listas de casos actuales cuentan principalmente con los casos criminales y los asuntos urgentes tal como el acecho, las ordenes de restricción y las audiencias de peligro inmediato y de dependencia. Para maximar el trabajo dentro del tribunal, el tiempo judicial restante y disponible se usa para las peticiones familiares y civiles.

Órdenes de Protección

El plazo de presentación para las órdenes de protección (FAPA, SAPO, etc.) sigue siendo a las 11:00 a.m. cada día que está abierto el tribunal. Favor de notar que se han cambiado las audiencias para las peticiones iniciales a la 1:15 p.m. los lunes, y a las 3:00 p.m. los martes-viernes. Se realizan las peticiones ex parte por teleconferencia. **Saving Grace** ha cerrado su oficina de abogacia en sitio. Sin embargo, las personas que buscan ayuda para pedir una orden de protección pueden hablar con la defensora de Saving Grace por llamar 541-815-1801 entre las 8:30 a.m. a las 11:30 a.m., lunes a viernes.

Facilitador de Derecho Familiar

Está cerrada la oficina del Facilitador de Derecho Familiar. Las personas que ocupan ayuda pueden mandar un correo-electrónico a la facilitadora shana.j.falb@ojd.state.or.us para pedir una consulta telefónica y para proveer copias del papeleo que ocupan. Actualmente las citas telefónicas están disponibles el mismo día o el próximo.


Propietario – Inquilino

Los casos de propietario-inquilino pueden ser presentados al Tribunal; sin embargo, los demandantes deben asegurarse que sea permitido cualquier caso presentado según la [Executive Order 20-13](#) de la Gobernadora Brown (por ejemplo, al momento de éste comunicado de prensa, la Orden Executiva ha hecho una suspensión temporal de los desalojos residenciales basados solo en la renta no pagada). Se fijan atualmente las comparecencias iniciales para junio. No se sabe en este momento si serán disponibles los servicios de mediación en junio y, si son disponibles, de cuál forma serán.

Reclamos Menores

Los casos de reclamos menores pueden ser presentados al Tribunal. Actualmente se fijan las comparecencias iniciales para julio. No se sabe en este momento si serán disponibles los servicios de mediación en junio y, si son disponibles, de cuál forma serán.

Atentamente,



David Rosen
Presidente, Condado de Deschutes
Comité Para el Acceso a la Justicia

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Cualquier pregunta de los Medios de Comunicados acerca de:

- DCATJ puede ser dirigida a [David Rosen](#), abogado at [High Desert Law](#), (541) 306-6553.
- Abogados en la Biblioteca puede ser dirigida a Jennifer Pedersen, bibliotecuera, [Deschutes Public Library](#), (541) 617-7089.
- Servicios del Tribunal puede ser dirigida a Jeff Hall, Administrador del Tribunal, [Deschutes County Circuit Court](#), (541) 317-4780.