

Interim Committee on Court Facilities

Remarks of Michael Dwyer, MBA President

We are grateful for the opportunity to appear before you today.

The Multnomah Bar Association represents more than 4,200 members, consisting of attorneys, state and federal judges and legal assistants. Most of our county's daily legal business is handled at the Multnomah County Courthouse, an aging, unsafe building whose deteriorating condition has been studied to death for many years. With almost 425,000 cases filed in Multnomah County in 2007, we have, by far, the busiest courthouse in Oregon.

In a letter dated December 15, 2008, the Multnomah Bar Association expressed its concerns with the methodology and assumptions underlying the Draft Facility Prioritization Report, which placed replacement of the Multnomah County Courthouse near the bottom of its priority list.

We understand the financial considerations that prompted the request for such a priority ranking. But it would be shortsighted to invest in facilities that cost the least to fix, while failing to remedy the most populated facilities. In an earthquake during working hours, a great many people would probably lose their lives in our crowded, deteriorating courthouse.

We understand, however, that ours is not the only courtroom in need of repair or replacement. All citizens across the state depend on courthouses. Courthouses are where we protect our property interests, try our legal disputes and ensure that criminals are prosecuted. Yet a significant number of the buildings in which we lawyers and judges attempt to ensure justice for our citizens are in disrepair.

But these difficult financial times also present an opportunity for courage and vision. At the national level, we appear to be on the threshold of a new era in which we will rebuild our national infrastructure. Likewise, in Oregon, we have a chance to think boldly. Instead of pitting courthouses against each other – low cost repairs for little used facilities versus high cost courthouses with a potentially staggering loss of life – this state can consider a visionary project that would rebuild the infrastructure of justice in our communities. Therefore, today we encourage this committee to make bold recommendations, which will fix for another century the problem besetting our communities, big and small.

The public has been unwilling to raise property taxes to replace outdated courthouses. The implicit message is that this is not merely a local issue, but a recognition that our justice, including the courthouses in which justice is administered, are public assets that required shared responsibility. We urge the committee to recommend solutions that will stitch together the fabric of our state and local communities in a quilt of shared responsibility.

While many suggestions have been made, there has been no consensus reached. Nor, to our eyes, has there been a commitment to locate or develop a consensus. This committee, however, has the platform to recommend an approach that can begin to address the serious problem of courthouse repair or replacement affecting many Oregon counties.