

## HOUSE COMMITTEE ON JUDICIARY

January 15, 2003 Hearing Room 357

1:00 pm Tapes 1 - 3

**MEMBERS PRESENT:**       Rep. Max Williams, Chair  
                                  Rep. Robert Ackerman, Vice-Chair  
                                  Rep. Gordon Anderson, Vice-Chair  
                                  Rep. Jeff Barker  
                                  Rep. Bob Jenson  
                                  Rep. Jerry Krummel  
                                  Rep. Greg Macpherson  
                                  Rep. Floyd Prozanski  
                                  Rep. Lane Shetterly

**STAFF PRESENT:**         Bill Taylor, Counsel  
                                  Craig Prins, Counsel  
                                  Bill Joseph, Counsel  
                                  Ann Martin, Committee Assistant

**MEASURE/ISSUES HEARD:**     Introduction of Committee Members  
                                  Introduction of Committee Staff  
                                  Adoption of Committee Rules  
                                  Measure Introduction: LC 1187, 1308, 1783, 1784, 1807  
                                  Right to Counsel—Federal and State Constitutions, State Statutes  
                                  Indigent Defense Budget/What Budget Reductions Mean to Public Safety  
                                  Can Lawyers Be Drafted Into Representing Indigent Defendants?

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**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

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<b>TAPE #</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 1, A</b>		
004	Chair Williams	Calls the meeting to order at 1:05 p.m. Introduces committee members. Introduces committee staff. Announces future agendas. Moves to adopt the committee rules ( <b>EXHIBIT A</b> ).
200	Rep. Krummel	<b>MOTION: Moves to ADOPT the proposed Committee Rules</b>
		<b>01/15/03.</b>
202		<b>VOTE: 9-0</b>
205	Chair Williams	<b>Hearing no objection, declares the motion CARRIED.</b>
233	Counsel Taylor	Discusses Legislative Counsel (LC) drafts ( <b>EXHIBITS B-F</b> ).
289	Rep. Williams	<b>MOTION: Moves LC's: 1187, 1308, 1783, 1784, 1807 BE INTRODUCED as committee bills.</b> <b>VOTE: 9-0</b>
290	Chair Williams	<b>Hearing no objection, declares the motion CARRIED.</b>

294	Chair Williams	Discusses informational meeting agenda and introduces panel.
358	Mary Williams	Solicitor General, Oregon Department of Justice. Discusses Right to Counsel—Federal and State Constitutions, State Statutes.
<b>TAPE 2, A</b>		
030	Jennifer Lloyd	Assistant Solicitor General, Oregon Department of Justice. Submits testimony and discusses the Oregon Department of Justice Criminal Appeals ( <b>EXHIBIT G</b> ).
470	Michael Livingston	Deputy Attorney General, Appellate Division, Department of Justice. Submits testimony and discusses the Right to Counsel in Juvenile Court Dependency Cases ( <b>EXHIBITS H &amp; I</b> ).
<b>TAPE 1, B</b>		
002	Livingston	Continues his discussion on the Right to Counsel in Juvenile Court Dependency Cases.
349	Peter Ozanne	Executive Director, Office of Public Defense Services. Discusses Indigent Defense Services.
<b>TAPE 2, B</b>		
065	Christian	Director, Indigent Defense Services Division. Submits testimony and discusses the Indigent Defense Budget and What Budget Reductions Mean to Public Safety ( <b>EXHIBIT J</b> ).
<b>TAPE 3, A</b>		
002	Ann Christian	Continues her discussion of the Indigent Defense Budget.
062	George Reimer	General Counsel, Oregon State Bar. Submits testimony and discusses Can Lawyers Be Drafted Into Representing Indigent Defendants ( <b>EXHIBIT K</b> ).
296	Chair Williams	Adjourns the meeting at 3:00 p.m.

### **EXHIBIT SUMMARY**

**A – House Committee On Judiciary Rules, dated 1/15/2003, submitted by staff, 2 pgs.**

**B – LC Draft 1187, submitted by staff, 12/13/02, 3 pgs.**

**C – LC Draft 1308, submitted by staff, 12/12/02, 3 pgs.**

**D – LC Draft 1783, submitted by staff, 1/10/03, 8 pgs.**

**E – LC Draft 1784, submitted by staff, 1/13/03, 7 pgs.**

**F – LC Draft 1807, submitted by staff, 1/7/03, 2 pgs.**

**G – Written testimony, submitted by Jennifer Lloyd, 1/15/03, 4 pgs.**

**H – Written testimony, submitted by Michael Livingston, 1/15/03, 3 pgs.**

**I – Testimony from Angela Sherbo, Juvenile Rights Project, submitted by Michael Livingston, 1/14/03, 7 pgs.**

**J – Written testimony, submitted by Ann Christian, 11/7/94, 20 pgs.**

**K – Written testimony, submitted by George Riemer, 1/15/03, 9 pgs.**

**L – Written testimony about the Constitutional Right to Appointed Counsel, submitted by Virginia Vanderbilt, 5/15/02, 6 pgs.**