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July 28, 2017

The Honorable Thomas A. Balmer
Chief Justice of the Oregon Supreme Court
1163 State St, Salem, OR 97301

RE: Chief Justice Order No. 17-037

Dear Justice Balmer:

I write on behalf of the Consumer Data Industry Association (CDIA) to express our concerns regarding the proposed permanent fees for the Oregon Judicial Case Information Network Systems (OJCINS). CDIA is an international trade association, founded in 1906, of more than 130 corporate members. Our mission is to enable consumers, media, legislators and regulators to understand the benefits of the responsible use of consumer data which creates opportunities for consumers and the economy. CDIA members provide businesses with the data and analytical tools necessary to manage risk. This includes criminal background checks. Our members help ensure fair and safe transactions for consumers, facilitate competition and expand consumers' access to a market which is innovative and focused on their needs. CDIA member products are used in more than nine billion transactions each year.

CDIA members use bulk data as well as transactional data of court records to service non-profits and government with a valuable service. The proposed fee increases unfairly targets bulk records and transactional access over other commercial requests without offering a transparent need for such an increase. No other state the size of Oregon charges a monthly fee of more than \$625 for a bulk download.

Oregon statute authorizes the establishment of reasonable fees for the use OJCINS. However a 360% increase in fees for a bulk subscriber and over 600% increase for transactional fees, when the data and electronic system remains unchanged, does not appear to meet that reasonable standard. This increase in fees could jeopardize

criminal background checks done by small businesses, non-profit organizations and small government agencies. Many non-profit organizations have very limited resources, yet they often meet critical needs to vulnerable populations. These organizations can ill afford a more expensive criminal background search to keep their employees and places safe. By imposing new costs in the background screening process, this new fee structure could risk their safety by forcing non-profit organizations to run fewer criminal background checks.

We urge you to be transparent in how bulk and transactional record fees are calculated and to consider developing a more reasonable fee structure. One that takes into account the actual cost of making records available in order to ensure that small businesses and non-profit organizations are not negatively impacted by a fee increase.

Sincerely,



Sarah M. Lashford

Manager of Government Relations