

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass and Be Placed on the Consent Calendar
<b>Vote:</b>	9 - 0 - 0
<b>Yeas:</b>	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	1/30

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**WHAT THE MEASURE DOES:** Allows the Court of Appeals in juvenile dependency and delinquency cases, involuntary mental commitment judgments, and involuntary commitment judgments of persons with developmental disabilities to summarily affirm the circuit court's decision if the Court of Appeals finds the appeal does not present a substantial question of law. Establishes that an order of summary affirmance constitutes a decision upon the merits of the appeal.

**ISSUES DISCUSSED:**

- Statutory authority of the Court of Appeals to grant motions for summary affirmance in: habeas corpus appeals; post conviction appeals; criminal appeals; and appeals from the final orders of the board of parole

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In juvenile matters, in mental health or in persons with mental retardation matters, the Department of Justice represents the State of Oregon before the Oregon Court of Appeals and the Oregon Supreme Court. Even if the appeal does not present a serious legal issue, the Department of Justice must file a written argument, called a brief, with the court stating why the appeal does not present serious legal issues.