

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<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>	Matt Kalmanson, Counsel
<b>Meeting Dates:</b>	1/25, 2/8

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**WHAT THE MEASURE DOES:** Allows the Chief Justice of the Supreme Court to adopt rules allowing the use of electronic documents, in lieu of paper copies, for all documents that are served or filed in any legal action. Permits the Chief Justice to adopt rules for the electronic transmission for a summons, subpoena, or other document. Establishes that compliance with these rules may be considered compliance with any rule or law governing service or filing. Permits the State Court Administrator to establish procedures for the destruction of records and other documents after making an electronic or other copy of the document. Allows a court to use these procedures if the trial court administrator certifies that the copy is correct, the date of the copy, and that the copy was made under the administrator's direction. Requires a trial court administrator to seal and store one original or negative copy of any film copy of a document. Requires an administrator to ensure that any electronic copies of documents are updated into commonly used formats. Substitutes or adds the word "document" into various statutes that use the term "paper" or "process."

**ISSUES DISCUSSED:**

- Benefits of electronic service and filing
- The work of the Oregon State Bar (OSB) Electronic Filing Task Force
- Practice of federal courts and courts of other states
- Need for broader statutory authority to allow the creation of a comprehensive e-filing system

**EFFECT OF COMMITTEE AMENDMENT:** Deletes the provision allowing the Chief Justice to promulgate rules permitting electronic transmission for service of a summons, complaint or petition. Establishes that the Justice may promulgate rules for the electronic service of a document other than service of a summons or an initial complaint or petition. Clarifies that the State Court Administrator may establish "procedures," not rules, regarding the destruction of documents.

**BACKGROUND:** HB 2357 is a product of the OSB's E-Filing Task Force, and is intended to broaden the scope of the Chief Justice's authority to promulgate rules governing the electronic service and filing of documents. The Task Force, which includes a representative of the Office of the State Court Administrator, believes that the current scope of authority is insufficient to create a comprehensive e-filing system.