

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended, Be Printed Engrossed, and Be Placed on the Consent Calendar
Vote:	8 - 0 - 1
Yeas:	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant
Nays:	0
Exc.:	Macpherson
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	5/4

WHAT THE MEASURE DOES: Requires the money award section of a judgment document include the amount of the money award, separate from the interest owed, payment of costs or disbursements or attorney fees. Establishes that the separate record maintained by the circuit court administrator for judgments be called the judgment lien record. Eliminates language suggesting that persons prevailing on a motion for summary judgment always receive a judgment when in fact they may only receive an order.

ISSUES DISCUSSED:

- Motion for summary judgment calls for the court to grant a motion not necessarily render a judgment

EFFECT OF COMMITTEE AMENDMENT: Eliminates language suggesting that persons prevailing on a motion for summary judgment always receive a judgment when in fact they may only receive an order.

BACKGROUND: ORS 18.042 states that the money award section of a judgment document must include the amount of the money award. SB 501 A clarifies that the term “money award” is the monetary amount awarded in the judgment, not including the other statutory money involved in such judgments.

The records for judgments are currently called the “separate record.” This bill replaces that language with “judgment lien record”.

Currently, a party filing a motion challenging the legal sufficiency of the opposing party’s legal claims receives a “judgment” if he or she prevails on the motion. This is a misnomer. It is possible that by prevailing on the motion the prevailing party wins the lawsuit and does receive a “judgment”, but is also possible that he or she receives a partial judgment or an order from the court, but not judgment.