

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	5/4

WHAT THE MEASURE DOES: Applies provisions of Oregon Rules of Civil Procedure 64 F, that govern motions for new trial, to motions in arrest of judgment in criminal actions.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: In 2003, the Legislative Assembly amended the timelines for criminal motions to make them the same as in civil cases. However, the amendments eliminated the “deemed denied” date for motions in arrest of judgment. A “deemed denied” date is important for post-trial motions such as motions in arrest of judgment because a party cannot appeal until the trial court rules on the motion. SB 243 reinstates a “deemed denied” date for motions in arrest of judgment.