

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Bonamici, Boquist, Whitsett, Prozanski
Nays: 0
Exc.: Dingfelder
Prepared By: Anna Braun, Counsel
Meeting Dates: 1/27, 3/2

WHAT THE MEASURE DOES: Applies provisions of Oregon Rules of Civil Procedure 64 F, which govern motions for a 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 legislature amended the timelines for criminal motions to make them the same as civil cases. However, the amendments inadvertently eliminated the “deemed denied” date for motions in arrest of judgment. A “deemed denied” date is important for post-trial motions like 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.