

**Enrolled**  
**Senate Bill 370**

Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon State Bar Elder Law Section)

CHAPTER .....

AN ACT

Relating to limited judgments; amending ORS 111.275 and 125.030.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 111.275 is amended to read:

111.275. (1) The court in a probate proceeding under ORS chapters 111, 112, 113, 114, 115, 116 and 117 may enter a limited judgment only for the following decisions of the court:

- (a) A decision on a petition for appointment or removal of a personal representative.
- (b) A decision in a will contest filed in the probate proceeding.
- (c) A decision on an objection to an accounting.
- (d) A decision on a request made in the proceeding for a declaratory judgment under ORS 111.095.

**(e) A decision on a request for an award of expenses under ORS 116.183.**

~~[(e)]~~ **(f)** Such decisions of the court as may be specified by rules or orders of the Chief Justice of the Supreme Court under ORS 18.028.

(2) A court may enter a limited judgment under this section only if the court determines that there is no just reason for delay. The judgment document need not reflect the court’s determination that there is no just reason for delay.

**SECTION 2.** ORS 125.030 is amended to read:

125.030. (1) The appointment of a fiduciary in a protective proceeding shall be made by limited judgment.

(2) The court in a protective proceeding may enter a limited judgment only for the following decisions of the court:

- (a) A decision on an objection to an accounting.
- (b) A decision on placement of a protected person.
- (c) A decision on the sale of the residence of a protected person.

**(d) A decision on a payment that is authorized or subject to approval under ORS 125.095.**

~~[(d)]~~ **(e)** Such decisions of the court as may be specified by rules or orders of the Chief Justice of the Supreme Court under ORS 18.028.

(3) A court may enter a limited judgment under subsection (2) of this section only if the court determines that there is no just reason for delay. The judgment document need not reflect the court’s determination that there is no just reason for delay.

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**Passed by Senate February 16, 2009**

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Secretary of Senate

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President of Senate

**Passed by House March 20, 2009**

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Speaker of House

**Received by Governor:**

.....M,....., 2009

**Approved:**

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State