

**REVENUE IMPACT OF
PROPOSED LEGISLATION
Seventy-Sixth Oregon Legislative
Assembly, 2011 Regular Session
Legislative Revenue Office**

**Bill Number: HB 2710 - B
Revenue Area: Court Fees
Economist: Mazen Malik
Date: 06/27/2011**

Measure Description:

Revises laws relating to court fees.

Revenue Impact:

	3 months old fee and 21 new fee 2011-13 Estimate	2013-15 Estimate	2015-17 Estimate
General Fund	\$ 33.56	\$ 40.43	\$ 42.83
Transfers and Other Funds	\$ (14.34)	\$ (23.19)	\$ (25.27)
Collection Cost (move to GF)	\$ (2.66)	\$ (2.83)	\$ (3.00)
Total Net Revenue Increase	\$ 16.56	\$ 14.41	\$ 14.56

Impact Explanation:

The measure continues the current law civil filing fees for three months and extends the temporary civil and criminal fees and assessments of HB 2287 (2009) for three months. Beginning October 1st, 2011, the measure establishes a new civil filing fee structure in statute. The new civil filing fee structure is based on fixed dollar amount filing fees, which do not include any add-on charges or surcharges. The new fee amounts will be uniform across all the state courts.

All revenues will be deposited in the general fund, Legal Aid services, however, will receive an \$11.9 million direct distribution of civil filing fee revenue from the Judicial Department, through quarterly revenue distributions from the account for Legal Aid. Collection costs for the judicial department will be moved to the General fund as an appropriation rather than 8% off the top of the gross revenue.

Adds a \$3 filing fee to fund an account to provide assistance to counties with critical state court facility improvement needs. Reinstates the Appellate Mediation Program to the list of eligible program. Raises the jurisdiction of the small claims departments of circuit and justice courts to \$10,000. Modifies filing fees payable in Small Claims courts of Justice Courts. Establishes Small Claims filing fee of \$50 for cases less than \$2,500 and \$90 for case more than \$2,500, but less than \$10,000. Establishes a forcible entry detainer fee of \$75. Establishes a garnishment filing fee of \$35. Increases the Small Claims filing fee to \$65. Clarifies that a declaratory judgment actions are subject to the standard filing fee. Increases the fee for issuance of writs of garnishment by the court from \$10 to \$35. Prevailing party fee in small claims actions was increased to \$93 (without trial) and \$108 (with trial). Reinstates language that the Department of Justice requested relating to an exemption from filing fees for child support cases.

Creates, Extends, or Expands Tax Expenditure: Yes No