
MEMORANDUM

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To: Public Safety Subcommittee

From: Steve Bender, Legislative Fiscal Office
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Date: February 24, 2014

Subject: HB 4066 – Relating to funds supporting court technology
Work Session Recommendations

HB 4066 includes two provisions. The first provision expands the Chief Justice's authority to establish fees for the use of certain electronic systems. Under current law, the Chief Justice may establish fees for the use of the Oregon Judicial Information Network (OJIN), and such fees have been established. The Oregon Judicial Department is, however, phasing out OJIN and replacing it with the new eCourt system. Existing law does not allow fees to be established for use of eCourt.

HB 4066 revises the Chief Justice's authority to establish fees, by allowing the establishment of reasonable fees for the use of the Oregon Judicial Case Information Network (OJCIN). The Judicial Department's OJCIN Terms of Use Agreement identifies three components to OJCIN: OJIN, the Appellate Case Management System (ACMS), and the Oregon eCourt Case Information system (OECI). A copy of the OJCIN terms of use agreement is provided as an exhibit. OJCIN fees must be reasonably calculated to recover or offset costs of state court electronic applications and systems, and revenues from these fees are dedicated to the State Court Technology Fund and restricted to these purposes.

The other provision in HB 4066 modifies a second revenue source directed to the State Court Technology Fund to support state court electronic applications and systems. HB 4066 repeals the sunset on court filing fee increases approved in the 2013 session [HB 2562]. The 2013 legislation increased a number of court filing fees by approximately 5%, and transferred a roughly equivalent amount of filing fee revenue into the State Court Technology Fund. These fee increases, and the transfer of a portion of court filing fee revenues into the Fund, are scheduled to sunset on July 1, 2014. HB 4066 repeals the sunset, making the fee increases and the direction of the associated fee revenues into the State Court Technology Fund permanent.

Amendment

The Legislative Fiscal Office recommends adoption of the HB 4066-2 amendments. These amendments modify provisions in the bill that require the Chief Justice to provide notice and opportunity for comment prior to adopting or increasing OJCIN fees. The

amendments eliminate a requirement for the Chief Justice to provide a reasonable opportunity for comment when adopting or increasing fees on a temporary basis. The Chief Justice must provide such an opportunity prior to any permanent fee change, and must provide notification prior to adopting or increasing any OJCIN fee.

The measure, a copy of the HB 4066-2 amendments, and the draft staff measure summary and fiscal impact statement for the measure as amended by the HB 4066-2 amendments, are available on the Oregon Legislative Information System (OLIS) and are attached to this memorandum.

Motion #1: Move the –2 amendments to HB 4066.

Measure as Modified

The measure, as amended, is recommended to be moved to the full Committee on Joint Ways and Means.

Motion #2: Move HB 4066 to the full committee with a “do pass” recommendation, as amended.

Assignment of Carriers

Full: _____

House Floor: _____

Senate Floor: _____