

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Eric Deitrick, Counsel

Meeting Dates: 4/9

WHAT THE MEASURE DOES: Requires two Multnomah County judges to hold court in Gresham.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed (-1) amendment replaces measure. Authorizes judicial districts with populations between 100,000 and 200,000 to elect which set of timelines apply to motion to disqualify judge. Declares emergency, effective upon passage.

BACKGROUND: ORS 14.250 prohibits a judge from hearing a case when a party does not believe the judge can be fair. ORS 14.260 and 14.270 establish a process for challenging a judge. There are timelines to make these challenges. One timeline applies to counties with more than 100,000 people and another for populations less than 100,000. Since this legislation was enacted, certain counties have grown to more than 100,000 people. Deschutes, Linn, Douglas, and Yamhill counties are currently over 100,000.

Senate Bill 350, with the proposed (-1) amendment, would allow counties with populations between 100,000 and 200,000 people to elect which set of timelines their judicial district will comply with. It requires the judicial district make the decision by a supplemental local court rule.