

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Judiciary

MEASURE: SB 376
CARRIER: Sen. Thatcher

Fiscal: No Fiscal Impact
Revenue: No Revenue Impact

Action Date: 02/02/15

Action: Do Pass.

Meeting Dates: 02/02

Senate

Yeas: 4 - Gelsler, Thatcher, Prozanski, Kruse

Exc: 1 - Burdick

Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Removes requirement that petitioner file two additional copies of petition in post-conviction relief proceedings. Allows guardianship reports be accompanied by declaration under penalty of perjury in lieu of affidavit. Sets regular term of circuit court as January 1 to December 31 of each year. Directs State Court Administrator to prescribe form and content of restraining orders to prevent abuse of elderly persons and persons with disabilities; deletes current statutory form. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Current court filing processes based on paper system
- Integration of e-Court into Oregon judicial district courts
- Current rule-making authority
- Court development of self-help forms

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Judicial Department (OJD) oversees the operations of 36 circuit courts in 27 judicial districts, as well as the Oregon Supreme Court, the Court of Appeals, and the Tax Court. The courts within OJD have almost 200 judges and more than 1600 staff. The Chief Justice of the Oregon Supreme Court is the chief executive officer of OJD.

Senate Bill 376 is OJD's 2015 court operations bill. The measure: 1) eliminates the requirement that a petitioner supply three copies of a petition for post-conviction relief; 2) allows the Chief Justice to adopt rules allowing evidence in post-conviction relief cases to be attached electronically; 3) sets a default year term for the courts that can be changed to suit the needs of individual districts; 4) aligns the guardian's report required under the Juvenile Code with the guardian's report required under the Probate Code; and, 5) eliminates the statutory form of the Elderly Persons and Persons with Disabilities Abuse Prevention Act, thereby allowing the courts to develop a form that is consistent with other forms.