

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/30/15

Action: Do Pass The A-Eng Bill.

Meeting Dates: 04/30

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Eric Deitrick, Counsel

WHAT THE MEASURE DOES:

Modifies Notice of Appeal provisions in ORS 19.260 to allow filing and service by commercial delivery services or other United States Postal Service delivery services.

ISSUES DISCUSSED:

- Bill aligns ORS 19.260 with Oregon Rules of Appellate Procedure that authorize use of commercial delivery services for filing pleadings
- Jurisdiction of appellate courts only exists when notice and service provisions are followed

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Currently, ORS 19.260 permits notices of appeal to be filed and served by mail. Filing can be accomplished by registered or certified mail, and service can be accomplished by first class, registered or certified mail.

House Bill 2336-A was developed by the Oregon State Bar Appellate Committee. It authorizes filing and service to be accomplished by commercial delivery services (such as UPS and FedEx) as well as other United States Postal Service delivery services, so long as the delivery is calculated to occur within three days, regardless of when it arrives.