

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3399 – B**

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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**Measure Description:**

Allows parties to proceedings in justice or municipal courts to record proceedings.

**Government Unit(s) Affected:**

Cities, Counties, Judicial Department

**Summary of Expenditure Impact:** See Analysis

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:**

The measure allows parties to proceedings in justice courts or municipal courts that are not the court of record, to arrange for the audio recording or stenographic reporting of the proceedings. The cost of recording or reporting a proceeding is the responsibility of the party that arranges for it, unless the parties agree to share the costs. The measure also requires municipal court judges and justices of the peace to be a member of the Oregon State Bar, or completed a course on courts of special jurisdiction offered by the National Judicial College, or completed an equivalent educational course. The alternative course must be approved by the Chief Justice of the Supreme Court. These educational requirements must be completed within one year of appointment or election; however the municipal court judge or justice of the peace may receive a one-time 12-month extension to those requirements if exigent circumstances exist.

The Judicial Department (OJD) notes that around 200 appeals from local courts are filed in circuit court each year and that additional measures would need to be taken to receive and store accompanying audio recordings or transcripts in the event those are included. The cost for these requirements is assumed to be minimal.

The National Judicial College (NJC) course is a 10-day series of courses covering several topics. In addition to the 24 justices of the peace, there are approximately 161 municipal justices in Oregon. The number of justices that may need to attend the course, or an alternative determined by the presiding circuit court judge is indeterminate.

The Department of Justice, District Attorney's and their deputies, and the Public Defense Services Commission do not anticipate a fiscal impact as a result of this measure.