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Senator Prozanski, Chair  
Senate Judiciary Committee

Re: Proposed Amendments to Senate Bill 719-3  
Written testimony in support of the proposed amendments to be submitted by email

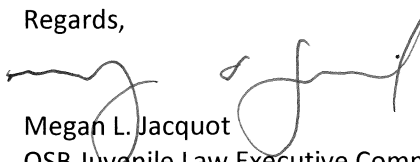
Dear Mr. Chairman and members of the Committee,

Thank you for this opportunity to address you about simple but important issue addressed in the proposed amendments under consideration today. I am a Circuit Court Judge in Coos County and serve on the Oregon State Bar's Juvenile Law Section's Executive Committee. In January, I was asked by the committee work on proposed amendments to the juvenile code to allow for electronic service among the parties to a case of some documents by email. The bulk of the changes are to ORS 419B.851. The changes do not impact the initial service requirements designed to ensure that a party has notice that a case is pending. It does allow service of post-initiating documents by email on parties if conditions are met providing reasonable certainty that the documents will be received. The provisions include safeguards which require a party being served by email to consent to such service in advance, or for the party providing service to certify or affirm that the receiving party has confirmed receipt. These changes mirror the changes that were made to ORCP 9 in December of 2016.

The other two proposed changes are included to allow parties to transmit documents from one place to another for service in another place by email. ORS 419B.812 allows the summons and petition to be transmitted and ORS 419B.848 refers to other case documents after the original summons and petition. Those statutes already allow parties to do this with fax and telegraph. The only proposed changes are to add email to that list of ways to get the documents to be served to the serving entity.

The Juvenile Law Executive Committee voted to support these changes and request that the legislature make them at its regular business meeting on March 11, 2017. Especially in juvenile cases where there are long case-lives, numerous represented parties and numerous documents generated and filed with the court in each case, it is helpful to have a streamlined way to receive routine case documents. We urge the committee to vote to forward SB719-3 to the Senate with a recommendation that the Senate pass the amendments and the bill.

Regards,



Megan L. Jacquot  
OSB Juvenile Law Executive Committee Member