



Law Offices of A. Carl Myers



May 15, 2017

RE: Written Testimony on HB 2734 –A8 Amendments

Dear Chair Prozanski, and members of the House Judiciary Committee.

My name is Carl Myers. I am the Presiding Municipal Court Judge for the Cities of Keizer and Jefferson. I represent the Oregon Municipal Judges Association and the Oregon Justice of the Peace Association. Unfortunately, I am unable to appear in person at the hearing and possible work session on HB 2734A due to conflicts with my court schedule.

The House Judiciary added and passed an amendment to HB 2734 amending ORS 46.415 that allows one spouse to appear for the other spouse in mediation or litigation in small claims court. Unfortunately, ORS chapter 46 only applies to small claims court procedure in Circuit Courts. Many Justice Courts around Oregon also have small claims departments and they are governed by ORS Chapter 55.

The –A8 amendments to HB 2734 create a parallel right in Justice Court Small Claims. Without this amendment, we create confusion among users of Small Claims Courts and potentially suggest that such a right would not exist in Justice Courts.

For the reasons mentioned, the Justices of the Peace in Oregon urge adoption of the –A8 amendments to HB 2734.

/S/ A. CARL MYERS

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