

SB 489 STAFF MEASURE SUMMARY**Carrier:** Sen. Linthicum**Senate Committee On Judiciary****Action Date:** 02/01/17**Action:** Do pass.**Vote:** 5-0-0-0**Yeas:** 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher**Fiscal:** No fiscal impact**Revenue:** No Revenue Impact**Prepared By:** Channa Newell, Counsel**WHAT THE MEASURE DOES:**

Updates statutes relating to court record processes. Requires motions for initiation of remedial contempt proceedings be filed in accordance with adopted Supreme Court rules. Updates language on process for contempt proceedings when contempt relates to other ongoing actions. Streamlines process for transfer of support orders or judgments between courts. Clarifies language on notification of change of trial location. Removes provisions relating to payment of cost for change of venue and motion to vacate order for change of venue in civil proceedings. Updates provisions for notification to other courts of change of venue in civil, criminal, and juvenile dependency and delinquency proceedings. Removes requirement for filing report on a criminal defendant's fitness to proceed in triplicate. Removes signature requirement for true copy of residential summons eviction form. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Implementation of electronic court system in all judicial districts
- E-court system does not support filing remedial contempt proceedings within action giving rise to contempt proceedings
- Court can provide method for filing remedial contempt proceedings through court rules
- Updates to process for transferring court documents between courts
- Update to form used in summons for residential eviction to accommodate online filing
- No changes to eviction complaint process or notice to tenant

EFFECT OF 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. There are nearly 200 elected state court judges and more than 1600 staff within OJD courts. The Chief Justice of the Oregon Supreme Court serves as the chief executive officer of the OJD. In recent years, a major undertaking of OJD has been implementation of an electronic filing and case management system in all circuit courts. Currently, all 36 circuit courts and the Oregon Tax Court use the new electronic system.

Senate Bill 489 provides a non-substantive update to court operational statutes with specific focus on updating statutes affected by e-court changes. Included are revisions for the process of transferring cases and files between courts, removing the requirement that reports documenting examinations for a criminal defendant's fitness to proceed be filed in triplicate, and modifications for the process of initiating remedial contempt proceedings. Additionally, the measure removes a signature line from the residential eviction summons form to maintain consistency with electronically filed summons.