

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2734

By COMMITTEE ON JUDICIARY

May 19

1 On page 1 of the printed A-engrossed bill, line 2, before the period insert “and 55.090”.

2 After line 25, insert:

3 “**SECTION 2.** ORS 55.090 is amended to read:

4 “55.090. (1) Except as may otherwise be provided by ORS 55.040, no attorney at law nor any  
5 person other than the plaintiff and defendant shall become involved in or in any manner interfere  
6 with the prosecution or defense of the litigation in the department without the consent of the justice  
7 of the justice court, nor shall it be necessary to summon witnesses. But the plaintiff and defendant  
8 may offer evidence in their behalf by witnesses appearing at the hearing, and the justice may in-  
9 formally consult witnesses or otherwise investigate the controversy and give judgment or make such  
10 orders as the justice deems right, just and equitable for the disposition of the controversy.

11 “(2) Notwithstanding ORS 9.320, a party that is not a natural person, state or any city, county,  
12 district or other political subdivision or public corporation in this state may appear as a party to  
13 any action in the department without appearance by attorney.

14 “(3) **When spouses are both parties to an action, one spouse may appear on behalf of both  
15 spouses in mediation or litigation in the small claims department:**

16 “(a) **With the written consent of the other spouse; or**

17 “(b) **If the appearing spouse declares under penalty of perjury that the other spouse  
18 consents.”.**

19 In line 26, delete “2” and insert “3” and delete “by section 1” and insert “and 55.090 by sections  
20 1 and 2”.

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