

# Enrolled House Bill 4097

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Chief Justice Thomas A. Balmer for Judicial Department)

CHAPTER .....

AN ACT

Relating to legal resources; creating new provisions; and amending ORS 9.820.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 9.820 is amended to read:

9.820. (1) In all counties containing more than [400,000] **700,000** inhabitants, according to the latest federal decennial census, the governing body of the county may:

(a) **Enter into an intergovernmental agreement with the Judicial Department to provide law library services; or**

(b) **Enter into a** contract with any law library association or corporation owning and maintaining a law library in the county at or convenient to the courthouse, for the use of the library by the judges of the circuit and county courts, county commissioners, district attorney and all members of the bar.

(2) **Law library services may include services provided by a family law facilitation program established under ORS 3.428 or a court facilitation program established under section 2 of this 2018 Act.**

**SECTION 2.** (1) **The presiding judge for a judicial district may establish a court facilitation program to assist litigants in court proceedings other than family law proceedings as provided in ORS 3.428. In developing the program, the presiding judge shall jointly plan with the State Court Administrator, the local bar association, the law library established under ORS 9.815, the local recipients of funding under ORS 9.572 and other persons as the presiding judge deems appropriate. The presiding judge shall supervise the operation of the program. Program services must be provided by court employees or other persons approved by the presiding judge in facilities under the supervision and control of the court or other facilities approved by the court. The program may provide:**

- (a) **Educational materials.**
- (b) **Court forms.**
- (c) **Assistance in completing forms.**
- (d) **Information about court procedures.**
- (e) **Referrals to agencies and resources that provide legal and other services.**

(2)(a) **All materials, instructions and referral lists provided through the program must be approved by the presiding judge.**

(b) **Forms provided through the program must be approved by the presiding judge and the State Court Administrator.**

(3) Except for fees authorized under ORS 21.245, services provided through the program must be provided without charge.

(4) An employee or other person providing services to litigants through a court facilitation program as provided in this section is not engaged in the practice of law in this state for the purposes of ORS 9.160.

(5) Except as provided in subsection (6) of this section, an employee or other person who assisted litigants through a court facilitation program may not, for a period of one year after leaving the program, charge or collect any fee from a litigant for services relating to a matter that was the subject of assistance under the program.

(6) The prohibition in subsection (5) of this section does not apply to persons admitted to the practice of law in this state.

Passed by House February 21, 2018

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 1, 2018

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2018

Approved:

.....M,....., 2018

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2018

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Dennis Richardson, Secretary of State