

# 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)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies provisions relating to law libraries and law library services provided by counties.

Authorizes presiding judge for judicial district to establish court facilitation program to assist litigants in certain court proceedings.

## A BILL FOR AN ACT

1  
2 Relating to legal resources; creating new provisions; amending ORS 9.815; and repealing ORS 9.820.

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

4 **SECTION 1. ORS 9.820 is repealed.**

5 **SECTION 2. ORS 9.815 is amended to read:**

6 9.815. (1) Each county shall:

7 (a) Operate a free law library **for use by the public, judges, county commissioners, district**  
8 **attorneys and all members of the bar** at a location that is convenient and available at reasonable  
9 hours; or

10 (b) Provide free law library services at one or more locations that are convenient and available  
11 at reasonable hours. **Law library services provided under this paragraph may include services**  
12 **provided by a family law facilitation program established under ORS 3.428 or a court facili-**  
13 **tation program established under section 3 of this 2018 Act.**

14 (2) A county governing body may enter into a contract **or intergovernmental agreement** with  
15 a **public or private entity**, law library association or other organization for the operation of the  
16 law library, or the provision of law library services, required by this section.

17 **SECTION 3. (1) The presiding judge for a judicial district may establish a court facili-**  
18 **tation program to assist litigants in court proceedings other than family law proceedings as**  
19 **provided in ORS 3.428. In developing the program, the presiding judge shall consult with the**  
20 **State Court Administrator, the local bar association, the law library established under ORS**  
21 **9.815, the local recipients of funding under ORS 9.572 and other persons as the presiding**  
22 **judge deems appropriate. The presiding judge shall supervise the operation of the program.**  
23 **Program services must be provided by court employees or other persons approved by the**  
24 **presiding judge in facilities under the supervision and control of the court. The program may**  
25 **provide:**

26 (a) **Educational materials.**

27 (b) **Court forms.**

28 (c) **Assistance in completing forms.**

29 (d) **Information about court procedures.**

30 (e) **Referrals to agencies and resources that provide legal and other services.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

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

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

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

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

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

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

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