

HB 2240

Authorizes State Court Administrator to establish Central Violations Bureau

House Bill 2240 permits circuit court presiding judges to delegate to a “Central Violations Bureau” (CVB) authority to resolve violations, by phone or through electronic means in order to increase access and efficiencies across the state.

Current law and Chief Justice Order authorizes individual courts to establish a violations bureau that offers standardized reductions in fines for specified offenses and for people who meet eligibility criteria. HB 2240 would provide specific statutory authority so courts could delegate that process to a central violations bureau to increase public access to this service and achieve additional internal efficiencies.

Many circuit courts have expressed a desire to develop and use a centralized violations bureau to allow them to focus court time and resources on the increasing workload demands in other case types. Centralization of the violations bureau creates efficiencies through economies of scale. And an automated online violations bureau would create a more convenient model for the public to plea, apply for a fine reduction, and pay.

OJD has piloted a CVB for Lincoln and Yamhill Counties that has proved successful but is limited without the provisions of this act. The current Chief Justice Order allows a court to establish a Violations Bureau with authority over any violation of state law where not prohibited by local order if it is a Class A, B, C, or D violation where a defendant requests a reduction of the fine. The violations bureau does not have authority over felonies or misdemeanors, or the authority to reduce fines for some violations including violations of wildlife laws, commercial fishing laws, boating laws, citations issued to a corporation, etc.

A new Chief Justice Order for the uniform fine schedule and central and local violations bureaus will be developed to support a Central Violations Bureau. OJD’s Enterprise Technology Services Division has designed a proof of concept for the electronic and internet portions necessary to implement a CVB, but further development will not be pursued without the authority provided in this act.

Section Analysis:

Section 1 authorizes the State Court Administrator (SCA) to establish a Central Violations Bureau and establishes the criteria for its operation, making it subject to many of the statutes that guide violations bureaus in the circuit courts. It provides authority to the SCA to designate violations bureau clerks who have authority over violations with further criteria to be specified by a Chief Justice Order.

The bill would not replace violations bureaus of individual circuit courts but allows them to take advantage of these new centralized services, and makes clear that a violations clerk shall accept appearances and payments that are written, electronic, or telephonic, and that payments will be processed the same as other payments received by the court. It allows a reduction for payment using the internet and restricts the use of the bureau to persons without an offense in the last 12 months unless permitted by a Chief Justice Order.

Section 2 adds the creation of a Central Violations Bureau to the duties of the State Court Administrator.

Section 3 authorizes a Central Violations Bureau to conduct proceedings for a violation from any county that was commenced in a circuit court.

Section 4 adds the Central Violations Bureau to the acceptable means of making a first appearance.

Section 5 authorizes a circuit court to use the Central Violations Bureau in addition to one created in that court, and allows the court to delegate authority to the State Court Administrator to designate bureau clerks.

Section 6 makes these changes to statutes effective for violations committed on or after the bill becomes effective.

Section 7 states that this act will take effect the 91st day after sine die.