

**SB 296 A STAFF MEASURE SUMMARY****Carrier:** Rep. Kropf**House Committee On Judiciary****Action Date:** 05/11/21**Action:** Do Pass the A-Eng bill.**Vote:** 8-2-0-0**Yeas:** 8 - Bynum, Dexter, Helm, Kropf, Lewis, Noble, Power, Wallan**Nays:** 2 - Morgan, Wilde**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Gillian Fischer, Counsel**Meeting Dates:** 4/29, 5/11**WHAT THE MEASURE DOES:**

Authorizes the Chief Justice, during a period of statewide emergency as defined by the measure, and upon a finding of good cause, to extend or suspend any time period or time requirement established by statute or rule for certain proceedings. Provides that, during a period of statewide emergency, criminal citations may include a date to appear in court more than 30 days from the date the citation was issued. Further provides that the presiding judge of a circuit court may, upon the motion of a party or the court's own motion, postpone the date of appearances for all proceedings described in measure within the jurisdiction of the court, if the court finds good cause. Extends sunset, from December 31, 2021, to December 31, 2022, on provisions granting Chief Justice of Supreme Court and presiding judge of circuit court certain authority during emergency related to COVID-19, including authority to extend custody and postpone criminal trials upon finding of good cause and within specified limits. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Extends sunset of extensions provided for by House Bill 4212 from first special session of 2020
- Does not create additional extensions to pre-trial incarceration
- Burdens on court systems during state of emergency

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Beginning in the spring of 2020, across the country, judicial branches of governments faced significant challenges to the continuity of their operations and to the health and well being of their personnel due to the COVID-19 pandemic. Courts acted to protect the rights and expectations of participants and other stakeholders in all manner court proceedings, both civil and criminal, pending and initiated during the pandemic, in conformity with public health dictates and guidelines. The Oregon Judicial Department (OJD) convened a work group and sought explicit statutory authority during the emergency, to suspend or extend timelines and deadlines applicable to jury trials, pretrial custody of criminal defendants, and statutes of limitation in civil matters, as well as the authority to provide for remote court appearances. The Legislative Assembly enacted an omnibus bill during the first special session of 2020, House Bill 4212, that included provisions to address a number of OJD's concerns; these provisions are currently scheduled to sunset December 31, 2021.

Senate Bill 296 A continues the authority of the Chief Justice during emergencies with respect to managing timelines and deadlines applicable to certain proceedings and providing for remote court appearances, until December 31, 2022.