



# Oregon Justice of the Peace Association

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## Support SB 767

Senate Bill 767 incorporates clerical changes in civil, small claims and violation statutes to simplify the legal process and increase access to justice with four proposed amendments to existing statutes.

### **ORS 18.225 Satisfaction of Judgment**

A Satisfaction of Judgment document must be attested before a notary public. The amendment will allow a Satisfaction of Judgment document to be filed with the signature attested before a notary public or signed by a declaration under penalty of perjury per ORCP 1 E.

Historically, legal forms required notarized signatures. Today most legal forms may be filed with the court if the document is signed by declaration under penalty of perjury in lieu of a notarized signature.

### **ORS 55.020 Commencing a small claims action in Justice Court**

A plaintiff must appear in person or by agent or assignee before the court to file a small claims action. The amendment will allow the plaintiff to file a claim with the clerk of the court in a form set by the justice of the peace who may permit multiple options to file a small claim such as electronically, by mail or in person to promote access to justice.

The amended language mirrors the Circuit Court small claims statute ORS 46.425.

### **ORS 55.030 Statement of Justice Court small claim**

A plaintiff must file an affidavit attested before a notary public stating the plaintiff made a bona fide effort to collect the claim from the defendant before filing the claim with the justice court. The amendment will allow the plaintiff to sign the claim before a notary public or by declaring under penalty of perjury the accuracy of the statements in the claim per ORCP 1 E.

The amended language mirrors the Circuit Court small claims statute ORS 46.425.

### **ORS 153.061 Violation citation no contest plea in Justice or Municipal court**

A defendant entering a no contest plea on a violation must deliver to the Justice or Municipal court the summons and a check or money order in the amount of the presumptive fine. The amendment will allow a violations bureau established by a Justice or Municipal Court to establish alternate ways for payment and appearance such as electronic or telephonic means promoting access to justice.

The amended language mirrors the Circuit Court Central Violations Bureau in ORS 153.061.

### **CONTACT INFORMATION**

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