

HB 2324 STAFF MEASURE SUMMARY

Carrier: Sen. Linthicum

Senate Committee On Judiciary

Action Date: 03/15/23

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Gelser Blouin, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/7, 3/15

WHAT THE MEASURE DOES:

Modifies requirements for submitting a timely and valid notice of appeal by mail.

ISSUES DISCUSSED:

- Improving access for self-represented litigants
- Change in calculated delivery time for first class mail

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2020, the Oregon Supreme Court ruled, in *State v. Chapman*, that the use of first-class mail satisfies the proof of mailing requirement for initiating an appeal by mail under the Rules of Appellate Procedure. No document showing proof of mailing, apart from having proof by virtue of a postmark on the envelope containing the notice of appeal, is required.

House Bill 2324 modifies the Rules of Appellate Procedure to codify the ruling in *Chapman*, providing that no additional proof beyond a postmark is required to satisfy the proof of mailing requirement.