

# House Bill 2766

Sponsored by Representative EVANS (Pre-session filed.)

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act gets rid of the law saying that a justice court may not become a court of record if the court is within 50 miles of the circuit court for the county in which the court is located. (Flesch Readability Score: 60.9).

Removes the provision stating that a justice court may not become a court of record if the court is located within 50 driving miles of the circuit court for the county in which the justice court is located.

## A BILL FOR AN ACT

1  
2 Relating to justice courts; amending ORS 51.025.

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

4 **SECTION 1.** ORS 51.025 is amended to read:

5 51.025. (1) *[Except as provided in subsection (7) of this section,]* Any justice court may become a  
6 court of record by:

7 (a) The passage of an ordinance by the governing body of the county in which the court is lo-  
8 cated; and

9 (b) The entry of an order by the Supreme Court acknowledging the filing of the declaration re-  
10 quired under subsection (2) of this section.

11 (2) Before a justice court may become a court of record, the governing body of the county in  
12 which the court is located must file a declaration with the Supreme Court that includes:

13 (a) A statement that the justice court satisfies the requirements of this section for becoming a  
14 court of record;

15 (b) The address and telephone number of the clerk of the justice court; and

16 (c) The date on which the justice court will commence operations as a court of record.

17 (3) The Supreme Court may not charge a fee for filing a declaration under subsection (2) of this  
18 section. Not later than 30 days after a declaration is filed under subsection (2) of this section, the  
19 Supreme Court shall enter an order acknowledging the filing of the declaration and give notice of  
20 the order of acknowledgment to the county and the public.

21 (4) The county shall provide a court reporter or an audio recording device for each justice court  
22 made a court of record under this section.

23 (5) The appeal from a judgment entered in a justice court that becomes a court of record under  
24 this section shall be as provided in ORS chapters 19 and 138 for appeals from judgments of circuit  
25 courts.

26 (6) As a qualification for the office, the justice of the peace for any justice court that becomes  
27 a court of record must be a member of the Oregon State Bar.

28 *[(7) A justice court may not become a court of record under the provisions of this section if the*

**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 *court is located within 50 driving miles of the circuit court for the county in which the justice court is*  
2 *located, measured by the shortest distance by public roads between the justice court and the circuit*  
3 *court.]*

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