

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	4/9, 4/17

WHAT THE MEASURE DOES: Allows judges to sit in panels of two to hear and decide cases. Allows pro tem judges. Allows the Chief Judge to delegate authority to rule on motions and issue orders in procedural matters to an appellate commissioner. Limits de novo review (trying the case anew upon the record).

ISSUES DISCUSSED:

- Process of deciding case upon a tie vote
- Workability of using panels of two

EFFECT OF COMMITTEE AMENDMENT: Replaces the original measure.

BACKGROUND: This bill is brought by the Judicial Department in an effort to streamline functions and avoid costs to stretch court resources. Oregon is one of the few states that provides universal de novo review in equity cases. SB 262 A would require de novo review in only a few types of cases in an effort to save court resources. In addition, Oregon would employ the New Jersey model of allowing cases to be heard by a panel of two judges. In the event of a tie a third judge would be brought in and the case would be re-heard. Two temporary or “pro tem” judges who are often retired judges would be allowed to sit on panels of three judges.