

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Judiciary

MEASURE: SB 350 A
CARRIER: Sen. Kruse

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/09/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 04/09

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Eric Deitrick, Counsel

WHAT THE MEASURE DOES:

Authorizes judicial districts with populations between 100,000 and 200,000 to elect which set of timelines apply to motion to disqualify judge. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- The population of certain counties has exceeded 100,000 people since original statute enacted

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

ORS 14.250 prohibits a judge from hearing a case when a party does not believe the judge can be fair. ORS 14.260 and 14.270 establish a process for challenging a judge. There are timelines to make these challenges. One timeline applies to counties with more than 100,000 people and another for populations less than 100,000. Since this legislation was enacted, certain counties have grown to more than 100,000 people. Deschutes, Linn, Douglas, and Yamhill counties are currently over 100,000.

Senate Bill 350 A allows counties with populations between 100,000 and 200,000 people to elect with which set of timelines their judicial district will comply. It requires the judicial district make the decision by a supplemental local court rule.