

HB 2807 -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 4/12, 4/14

WHAT THE MEASURE DOES:

Directs State Court Administrator to study common types of lawsuits and report its findings to the Legislative Assembly. Im

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Requires that an affidavit submitted to a court in support of a personal injury case settlement for a minor, incapacitated person, or decedent remain confidential, unless a court order is entered after a showing of good cause.

Minimal Expenditure Impact

No Revenue Impact

BACKGROUND:

In Oregon, when a personal injury case is settled on behalf of a minor or incapacitated person, a probate court will review the settlement to determine whether the settlement is reasonable. In doing so, the Court will review affidavits submitted by the parties, which often contain trial research and other closely held information. While most courts seal these affidavits after review, some courts have recently declined to do so.