

SB 977 B STAFF MEASURE SUMMARY

Carrier: Rep. Barker

House Committee On Judiciary

Action Date: 05/20/19

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Sprenger, Stark, Williamson

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 5/15, 5/20

WHAT THE MEASURE DOES:

Repeals "form of justice's undertaking" and "qualifications of sureties" for justices of the peace. Includes Crook County on list of counties that may include a portion of a city that is a county seat within a justice of the peace district. Allows election or appointment of circuit court judges from judicial districts adjacent to judicial district for which judge is elected or appointed. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Sureties and undertakings of justice of the peace
- Need for justice of peace in only incorporated town in Crook County
- Difficulty in filling judicial positions in some counties
- Addition of emergency clause

EFFECT OF AMENDMENT:

Includes Crook County on list of counties that may include a portion of a city that is a county seat within a justice of the peace district. Allows election or appointment of circuit court judges from judicial districts adjacent to judicial district for which judge is elected or appointed. Declares emergency, effective on passage.

BACKGROUND:

A Justice of the Peace is an elected county official who presides over a justice court. Justice courts may hear cases involving violations, small claims, and evictions. Justice courts are found in several counties, including Baker, Clackamas, Columbia, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Linn, Malheur, Morrow, Tillamook, Sherman, Union, and Wheeler counties.

Senate Bill 977 B repeals statutes referencing the "form of justice's undertaking" and "qualifications of sureties."

It also allows justices of the peace to be appointed in Prineville, the county seat of Crook County. Additionally, the measure allows for the election or appointment of circuit court judges from judicial districts adjacent to the district for which a judge is needed.