

SB 767 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 04/06/21

Action: Do pass.

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Heard, Linthicum, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 3/24, 4/6

WHAT THE MEASURE DOES:

Modifies small claims court provisions. Removes requirement that small claim be commenced by appearing in person. Allows use of declaration under penalty of perjury for attesting or declaring the accuracy of information in the claim. Allows signature of judgment creditor or attorney on satisfaction document to be accompanied by declaration under penalty of perjury, in addition to current process through witnessing by notary. Expands use of Violations Bureau established by any court to appear or pay fines.

ISSUES DISCUSSED:

- Services provided by justice courts
- Small claims process in justice courts
- Use of Violations Bureaus by courts
- Provisions of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

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 767 modifies provisions relating to payment of violations through a Violations Bureau, appearances in small claims proceedings, and use of declarations under penalty of perjury in some court proceedings.