

SB 767 STAFF MEASURE SUMMARY

Carrier: Rep. Noble

House Committee On Judiciary

Action Date: 05/24/21

Action: Do Pass.

Vote: 10-0-0-0

Yeas: 10 - Bynum, Dexter, Helm, Kropf, Lewis, Morgan, Noble, Power, Wallan, Wilde

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 5/3, 5/17, 5/24

WHAT THE MEASURE DOES:

Modifies small claims court provisions that apply to justice courts. 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 of witnessing by notary. Expands use of Violations Bureau established by any court to appear or pay fines.

ISSUES DISCUSSED:

- Additional options provide flexibility for interacting with local court
- Changes mirror options and processes in circuit court
- Differences in filing fees in local and circuit courts
- Use of Violations Bureau

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.