

## SENATE AMENDMENTS TO SENATE BILL 710

By COMMITTEE ON JUDICIARY

March 5

1 In line 2 of the printed bill, before the period insert “; creating new provisions; and amending  
2 ORS 1.002 and 8.125”.

3 Delete lines 4 through 9 and insert:

4 “**SECTION 1.** ORS 1.002 is amended to read:

5 “1.002. (1) The Supreme Court is the highest judicial tribunal of the judicial department of gov-  
6 ernment in this state. The Chief Justice of the Supreme Court is the presiding judge of the court  
7 and the administrative head of the judicial department of government in this state. The Chief Justice  
8 shall exercise administrative authority and supervision over the courts of this state consistent with  
9 applicable provisions of law and the Oregon Rules of Civil Procedure. The Chief Justice, to facilitate  
10 exercise of that administrative authority and supervision, may:

11 “(a) Make rules and issue orders appropriate to that exercise.

12 “(b) Require appropriate reports from the judges, other officers and employees of the courts of  
13 this state and municipal courts.

14 “(c) Pursuant to policies approved by the Judicial Conference of the State of Oregon, assign or  
15 reassign on a temporary basis all judges of the courts of this state to serve in designated locations  
16 within or without the county or judicial district for which the judge was elected.

17 “(d) Set staffing levels for all courts of the state operating under the Judicial Department and  
18 for all operations in the Judicial Department.

19 “(e) Establish time standards for disposition of cases.

20 “(f) Establish budgets for the Judicial Department and all courts operating under the Judicial  
21 Department.

22 “(g) Assign or reassign all court staff of courts operating under the Judicial Department.

23 “(h) Pursuant to policies approved by the Judicial Conference of the State of Oregon, establish  
24 personnel rules and policies for judges of courts operating under the Judicial Department.

25 “(i) Establish procedures for closing courts in emergencies.

26 “(j) Establish standards for determining when courts are closed for purposes of ORCP 10, ORS  
27 174.120 and other rules and laws that refer to periods of time when courts are closed.

28 “**(k) Establish minimum continuing education requirements for judges of the county cir-  
29 cuit courts, tax court, Court of Appeals and Supreme Court.**

30 “[*k*] **(L)** Take any other action appropriate to the exercise of the powers specified in this sec-  
31 tion and other law, and appropriate to the exercise of administrative authority and supervision by  
32 the Chief Justice over the courts of this state.

33 “(2) The Chief Justice may make rules for the use of electronic applications in the courts, in-  
34 cluding but not limited to rules relating to any of the following:

35 “(a) Applications based on the use of the Internet and other similar technologies.

1           “(b) The use of an electronic document, or use of an electronic image of a paper document in  
2 lieu of the original paper copy, for any record of the courts maintained under ORS 7.095 and for any  
3 document, process or paper that is served, delivered, received, filed, entered or retained in any  
4 action or proceeding.

5           “(c) The use of electronic signatures or another form of identification for any document, process  
6 or paper that is required by any law or rule to be signed and that is:

7           “(A) Served, delivered, received, filed, entered or retained in any action or proceeding; or

8           “(B) Maintained under ORS 7.095.

9           “(d) The use of electronic transmission for:

10           “(A) Serving documents in an action or proceeding, other than a summons or an initial com-  
11 plaint or petition;

12           “(B) Filing documents with a court; and

13           “(C) Providing certified electronic copies of court documents and other Judicial Department re-  
14 cords to another person or public body.

15           “(e) Payment of statutory or court-ordered monetary obligations through electronic media.

16           “(f) Electronic storage of court documents.

17           “(g) Use of electronic citations in lieu of the paper citation forms as allowed under ORS 153.770,  
18 including use of electronic citations for parking ordinance violations that are subject to ORS 221.333  
19 or 810.425.

20           “(h) Public access through electronic means to court documents that are required or authorized  
21 to be made available to the public by law.

22           “(i) Transmission of open court proceedings through electronic media.

23           “(j) Electronic transmission and electronic signature on documents relating to circuit court ju-  
24 rors under ORS 10.025.

25           “(3)(a) The Chief Justice may make rules relating to the data that state courts may require  
26 parties and other persons to submit for the purpose of distinguishing particular persons from other  
27 persons, gathering demographic information or identifying and evaluating disparities and impacts in  
28 the justice system in Oregon.

29           “(b) The Board of Governors of the Oregon State Bar shall formulate rules relating to the data  
30 that the Oregon State Bar may require persons to submit for purposes of distinguishing particular  
31 persons from other persons, gathering demographic information or identifying and evaluating dis-  
32 parities and impacts in the justice system in Oregon. Rules adopted under this paragraph are subject  
33 to review and approval by the Supreme Court.

34           “(c) If the rules described in this subsection require the submission of data that federal law does  
35 not require be made public, the rules may require courts or the Oregon State Bar to maintain the  
36 data confidentially and not release the data except pursuant to a court order issued for good cause  
37 shown. Data that is made confidential under the rules is not subject to disclosure under ORS 192.311  
38 to 192.478. Rules described in this subsection may permit the release of data in the aggregate in a  
39 manner that does not identify any individual person.

40           “(4) Rules adopted by the Chief Justice under subsection (2) of this section must be consistent  
41 with the laws governing courts and court procedures, but any person who serves, delivers, receives,  
42 files, enters or retains an electronic document, or an electronic image of a paper document in lieu  
43 of the original paper copy, in the manner provided by a rule of the Chief Justice under subsection  
44 (2) of this section shall be considered to have complied with any rule or law governing service, de-  
45 livery, reception, filing, entry or retention of a paper document.

1 “(5)(a) Notwithstanding any other statute or rule to the contrary, the Chief Justice may direct  
2 or permit any appearance before a court or magistrate to be by telephone, other two-way electronic  
3 communication device or simultaneous electronic transmission.

4 “(b) If an appearance is set to occur by electronic means as described in paragraph (a) of this  
5 subsection, a presiding judge may instead order that the appearance be in person if, upon the re-  
6 quest of a party, the presiding judge determines that there is a particular need for an in-person  
7 hearing or that a party has a constitutional right to an in-person hearing.

8 “(c) The presiding judge may delegate the authority described in this subsection to another  
9 judge of the court.

10 “(d) Nothing in this subsection affects the rights of a defendant under the Oregon and United  
11 States Constitutions.

12 “(6)(a) As used in this subsection, ‘period of statewide emergency’ means the period of time  
13 during which any declaration of a state of emergency under ORS 401.165, public health emergency  
14 under ORS 433.441 or catastrophic disaster under Article X-A, section 1, of the Oregon Constitution,  
15 issued by the Governor, and any extension of the declaration, is in effect, and continuing for 60 days  
16 after the declaration and any extension is no longer in effect.

17 “(b) During a period of statewide emergency, and upon a finding of good cause, the Chief Justice  
18 may extend or suspend any time period or time requirement established by statute or rule, other  
19 than ORS 133.060, 136.290 or 136.295, that:

20 “(A) Applies in any case, action or proceeding after the case, action or proceeding is initiated  
21 in any circuit court, the Oregon Tax Court, the Court of Appeals or the Supreme Court;

22 “(B) Applies to the initiation of an appeal to the magistrate division of the Oregon Tax Court  
23 or an appeal from the magistrate division to the regular division;

24 “(C) Applies to the initiation of an appeal or judicial review proceeding in the Court of Appeals;  
25 or

26 “(D) Applies to the initiation of any type of case or proceeding in the Supreme Court.

27 “(c)(A) Notwithstanding ORS 125.150 (3), during a period of statewide emergency, the Chief  
28 Justice may direct or permit that any interview of a person described in ORS 125.150 (3) by a visitor  
29 appointed by the court be conducted by telephone, other two-way electronic communication device  
30 or simultaneous electronic transmission.

31 “(B) The presiding judge may delegate the authority described in this paragraph to another  
32 judge of the court.

33 “(d) Nothing in this subsection affects the rights of a defendant under the Oregon and United  
34 States Constitutions.

35 “(7) Rules made and orders issued by the Chief Justice under this section shall permit as much  
36 variation and flexibility in the administration of the courts of this state as are appropriate to the  
37 most efficient manner of administering each court, considering the particular needs and circum-  
38 stances of the court, and consistent with the sound and efficient administration of the judicial de-  
39 partment of government in this state.

40 “(8)(a) The Chief Justice may establish reasonable fees for the use of the Oregon Judicial Case  
41 Information Network, including fees for electronic access to documents.

42 “(b)(A) Before permanently adopting or increasing fees under this subsection, the Chief Justice  
43 shall provide notice to interested persons and allow a reasonable opportunity for comment.

44 “(B) Before temporarily adopting or increasing fees under this subsection, the Chief Justice shall  
45 provide notice to interested persons.

1 “(C) The Chief Justice shall by order establish a process for notice and comment under this  
2 paragraph.

3 “(c) Fees adopted under this subsection must be reasonably calculated to recover or offset costs  
4 of developing, maintaining, supporting or providing access to or use of state court electronic appli-  
5 cations and systems.

6 “**(9) The continuing education requirements established under subsection (1)(k) of this**  
7 **section must include evidence-based and trauma-informed education related to domestic vi-**  
8 **olence, sexual assault, stalking and other matters related to interpersonal violence. The**  
9 **Chief Justice shall consult with an advisory committee and others with expertise in inter-**  
10 **personal violence when establishing the minimum continuing education requirements under**  
11 **subsection (1)(k) of this section.**

12 “[9] (10) The judges, other officers and employees of the courts of this state shall comply with  
13 rules made and orders issued by the Chief Justice. Rules and orders of a court of this state, or a  
14 judge thereof, relating to the conduct of the business of the court shall be consistent with applicable  
15 rules made and orders issued by the Chief Justice.

16 “[10] (11) The Chief Judge of the Court of Appeals and the presiding judge of each judicial  
17 district of this state are the administrative heads of their respective courts. They are responsible  
18 and accountable to the Chief Justice of the Supreme Court in the exercise of their administrative  
19 authority and supervision over their respective courts. Other judges of the Court of Appeals or court  
20 under a presiding judge are responsible and accountable to the Chief Judge or presiding judge, and  
21 to the Chief Justice, in respect to exercise by the Chief Justice, Chief Judge or presiding judge of  
22 administrative authority and supervision.

23 “[11] (12) The Chief Justice may delegate the exercise of any of the powers specified by this  
24 section to the presiding judge of a court, and may delegate the exercise of any of the administrative  
25 powers specified by this section to the State Court Administrator, as may be appropriate.

26 “[12] (13) This section applies to justices of the peace and the justice courts of this state solely  
27 for the purpose of disciplining of justices of the peace and for the purpose of continuing legal edu-  
28 cation of justices of the peace.

29 “**SECTION 2.** ORS 8.125 is amended to read:

30 “8.125. The State Court Administrator shall, to the extent directed by the Chief Justice of the  
31 Supreme Court:

32 “(1) Assist the Chief Justice in exercising administrative authority and supervision under ORS  
33 1.002.

34 “(2) Consistent with applicable provisions of law and rules made thereunder:

35 “(a) Supervise the personnel plan for officers, other than judges, and employees of the courts  
36 of this state who are state officers or employees.

37 “(b) Prescribe the form and content and supervise the preparation of consolidated budgets, for  
38 submission to the Legislative Assembly, applicable to expenditures made and revenues received by  
39 the state in respect to the courts of this state.

40 “(c) Supervise an accounting system for the recording, monitoring and auditing of expenditures  
41 made and revenues received by the state in respect to the courts of this state.

42 “(d) Establish and maintain inventory records of property of the state in the custody or control  
43 of the courts of this state or any judge, other officer or employee thereof.

44 “(3) Conduct a continuing survey of the administrative methods and activities, records, business  
45 and facilities of the courts of this state and make recommendations to the Chief Justice based on

1 the survey.

2 “(4) Collect and compile statistical and other data relating to the courts of this state and mu-  
3 nicipal courts, including the caseload, workload, performance, status, management, expenses and  
4 revenues of those courts, and make reports on the business and condition of those courts.

5 “(5) Establish and supervise a statewide public information service concerning the courts of this  
6 state.

7 “(6) Establish and supervise education programs for judges, other officers and employees of the  
8 courts of this state and municipal courts pertinent to the performance of the functions of those  
9 judges, other officers and employees.

10 “(7) Provide to the judges, other officers and employees of the courts of this state, to attorneys  
11 and to the public appropriate assistance services relating to the administration and management of  
12 the courts of this state.

13 “(8) Prepare and maintain a continuing long-range plan for improvement and future needs of the  
14 courts of this state.

15 “(9) Supervise and maintain the law libraries of the judicial department of government of this  
16 state, including the State of Oregon Law Library, and excluding county law libraries except as  
17 provided in ORS 9.825.

18 “(10) Enter into contracts on behalf of the Judicial Department, including but not limited to fi-  
19 nancing agreements entered into pursuant to ORS 283.087.

20 “(11) Prescribe minimum retention schedules and standards for all records of the state courts  
21 and the administrative offices of the state courts, including but not limited to minimum retention  
22 schedules and standards for registers, dockets, indexes, files, citations, notes, audio records, video  
23 records, stenographic records, exhibits, jury records and fiscal and administrative documents,  
24 whether maintained in paper, micrographic, electronic or other storage form. The State Court Ad-  
25 ministrator shall ensure that the minimum record retention schedules and standards prescribed un-  
26 der this subsection conform with policies and standards established by the State Archivist under  
27 ORS 192.105, 357.825 and 357.835 (1) for public records valued for legal, administrative, fiscal, tribal  
28 cultural, historical or research purposes.

29 “(12) **Implement curriculum and training opportunities for county circuit court, tax**  
30 **court, Court of Appeals and Supreme Court judges to meet the minimum continuing educa-**  
31 **tion requirements established by the Chief Justice under ORS 1.002 (1)(k).**

32 “**SECTION 3. No later than September 15, 2027, the State Court Administrator shall**  
33 **submit a report in the manner provided in ORS 192.245 to the interim committees of the**  
34 **Legislative Assembly related to the judiciary regarding judicial compliance with the minimum**  
35 **continuing education requirements established by the Chief Justice of the Supreme Court**  
36 **under section 1 of this 2025 Act, and the administrator’s implementation of the curriculum**  
37 **and training.**

38 “**SECTION 4. Section 3 of this 2025 Act is repealed on January 2, 2028.**”  
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