

SB 710-3
(LC 3553)
2/24/25 (LAS/ps)

Requested by Senator SOLLMAN

**PROPOSED AMENDMENTS TO
SENATE BILL 710**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; and amending 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 ju-
6 dicial department of government in this state. The Chief Justice of the Su-
7 preme Court is the presiding judge of the court and the administrative head
8 of the judicial department of government in this state. The Chief Justice
9 shall exercise administrative authority and supervision over the courts of
10 this state consistent with applicable provisions of law and the Oregon Rules
11 of Civil Procedure. The Chief Justice, to facilitate exercise of that adminis-
12 trative authority and supervision, may:

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

14 “(b) Require appropriate reports from the judges, other officers and em-
15 ployees of the courts of this state and municipal courts.

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

20 “(d) Set staffing levels for all courts of the state operating under the Ju-
21 dicial Department and for all operations in the Judicial Department.

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

2 “(f) Establish budgets for the Judicial Department and all courts operat-
3 ing under the Judicial Department.

4 “(g) Assign or reassign all court staff of courts operating under the Ju-
5 dicial Department.

6 “(h) Pursuant to policies approved by the Judicial Conference of the State
7 of Oregon, establish personnel rules and policies for judges of courts oper-
8 ating under the Judicial Department.

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

10 “(j) Establish standards for determining when courts are closed for pur-
11 poses of ORCP 10, ORS 174.120 and other rules and laws that refer to periods
12 of time when courts are closed.

13 “**(k) Establish minimum continuing education requirements for**
14 **judges of the county circuit courts, tax court, Court of Appeals and**
15 **Supreme Court.**

16 “[*k*] **(L)** Take any other action appropriate to the exercise of the powers
17 specified in this section and other law, and appropriate to the exercise of
18 administrative authority and supervision by the Chief Justice over the courts
19 of this state.

20 “(2) The Chief Justice may make rules for the use of electronic applica-
21 tions in the courts, including but not limited to rules relating to any of the
22 following:

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

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

30 “(c) The use of electronic signatures or another form of identification for

1 any document, process or paper that is required by any law or rule to be
2 signed and that is:

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

5 “(B) Maintained under ORS 7.095.

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

7 “(A) Serving documents in an action or proceeding, other than a summons
8 or an initial complaint or petition;

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

10 “(C) Providing certified electronic copies of court documents and other
11 Judicial Department records to another person or public body.

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

14 “(f) Electronic storage of court documents.

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

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

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

21 “(j) Electronic transmission and electronic signature on documents relat-
22 ing to circuit court jurors under ORS 10.025.

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

28 “(b) The Board of Governors of the Oregon State Bar shall formulate
29 rules relating to the data that the Oregon State Bar may require persons to
30 submit for purposes of distinguishing particular persons from other persons,

1 gathering demographic information or identifying and evaluating disparities
2 and impacts in the justice system in Oregon. Rules adopted under this para-
3 graph are subject to review and approval by the Supreme Court.

4 “(c) If the rules described in this subsection require the submission of
5 data that federal law does not require be made public, the rules may require
6 courts or the Oregon State Bar to maintain the data confidentially and not
7 release the data except pursuant to a court order issued for good cause
8 shown. Data that is made confidential under the rules is not subject to dis-
9 closure under ORS 192.311 to 192.478. Rules described in this subsection may
10 permit the release of data in the aggregate in a manner that does not identify
11 any individual person.

12 “(4) Rules adopted by the Chief Justice under subsection (2) of this sec-
13 tion must be consistent with the laws governing courts and court procedures,
14 but any person who serves, delivers, receives, files, enters or retains an
15 electronic document, or an electronic image of a paper document in lieu of
16 the original paper copy, in the manner provided by a rule of the Chief Jus-
17 tice under subsection (2) of this section shall be considered to have complied
18 with any rule or law governing service, delivery, reception, filing, entry or
19 retention of a paper document.

20 “(5)(a) Notwithstanding any other statute or rule to the contrary, the
21 Chief Justice may direct or permit any appearance before a court or
22 magistrate to be by telephone, other two-way electronic communication de-
23 vice or simultaneous electronic transmission.

24 “(b) If an appearance is set to occur by electronic means as described in
25 paragraph (a) of this subsection, a presiding judge may instead order that the
26 appearance be in person if, upon the request of a party, the presiding judge
27 determines that there is a particular need for an in-person hearing or that
28 a party has a constitutional right to an in-person hearing.

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

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

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

10 “(b) During a period of statewide emergency, and upon a finding of good
11 cause, the Chief Justice may extend or suspend any time period or time re-
12 quirement established by statute or rule, other than ORS 133.060, 136.290 or
13 136.295, that:

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

17 “(B) Applies to the initiation of an appeal to the magistrate division of
18 the Oregon Tax Court or an appeal from the magistrate division to the reg-
19 ular division;

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

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

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

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

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

3 “(7) Rules made and orders issued by the Chief Justice under this section
4 shall permit as much variation and flexibility in the administration of the
5 courts of this state as are appropriate to the most efficient manner of ad-
6 ministering each court, considering the particular needs and circumstances
7 of the court, and consistent with the sound and efficient administration of
8 the judicial department of government in this state.

9 “(8)(a) The Chief Justice may establish reasonable fees for the use of the
10 Oregon Judicial Case Information Network, including fees for electronic ac-
11 cess to documents.

12 “(b)(A) Before permanently adopting or increasing fees under this sub-
13 section, the Chief Justice shall provide notice to interested persons and al-
14 low a reasonable opportunity for comment.

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

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

19 “(c) Fees adopted under this subsection must be reasonably calculated to
20 recover or offset costs of developing, maintaining, supporting or providing
21 access to or use of state court electronic applications and systems.

22 “(9) **The continuing education requirements established under sub-**
23 **section (1)(k) of this section must include evidence-based and**
24 **trauma-informed education related to domestic violence, sexual as-**
25 **sault, stalking and other matters related to interpersonal violence.**
26 **The Chief Justice shall consult with an advisory committee and others**
27 **with expertise in interpersonal violence when establishing the mini-**
28 **imum continuing education requirements under subsection (1)(k) of**
29 **this section.**

30 “[9] (10) The judges, other officers and employees of the courts of this

1 state shall comply with rules made and orders issued by the Chief Justice.
2 Rules and orders of a court of this state, or a judge thereof, relating to the
3 conduct of the business of the court shall be consistent with applicable rules
4 made and orders issued by the Chief Justice.

5 “[~~(10)~~] (11) The Chief Judge of the Court of Appeals and the presiding
6 judge of each judicial district of this state are the administrative heads of
7 their respective courts. They are responsible and accountable to the Chief
8 Justice of the Supreme Court in the exercise of their administrative author-
9 ity and supervision over their respective courts. Other judges of the Court
10 of Appeals or court under a presiding judge are responsible and accountable
11 to the Chief Judge or presiding judge, and to the Chief Justice, in respect
12 to exercise by the Chief Justice, Chief Judge or presiding judge of adminis-
13 trative authority and supervision.

14 “[~~(11)~~] (12) The Chief Justice may delegate the exercise of any of the
15 powers specified by this section to the presiding judge of a court, and may
16 delegate the exercise of any of the administrative powers specified by this
17 section to the State Court Administrator, as may be appropriate.

18 “[~~(12)~~] (13) This section applies to justices of the peace and the justice
19 courts of this state solely for the purpose of disciplining of justices of the
20 peace and for the purpose of continuing legal education of justices of the
21 peace.

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

23 “8.125. The State Court Administrator shall, to the extent directed by the
24 Chief Justice of the Supreme Court:

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

27 “(2) Consistent with applicable provisions of law and rules made there-
28 under:

29 “(a) Supervise the personnel plan for officers, other than judges, and em-
30 ployees of the courts of this state who are state officers or employees.

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

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

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

11 “(3) Conduct a continuing survey of the administrative methods and ac-
12 tivities, records, business and facilities of the courts of this state and make
13 recommendations to the Chief Justice based on the survey.

14 “(4) Collect and compile statistical and other data relating to the courts
15 of this state and municipal courts, including the caseload, workload, per-
16 formance, status, management, expenses and revenues of those courts, and
17 make reports on the business and condition of those courts.

18 “(5) Establish and supervise a statewide public information service con-
19 cerning the courts of this state.

20 “(6) Establish and supervise education programs for judges, other officers
21 and employees of the courts of this state and municipal courts pertinent to
22 the performance of the functions of those judges, other officers and employ-
23 ees.

24 “(7) Provide to the judges, other officers and employees of the courts of
25 this state, to attorneys and to the public appropriate assistance services re-
26 lating to the administration and management of the courts of this state.

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

29 “(9) Supervise and maintain the law libraries of the judicial department
30 of government of this state, including the State of Oregon Law Library, and

1 excluding county law libraries except as provided in ORS 9.825.

2 “(10) Enter into contracts on behalf of the Judicial Department, including
3 but not limited to financing agreements entered into pursuant to ORS
4 283.087.

5 “(11) Prescribe minimum retention schedules and standards for all records
6 of the state courts and the administrative offices of the state courts, in-
7 cluding but not limited to minimum retention schedules and standards for
8 registers, dockets, indexes, files, citations, notes, audio records, video re-
9 cords, stenographic records, exhibits, jury records and fiscal and adminis-
10 trative documents, whether maintained in paper, micrographic, electronic or
11 other storage form. The State Court Administrator shall ensure that the
12 minimum record retention schedules and standards prescribed under this
13 subsection conform with policies and standards established by the State
14 Archivist under ORS 192.105, 357.825 and 357.835 (1) for public records valued
15 for legal, administrative, fiscal, tribal cultural, historical or research pur-
16 poses.

17 **“(12) The State Court Administrator shall implement curriculum
18 and training opportunities for county circuit court, tax court, Court
19 of Appeals and Supreme Court judges to meet the minimum continu-
20 ing education requirements established by the Chief Justice under ORS
21 1.002 (1)(k).**

22 **“SECTION 3. No later than September 15, 2027, the State Court
23 Administrator shall submit a report in the manner provided in ORS
24 192.245 to the interim committees of the Legislative Assembly related
25 to the judiciary regarding judicial compliance with the minimum con-
26 tinuing education requirements established by the Chief Justice of the
27 Supreme Court under section 1 of this 2025 Act, and the
28 administrator’s implementation of the curriculum and training.**

29 **“SECTION 4. Section 3 of this 2025 Act is repealed on January 2,
30 2028.”.**

