

**Testimony before the House Judiciary Committee
in support of House Bill 2463
On behalf of the Oregon State Bar
February 4, 2025**

Chair Kropf, Vice Chair Wallan, Vice Chair Chotzen and Members of the Committee:

For the record my name is Emily Templeton. And I am here on behalf of the Consumer Law Section of the bar.

The Oregon State Bar (OSB) is a public corporation and an instrumentality of the court with over 15,000 active members. The OSB serves the public interest by: regulating the legal profession and improving the quality of legal services; supporting the judiciary and improving the administration of justice; and advancing a fair, inclusive and accessible justice system. This bill is put forth as part of the bar's Law Improvement Program, through which Practice Sections of the bar may initiate legislative effort to improve and clarify law.

House Bill 2463

ORS 46.455 provides that when a defendant receives a notice of a small claim, the person has the right to demand a hearing in small claims court. If the claim has a value of over \$750, then the defendant has a right to instead demand a jury trial. In some cases, however, it may not be clear to the defendant what is included in that \$750 calculation.

HB 2463 would update the statute to clarify that prejudgment or preaward interest, fees and other costs are included in that \$750 calculation. This bill makes this change both for claims brought in circuit court and in justice court.

This clarification is consistent with how the statute has traditionally been interpreted by Oregon courts, but will make the language clearer for individual defendants who are often making decisions without the assistance of an attorney.

Thank you for your consideration of House Bill 2463. I am happy to answer any questions.