

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE FIFTEENTH JUDICIAL DISTRICT

FILED

2012 MAR 29 PM 2: 38

In The Matter of Establishing a  
Violations Bureau

)  
)  
)  
)  
)

COOS COUNTY COURT  
General Order, OREGON  
12-01  
Amended

Pursuant to the provisions of ORS 153.800 and Chief Justice Order Number 12-022, and the Court finding for the efficient disposition of court business and for the convenience of persons so charged with traffic, boating, wildlife and commercial fishing, and parks and recreation violations:

**IT IS HEREBY ORDERED:**

I. There is established the Coos-Curry Courts Violations Bureau and the court designates the Trial Court Administrator (TCA) as Violations Clerk for all operational functions of said bureau. The Trial Court Administrator shall serve under the direction and control of this court as the appointing power.

II. Violations will be disposed of per Chief Justice Order (CJO) Number 12-022, if the offense is one described by ORS 153.008 or designated as a violation by City or County ordinance relating to traffic, boating, wildlife, commercial fishing and parks and recreation violations through the violations bureau.

III. Defendants must personally appear before the judge on any city (municipal), county, Oregon Administrative Rule (OAR) violation, Minor in Possession (MIP), unclassified violation, major traffic offense (misdemeanor) and felony.

IV. Persons charged with violations who qualify for disposition through the violations bureau and who report in person for arraignment are given options by the violations clerk as follows:

- A. Plead not guilty - The defendant will give the clerk a complete and current address and sign the back of summons or a Not Guilty Plea form. The clerk will set the trial and deliver to the defendant a trial notice setting forth the time and date of the trial.
- B. Plead no contest - Sign the back of the summons or No Contest form, clerk to assess fine per CJO #12-022.

V. If defendant posts the presumptive fine amount without a written plea of no contest the violations clerk will impose the specified fines per the attached Schedule of Fines 2012.

VI. If, after seeing the violations clerk, the defendant disagrees with the fine, he or she would then be given the option of:

- A. Entering his or her plea of no contest or comply with Section IV A of this order and have the matter set for trial, or
- B. Request and be granted the opportunity to see a Judge in order to have the Judge set the fine or penalty.

**VII.** The violations clerk may allow continuances for appearance by a defendant appearing personally before the violations bureau not to exceed two (2) weeks; the TCA or the chief deputy violations clerk may allow a second two (2) week continuance; and

The violations clerk shall, whenever possible, obtain immediate payment of the fine; however the violations clerk may inform defendants to pay the amount in full within thirty (30) days or the amount will be referred to collections for payment action.

**VIII.** Upon failure to appear for arraignment, or for a scheduled trial, the violations clerk shall enter a finding of no contest on the citation and impose sentence of the fine equal to two times (or double) the amount of the presumptive fine for the class of the offense and sanction the defendant's drivers license under ORS 809.220.

For example:

Class A Violation – Presumptive Fine \$435 + \$435 Total: \$870

Class B Violation – Presumptive Fine \$260 + \$260 Total: \$520

Class C Violation – Presumptive Fine \$160 + \$160 Total: \$320

Class D Violation – Presumptive Fine \$110 + \$110 Total: \$220

Upon failure to comply with any payment arrangement the violations clerk shall in the regular course notify the department of motor vehicles of the failure to comply, pursuant to ORS 809.210

**IX.** The defendant's no contest plea shall be noted on the back of the complaint by date received.

**X.** The violations clerk is authorized to disclose the Schedule of Fines 2012 by telephone and continue a case up to two (2) weeks, upon request, for anyone making a specific inquiry with respect to the policy of the court relating to the Violations Bureau.

Upon request for reduction in the amount of the fine, the violations clerk may quote CJO #12-022 Fine Schedule for Violations over the telephone to defendants who wish to plead no contest.

The violations clerk may impose the disposition specified in the attached Schedule of Fines 2012 upon defendants who plead no contest by mail with or without a written explanation.

Pursuant to ORS 153.800, the violations clerk may accept a Not Guilty plea in person or in writing from defendant. Upon request defendant may have a trial by affidavit in lieu of a court trial.

**XI.** The Trial Court Administrator, as violations clerk, may designate any member of court operations staff as deputy violations clerk in order to carry out the purpose of this order. The Trial Court Administrator will designate at least one chief deputy violation clerk.

**XII.** Nothing in this order shall prevent a person from mailing the signed waiver of trial and no contest plea upon being quoted the fine by the clerk, who shall then enter the plea and apply the receipted funds to the fine.

Nothing in this order shall prevent any person, upon request, from appearing before the court to explain the facts and circumstances of the citation.

**XIII.** The violations clerk may dismiss the following citations when presented with appropriate proof:

- Driving While Suspended (Violation, ORS 811.175), dismiss with proof of valid license at time citation was issued or a Hardship Permit if valid at time of citation if person was driving within its restrictions.
- Driving Uninsured (ORS 806.012), dismiss with proof of insurance at time citation was issued. Proof must cover vehicle listed on citation.
- Failure to Carry Proof of Financial Responsibility (ORS 806.020), dismiss when proof of valid insurance at time citation was issued.

The violations clerk may accept a plea of no contest from a defendant after advising the defendant that such a plea will result in a finding of no contest and imposition of the fine specified in the attached Schedule of Fines 2012.

The Trial Court Administrator shall draft procedures to carry out the purpose of this order.

This order amends General Order #12-01, which was dated January 3, 2012, and established the Violations Bureau effective January 1, 2012.

Effective the 1<sup>st</sup> day of January, 2012.

Dated this 29<sup>th</sup> day of March, 2012.



---

Richard L. Barron  
Presiding Judge