CHAPTER 15—Small Claims

15.010 SMALL CLAIMS FORMS

(1) The following small claims documents shall be accepted, when the proper fee is tendered, by all judicial districts that accept small claims filings:

(a) Small Claim and Notice of Small Claim substantially in the form specified in Form 15.010.1a in the UTCR Appendix of Forms, to commence a small claims action pursuant to ORS 46.425 and 46.445 or 30.642 – 30.650. In an action by an inmate, the inmate must include the inmate's identification number in the caption.

(b) Motion for Default Judgment and Defendant Status Declaration substantially in the form specified in Form 15.010.1b in the UTCR Appendix of Forms, to request a default judgment pursuant to ORS 46.475(2).

(c) Declaration of Noncompliance and Request for Judgment substantially in the form specified in Form 15.010.1c in the UTCR Appendix of Forms, to request a judgment for failure to comply with a Small Claims Agreement.

(d) Small Claims Judgment and Money Award substantially in the form specified in Form 15.010.1d in the UTCR Appendix of Forms as a form for use to enter judgment in a small claims action under ORS 46.475(2), 46.485, and 46.488.

(e) Defendant's Response substantially in the form specified in Form 15.010.1e in the UTCR Appendix of Forms as a form for use to respond to a claim and notice of claim in a small claims action pursuant to ORS 46.455.

(f) Small Claims Agreement substantially in the form specified in Form 15.010.1f in the UTCR Appendix of Forms as a form for use when the parties agree to resolve a small claims action.

(2) Forms in these formats may be made mandatory by SLR. SLR 15.011 is reserved for making such formats mandatory in the judicial district.

15.020 DISMISSAL OF SMALL CLAIMS FOR WANT OF PROSECUTION

(1) After service is made, the serving party must forthwith file the return or acceptance of service with the trial court administrator.

(2) If no return or acceptance of service is filed by the 63rd day after the filing of the complaint, the court may dismiss the case for want of prosecution.

(3) If proof of service is filed and any defendant does not appear by the 35th day after the proof of service is filed, the court may dismiss the complaint against each nonappearing defendant for want of prosecution unless the plaintiff has applied for a default judgment.