

# Time to Disposition Standards for Oregon Circuit Courts

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2018



## Document Purpose

These standards play an important role in measuring access to timely justice through the circuit courts. They provide judges and court staff – and attorneys and litigants – reasonable and attainable goals for resolving different kinds of cases. They also allow the courts to work towards consistency across the different courts and to measure progress towards improved access to justice.

## Revision History

Revision	Date	Author	Comments
1.0	10/09/2019	Court Reengineering & Efficiencies Workgroup	Adopted by Chief Justice Martha Walters

### For additional information contact:

Oregon Judicial Department  
Executive Services Division  
1163 State St  
Salem, OR 97301-2563  
503-986-5500  
[www.courts.oregon.gov](http://www.courts.oregon.gov)

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## Background

On June 14, 2017 Chief Justice Balmer charged the Court Reengineering and Efficiencies Workgroup (CREW) to formally review the Oregon Judicial Conference Standards for Timely Disposition (Standards) (See Appendix A). The Chief Justice formed an Ad-Hoc Workgroup (Workgroup) to take on the initial review of these Standards.

## Guiding Principles

The Chief provided the Workgroup with the following guiding principles:

- Oregon's time standards should be both realistic and aspirational.
- The Workgroup should focus on the National Center for State Courts (NCSC) Model Time Standards (Model Standards) as a model for Oregon.
- Oregon's existing time standards should act as the beginning point for further conversation.
- Oregon's time standards should depart from the Model Standards only when there is a particular and articulated reason for the departure.
- Time standards should not be modified simply to achieve better statistical results.

The Time to Disposition Workgroup was made up of judges and trial court administrators from eight (8) Judicial Districts.

The Workgroup met three times over the course of several months: September 28, 2017, December 7, 2017, and February 6, 2018. The Workgroup reviewed Oregon's existing standards, the NCSC Model Standards, time standards from other states, recent data from Oregon circuit courts, and relevant statutes and rules pertaining to the timely disposition of cases in Oregon. The Workgroup discussed updating the existing time to disposition standards and creating standards for case types that, at this time, do not have time to disposition standards. The Workgroup recommended updating the existing standards and creating new time standards.

This document provides the new and updated time standards as recommended by the Workgroup as well as the reasons for the recommended changes and additions. Chief Justice Martha Walters adopted the new Standards October 9, 2018 as announced at the annual Judicial Conference.

## Existing Standards

The current Oregon Judicial Conference Standards for Timely Disposition (See Appendix A), were adopted in 1990. Since 1990, both locally and nationally, courts have gone through radical changes in docket management and case processing. Technological advancements have dramatically changed how courts process filings, schedule hearings, and track cases. This is

especially the case with the advent of electronic filing, sophisticated case and document management systems, and automated workflow. Oregon’s current time standards are:

<b>General Civil</b>	90% within 12 months
	98% within 18 months
	100% within 24 months
<b>Domestic Relations</b>	90% within 9 Months
	100% within 1 year
<b>Summary Civil</b>	100% within 75 days
<b>Criminal: Felony</b>	90% within 120 days
	98% within 180 days
	100% within 1 year
<b>Criminal: Misdemeanor</b>	90% within 90 days
	98% within 180 days
	100% within 1 year
<b>Persons in Pretrial Custody (Determination)</b>	within 36 hours of arrest

## The Model Time Standards

The Model Standards were created in an effort to unify the disparate national time standards to the greatest degree possible. They create a framework for state judicial branches to use when reviewing their own time to disposition standards.

The Model Standards were adopted in August 2011 by the Conference of Chief Justices, the Conference of State Court Administrators, the American Bar Association House of Delegates, and the National Association of Court Management. The Model Standards can be accessed online at: <http://www.ncsc.org/Services-and-Experts/Technology-tools/~media/Files/PDF/CourtMD/Model-Time-Standards-for-State-Trial-Courts.ashx>

Oregon used the Model Standards as a baseline in considering new and reviewing existing time to disposition standards.

## Foundational Changes

The Workgroup recommended the following foundational changes to how times to disposition standards are measured in Oregon:

- 1) All time to disposition standards should be measured in DAYS.

Oregon's existing standards use a combination of days, months, and years which is an inconsistent way of measuring time to disposition. These inconsistent time measurements can be confusing. Adopting a single measurement for Oregon's time to disposition standards will result in a more clear vision of how Oregon measures time to disposition; it is also consistent with how the Model Standards measure time to disposition.

- 2) Oregon should adopt the Model Time Standard tier approach for most time standards: 75%, 90%, and 98%.

Oregon currently measures time to disposition standards based on a 90%, 98%, and 100% tiered approach. The Workgroup views the Model Standard's approach as more realistic. The Workgroup discussed why a 98% standard would be easier to explain to stakeholders than a 100% standard that is never met. The 2% of cases that are not accounted for by the standard are more complex and take more time to be disposed. The Model Standards Committee explained:

A 98 percent level is used rather than 100 percent in recognition that there will be a very small number of cases that will require more time to resolve, e.g., capital murder cases and highly complex, multi-party civil cases that require a trial. Even these cases, however, should be monitored closely to ensure that they proceed to disposition without unnecessary delay.<sup>1</sup>

The Workgroup took the 98% standard into account when making recommendations. The Workgroup chose not to separate complex civil cases from other civil cases in the general civil time standards and measure 11 crimes from other felonies in the felony time standards because those cases are accounted for in the 2% of cases that need more time.

## Changes to Existing Standards

### *Criminal*

The Workgroup recommended adopting the Model Standards for both Felony and Misdemeanor cases. The Model Standards are as follows:

#### Felony

1. 75% within 90 days
2. 90% within 180 days
3. 98% within 365 days

#### Misdemeanor

1. 75% within 60 days
2. 90% within 90 days

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<sup>1</sup> Model Time Standards for State Trial Courts pg 4.

3. 98% within 180 days

The Workgroup discussed combining Felony and Misdemeanors into a single standard to account for diminishing differences in time to disposition between the two categories. The Workgroup also discussed whether the distinction between felonies and misdemeanors makes sense since many possessions of controlled substances charges have been reduced from felonies to misdemeanors. The worry is that, due to the amount of time it takes for attorneys to get lab results, the courts may not be able to meet the misdemeanor time standards for those cases. With the new grand jury process there may also be a shift toward more preliminary hearings, which could result in quicker time to disposition numbers for felony cases.

The Workgroup ultimately decided against combining felonies and misdemeanors for time to disposition purposes. The Workgroup explained that the legislature still distinguishes between the two for funding and supervision purposes. Also, some courts treat misdemeanor cases differently than felony cases for docketing purposes. One reason for keeping separate standards is to allow OJD to have a discussion with the legislature about resources and why misdemeanors are taking longer than anticipated.

The Workgroup also discussed what to do when cases have both felony and misdemeanor charges. The Workgroup believes that the most serious charge should dictate which time to disposition category the case falls into.

The Workgroup recommended that OJD review Criminal time to disposition standards again in a few years to reexamine the differences in time to disposition between misdemeanor and felony cases and whether it still makes sense to continue making the distinction between the case types for time to disposition purposes.

### *General Civil*

The Workgroup recommended adopting the Model Standards for General Civil cases. The Model Standards are as follows:

1. 75% within 180 days
2. 90% within 365 days
3. 98% within 540 days (approximately 18 months)

The Workgroup found the Model Standards for Civil Cases to be reasonable goals for the courts. The Workgroup discussed the feasibility, advantages, and disadvantages of adopting a separate standard for complex civil cases. After a thorough discussion, the Workgroup recommended against adopting separate standards due to 1) the difficulty of defining a complex case, 2) the complexity of gathering accurate statistics for complex civil cases, and 3) the Model Standards take into account that there are complex cases that take more time by using a 98% standard.

## *Summary Civil*

The Model Standards and Oregon's existing standards have a Summary Civil category, which includes Residential Evictions (FEDs) and Small Claims cases. The Workgroup discussed the differences between eviction cases and small claims cases. While both case types should be resolved faster than General Civil cases, the statutes and Uniform Trial Court Rules (UTCRRs) that govern the two case types have different time requirements.

The Workgroup recommended dividing Summary Civil into two categories: Residential Evictions (FEDs) and Small Claims, each with their own time standards which are as follows:

### Small Claims:

1. 75% within 90 days
2. 90% within 120 days
3. 98% within 180 days

The Workgroup discussed adopting the Model Standards for Summary Civil for Small Claims cases, which have 75% of cases disposed of within 60 days but determined that the Model Standards would not be realistic. If the plaintiff has not filed acceptance or return of service with the court within 63 days of filing the complaint the court may dismiss the case for want of prosecution. In addition, if the defendant has been served and has not appeared by the 35th day after the proof of service is filed, the court may dismiss the case against the defendant for want of prosecution unless the plaintiff has applied for a default judgment.<sup>2</sup>

The Workgroup also discussed merging Small Claims cases with General Civil cases, but decided against that because these cases should be resolved more quickly due to UTCRR 15.020. The Workgroup decided that 75% of these cases should be disposed of within 90 days due to default judgments and settlements. The remaining cases would be set for trial. Many jurisdictions also require mediation, which is why the 98% standard is 180 days.

### Residential Evictions (FEDs):

1. 75% within 30 days
2. 90% within 60 days
3. 98% within 90 days

The Workgroup took into account the statutory time requirements for evictions when creating these standards. The Workgroup decided on 30 days as the 75% standard because the first appearance date is scheduled 7-14 days after filing and the trial must be set within 15 days of the first appearance.<sup>3</sup> The Workgroup recommended the 60-day and 90-day standards to account for any continuances requested by the parties.

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<sup>2</sup> See UTCRR 15.020.

<sup>3</sup> ORS 105.135(2) and ORS 105.137(6).



## ***Domestic Relations***

The Workgroup recommended adopting the Model Standards for Domestic Relations cases. The Model Standards are as follows:

1. 75% within 120 days
2. 90% within 180 days
3. 98% within 365 days

The Workgroup decided that the Model Standards for Domestic Relations cases were both aspirational and realistic. One concern was whether 365 days would be enough time if the parties needed time to work on an agreement, or may be reconciling, but the Workgroup decided that those would be the 2% of cases that are outside of the time to disposition standards.

## **New Time Standards**

The Model Standards have time to disposition standards for 15 different case types across five (5) categories. The Workgroup reviewed all Model Standards to determine whether Oregon should adopt new time to disposition standards for case types currently without a standard. After reviewing these standards, other state court standards, Oregon statutes and rules, and current data, the Workgroup recommended Oregon adopt standards for the following case types:

- Post-Conviction Relief
- Violations
- Post-Judgment Family
- Administration of Estates
- Adult Protective Proceedings
- Juvenile Dependency
- Juvenile Delinquency

The Workgroup's recommendations are outlined below.

## ***Post-Conviction Relief***

The Workgroup recommended the following standards for Post-Conviction Relief (PCR) cases:

1. 75% within 540 days (18 months)
2. 98% within 720 days (24 months)

The Workgroup recommended adopting a standard that is different from the Model Standards. The Model Standards recommend 98% of Post-Conviction hearings be disposed of within 180

days. This is not realistic in Oregon for many reasons. Currently the State as a whole only disposes of 88% of these cases within 720 days.

Under Oregon law, if the petitioner is imprisoned, the petitioner must file the PCR petition in the county where that person is held.<sup>4</sup> This has resulted in more than two-thirds of PCRs being filed in three counties: Malheur, Marion, and Umatilla. It is also worth noting that the PCR bar is small, so there are very limited resources to devote to these cases.

PCR petitions are initially filed pro se, and petitioners have a right to an attorney. It takes time for the petitioners to get an attorney and for that attorney to amend the petition, which creates an initial delay. The discovery and investigation process also takes time. Petitioner's counsel investigates everything the petitioner wants them to because by their nature these cases result in a higher number of bar complaints. In addition, the Attorney General's Office does not typically object to petitioner's counsel's requests for set-overs because the petitioner is in custody.

### *Violations*

The Workgroup recommended adopting the Model Standards for Violations cases. The Model Standards are as follows:

1. 75% within 30 days
2. 90% within 60 days
3. 98% within 90 days

The Workgroup agreed that generally courts should be meeting the Model Standards. However, the Workgroup had an in-depth conversation about how to treat photo enforcement cases in Multnomah County. There are a significant number of these cases and they have longer than normal case processing times due to how the cases are processed on the law enforcement side, with initial appearances set three to four months after filing to allow people time to take a class that may result in the case being dismissed. About 60% of the traffic violations are filed in Multnomah County which results about 100,000 citations per year. The Workgroup anticipates that the Multnomah county photo enforcement cases will have a significant impact on OJD's time to disposition statistics. The Executive Services Division (ESD) will look into whether it is possible to pull Multnomah County's photo enforcement violations out of the Violations time to disposition report.

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<sup>4</sup> ORS 138.560(1).

### *Post-Judgment Family*

The Workgroup recommended adopting the Model Standards for Post-Judgment Family actions:

1. 98% within 180 days

The Workgroup recommended tracking post-judgment modifications because courts devote a significant amount of resources to these filings. Although it is technically not a new case, the Workgroup thought it would be good for OJD to be able to demonstrate to the legislature that these filings can be as labor intensive as new cases.

Currently OJD is not able to measure time to disposition for modification cases. The Workgroup is aware that there is a significant amount of work that will need to be done before OJD can properly capture the time it takes to process a post-judgment motion in a family case. If this recommendation is adopted, Juvenile and Family Court Programs Division (JFCPD) and State Family Law Advisory Committee (SFLAC) will work to create business processes to capture this data and create a report to pull the data. In addition, JFCPD will report back to the workgroup in one year to see what progress has been made and, pending available data, whether courts are meeting this standard.

In addition to the recommendation above, the Workgroup also recommended that courts keep domestic relations cases closed in Odyssey when modifications are filed. When a court reopens a case in Odyssey the time to disposition clock continues to count from the date when the case was originally closed. If courts reopen cases when a post-judgment modification is filed, then the time to disposition numbers for the initial petition in those cases will be inaccurate.

### *Administration of Estates*

The Workgroup recommended adopting the Model Standards for Administration of Estates actions:

1. 75% within 360 days
2. 90% within 540 days (approximately 18 months)
3. 98% within 720 days (approximately 24 months)

The Workgroup understands that these standards do not look aspirational, but there are several obstacles that prevent courts from closing these cases earlier. Oregon law does not require a final accounting to be filed within a specific period of time; instead it requires an annual accounting to be filed within 60 days after the anniversary date of the personal representative's appointment.<sup>5</sup> This means courts must rely on attorneys and personal

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<sup>5</sup> ORS 116.083(1).

representatives to move the case along. If a case is languishing, the court's best mechanism to keep the parties accountable is to summons the personal representative to court to explain for why the case is not yet closed.

The Workgroup brought up many reasons why these cases take time, including:

- Family infighting
- Illiquid assets (such as real estate)
- Taxes on assets that are still producing income
- Ongoing litigation (such as a wrongful death suit or foreclosure)

The Workgroup decided that the Model Standards could be another mechanism the courts could use to monitor these cases and encourage attorneys to conclude these cases in a timely manner.

### ***Adult Protective Proceedings (Guardianship and Conservatorship petitions)***

The Workgroup recommended adopting the Model Standard for Adult Protective Proceedings:

1. 98% within 90 days

This standard measures the time from when the petition is filed until the guardian or conservator is appointed, which is different than how time to disposition is typically tracked. However, it makes sense to measure the time to appointment of a guardian or conservator because appointments should be finalized quickly. In addition, these cases by their very nature may be open for a long period of time, so there is no rush to disposition. The Workgroup recommended continuing to keep these cases open in Odyssey even after a guardian or conservator is appointed because they should continue to be a part of the court's active caseload.

### ***Juvenile Dependency – Jurisdictional Petitions***

The Workgroup recommended the following standards for Juvenile Dependency Petitions:

1. 75% with a jurisdiction or dismissal judgment or judgments entered regarding all parents on the case within 60 days
2. 98% with a jurisdiction or dismissal judgment or judgments entered regarding all parents on the case within 90 days (similar to the Model Standard)

The Workgroup's recommendations differ slightly from the Model Standards in that the Model Standards only have a 98% time standard, and that the Workgroup recommended using the Juvenile Court Improvement Program's (JCIP) existing *Time to Jurisdiction on Both Parents* report, which measures the time until entry of judgments regarding all parents on the case

instead of the time to the adjudicatory hearing. Oregon law requires the court to hold a hearing on the petition within 60 days of filing,<sup>6</sup> the Workgroup felt it was necessary to include a 60-day time standard as well, and appropriate to measure the timeliness of the judgment rather than the hearing.

The Workgroup debated whether or not to deviate from the 60-day statutory requirement because the courts are unable to consistently meet the 60-day standard. The statistics the Juvenile Court Improvement Program (JCIP) provided indicated that courts meet the 60-day standard 43% of the time. JCIP took a look at the issue and concluded that part of the reason why the 60-day standard was not being met is the frequency with which one parent is unknown at the time of the initial filing of the petition.

The Workgroup discussed that, in some instances, courts may not be meeting the 60-day standard because courts are finding good cause to continue the hearing beyond 60 days when an attorney has a scheduling conflict or there isn't sufficient time on the court's docket. The Workgroup agreed that part of the reason courts are not able to hold hearings within 60 days is due to lack of resources. Including the 60-day standard in Oregon's time to disposition standards will give OJD something to show the legislature to demonstrate the need for more resources for these cases.

### *Permanency Hearings*

The Workgroup recommended the following standards for time from filing of the initial petition to the first Permanency Hearing:

1. 98% within 425 days (14 months) of filing

The Model Standards call for a permanency hearing within 360 days of removal, but Oregon law requires a permanency hearing within one year of jurisdiction or 14 months of removal, whichever comes first.<sup>7</sup> The Workgroup thought that 425 days from when the case was filed, which is roughly 14 months, would be both realistic and aspirational since the courts are not consistently meeting the 60-day standard. In addition, the Workgroup decided to recommend that OJD measure from date of filing since OJD does not have the ability to measure from the time of removal.

The Workgroup recommended that this standard be measured using JCIP's existing *Time to First Permanency Hearing, Looking Back* report.

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<sup>6</sup> ORS 419B.305(1).

<sup>7</sup> ORS 419B.470(2).

### ***Termination of Parental Rights Petitions***

The Workgroup recommended adopting the following standards for TPR petitions:

1. 98% within 270 days of filing

The Model Standards are 90% within 120 days of filing of the termination petition and 98% within 180 days of filing a termination petition. Oregon law requires TPR petitions to be adjudicated within 180 days of service,<sup>8</sup> and OJD does not have the ability to measure time from service to disposition. The JCIP Advisory Committee cited frequent problems with serving TPR petitions as a reason for delay. The 270 day standard would give the Attorney General's office 90 days to serve the parents and 180 days to litigate the petition.

The Workgroup recommended that this standard be measured by modifying JCIP's existing *Time to TPR* report.

### ***Juvenile Delinquency***

The Workgroup recommended adopting the following standards for Delinquency cases:

1. 75% within 90 days
2. 90% within 150 days
3. 98% within 180 days

The Workgroup is recommending standards that are different than the Model Standards. The Model Standards have separate time standards for youth in detention and youth not in detention. OJD does not have the ability to distinguish cases based on whether the youth is or is not in detention. If Oregon adopted the Model Standards there would be no way of assessing whether or not OJD was meeting the standards. In addition, Oregon law states how long a youth may remain in detention. A youth may be held in detention for a maximum of 28 days. If the court finds good cause, detention may be continued for no more than an additional 28 days unless the adjudication is continued with the express consent of the youth and the court continues to hold 10-day reviews.<sup>9</sup>

The Workgroup also considered whether to make juvenile delinquency time standards the same as the adult criminal time standards. As a part of that discussion the Workgroup debated whether it made sense for OJD to separate misdemeanor and felony charges for the purpose of measuring time to disposition, which is how adult criminal cases are measured. After looking at statistics from July 2016 to July 2017, which indicated a less than 5% difference between misdemeanor and felony time to disposition for juveniles across several time measurements,

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<sup>8</sup> ORS 419B.521(2).

<sup>9</sup> ORS 419C.150.

the Workgroup decided that the difference between time to disposition for misdemeanor and felony delinquency cases was not large enough to justify having separate time standards. In addition, the most serious offenses will be charged as adult offenses, which may be why the misdemeanor and felony statistics are similar. The Workgroup ultimately decided to recommend that delinquency cases have their own time to disposition standards that combine misdemeanor and felony cases.

## **Areas without Standards**

### ***Civil Commitments***

The Workgroup decided not to recommend time standards for Civil Commitment cases because Civil Commitments already have strict statutory time standards that result in these cases being disposed of quickly.<sup>10</sup>

### ***Treatment Courts***

The Workgroup decided not to recommend a standard for treatment courts because treatment courts are not uniform throughout the State. Treatment courts follow best practices that change frequently and are created outside of the purview of the courts. In addition, there are different best practices for different types of treatment courts. Also, courts that try to closely follow the best practices tend to have less control over their treatment court docket than they do for their traditional dockets.

The Workgroup recommended creating a way to stop the aging clock in Odyssey so that the time people spend in treatment court does not count toward time to disposition. Participants are in treatment court for a lengthy period of time, usually a year or more. Having the time standard clock continue to run during this period of time would affect time to disposition numbers for courts when these cases by their very nature are supposed to take more time.

### ***Protective Orders***

The Workgroup decided not to recommend a time standard for Protective Orders because the cases are opened in Odyssey when the petition is filed and closed in Odyssey when the court makes an initial decision on the petition, which is typically on the same day. The Workgroup decided that there isn't much value in measuring the short period of time that these cases are open.

These cases are not reopened if the Respondent files an objection. The Workgroup debated what the standard would be if courts decided to reopen the case when a response was filed.

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<sup>10</sup> ORS 426.074 and ORS 426.095.

There are many cases where the Respondent is not served or does not file an objection, where the time to disposition would be quick. However, when a Respondent files an objection the case may take much longer to reach a resolution. The Workgroup ultimately decided that it would not make sense to try to measure time to disposition in these cases.

### ***Post-Judgment Criminal (Probation Violations)***

The Workgroup decided that more discussion is needed before a standard can be adopted for Probation Violations. OJD does not have a way of measuring time to disposition for probation violations. New business processes and codes would need to be created to capture this data. The Workgroup recommended that ESD work on creating business processes to capture this data and report back to the Workgroup in one year.

The Workgroup recommended that courts keep criminal cases closed when probation violation reports are filed with the court. When a court reopens a case in Odyssey the time to disposition clock continues to count from the date when the judgment was entered, which is when the case was originally closed. If courts reopen cases when a probation violation report is filed, then the time to disposition numbers for the initial complaint or indictment will be inaccurate.



## Adopted Time to Disposition Standards

CASE CATEGORY	CASE TYPE	STANDARD
CRIMINAL	Felony	75% within 90 days
		90% within 180 days
		98% within 365 days
	Misdemeanor	75% within 60 days
		90% within 90 days
		98% within 180 days
	Violations	75% within 30 days
		90% within 60 days
		98% within 90 days
	Post-Conviction Relief	75% within 540 days
		98% within 720 days
	CIVIL	General Civil
90% within 365 days		
98% within 540 days		
Small Claims		75% within 90 days
		90% within 120 days
		98% within 180 days
Residential Landlord/Tenant		75% within 30 days
		90% within 60 days
		98% within 90 days
FAMILY	Divorce / Separation / Unmarried Parents	75% within 120 days
		90% within 180 days
		98% within 365 days
	Post-Judgment Motions	98% within 180 days
PROBATE	Administration of Estates	75% within 360 days
		90% within 540 days
JUVENILE	Dependency – Adjudication	75% within 60 days
		98% within 90 days
	Dependency – First Permanency Hearing	98% within 425 days
	Termination of Parental Rights	98% within 270 days
	Delinquency	75% within 90 days
		90% within 150 days
98% within 180 days		

## APPENDIX A

### **1990 – OREGON JUDICIAL CONFERENCE STANDARDS FOR TIMELY DISPOSITION**

The circuit court manages pre-judgment actions to meet the Standards for Timely Disposition adopted by the Oregon Judicial Conference. The Oregon Judicial Conference is a plenary body of all state judges. The standards adopted by the Judicial Conference apply to all circuit courts and have been in effect since 1990. When requesting a postponement of any proceeding, bear in mind that the court's obligation is to meet these standards. To do so, it monitors constantly the age of pending cases, and parties should be able to rely on these time lines for the disposition of filed actions.

General Civil- 90 percent of all civil cases should be settled, tried or otherwise concluded within 12 months of the date of case filing, 98 percent within 18 months of such filing, and the remainder within 24 months of such filing, except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.

Domestic Relations- 90 percent of all domestic relations matters should be settled, tried or otherwise concluded within 9 months of the date of case filing, and 100 percent within one year, except for exceptional cases in which continuing review should occur.

Summary Civil-Proceedings using summary hearing procedures, as in small claims, landlord-tenant and replevin actions, should be concluded within 75 days after filing.

Criminal: Felony-90 percent of all felony cases should be adjudicated or otherwise concluded within 120 days from the date of arraignment, 98 percent within 180 days, and 100 percent within one year, except for exceptional cases in which continuing review should occur.

Criminal: Misdemeanor-90 percent of all misdemeanors, infractions and other non-felony cases should be adjudicated or otherwise concluded within 90 days from the date of arraignment, 98 percent within 180 days, and 100 percent within one year, except for exceptional cases in which continuing review should occur.

Persons in Pretrial Custody- Persons detained should have a determination of custodial status or bail set within 36 hours of arrest. Persons incarcerated before trial should be afforded priority for trial.