

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

FILED
FEB 23 2024
Coos Co.
Circuit Court

In the Matter of Security Funds

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General Order

No. 24-01

This matter having come before the Court on its own motion;

It appearing to the court that from time-to-time money is posted by persons arrested or other persons on behalf of persons arrested and released under a security release agreement; now, therefore:

IT IS HEREBY ORDERED:

- I. If a defendant appears at the date and time for arraignment and charges are not filed with the court, the money deposited with the court shall be applied pursuant to this order.
- II. If no charges are filed, or if filed, dismissed before judgment, the security money deposited, after deduction for statutory assessment, shall be applied to other financial obligations owed to the court by the defendant.
- III. After assessing the statutory assessment, and financial obligations imposed, if any, on charges filed as provided for in ORS 135.265(2), if money from the security deposit remains, it shall be applied in the following manner:
 - a. If charges are filed and a judgment is entered on any charge on which security was deposited, the security money deposited, after deduction for the statutory assessment, shall be applied to financial obligations imposed by the court on the charges on which security was deposited and/or applied on other financial obligations owed the court by the defendant.
 - b. If a judgment is entered or a security forfeiture ordered, and if the defendant owes child support and monies remain from the security deposit after deduction for the statutory assessment and financial obligations owed by the defendant to the court, the remaining money shall be applied to money owed for child support.
 - i. The trial court administrator shall notify the appropriate support enforcement agency at the time of receipting security deposited with the court.
 - ii. The support enforcement agency shall submit to the court a motion and order to hold the security deposit and an order to release security prior to disposition of the case.

- iii. If the defendant fails to appear and the security is ordered to be forfeited, the support enforcement agency shall within 60 days submit a motion and order to apply security to unpaid support judgment.
- iv. Remaining security posted shall be applied to a child support judgment and the court shall sign an order applying the remaining security deposit to the child support owed.

c. If the security was deposited under ORS 135.265(3), the amount of the remaining security deposit applied to child support owed by the defendant shall not exceed 66% of the remaining amount of the security deposit; but in cases where the security was deposited under ORS 135.265(2), the full amount of security deposit remaining shall be applied to child support owed by the defendant.

IV. After applying the security deposit to the aforementioned obligations, any amount that remains shall be returned to the person posting the security deposit.

IT IS FURTHER ORDERED that General Order 95-04 and General Order 14-15 are vacated.

It is so ordered this 29th day of February 2024.



Martin E. Stone, Presiding Judge
Fifteenth Judicial District