

NOTICE OF PUBLIC MEETING
Uniform Trial Court Rules Committee

Date: Friday, October 15, 2021
Time: 9:00 a.m. to completion of agenda
Place: WebEx Video Conference

Due to COVID-19, this meeting will be conducted by video conference. This meeting is accessible to persons with disabilities. If you wish to request other accommodations, please contact the Office of the State Court Administrator (OSCA) at least 48 hours before the meeting. OSCA can be reached at (503) 986-5500 or at Oregon Relay Service 711.

Items submitted after preparation of this public notice will be placed on a supplemental agenda and distributed at the beginning of the meeting. The agenda for this meeting (subject to change) includes:

A. SUPPLEMENTARY LOCAL RULES

1. Review of SLR, pursuant to UTCR 1.050(2).
2. SLR recommended as proposed UTCR.

B. UNIFORM TRIAL COURT RULES

1. 1.020(6) Amend to allow the UTCR Reporter to correct inaccurate citations in Uniform Trial Court Rules. See related item B.2.
2. 1.050(2) Amend to allow the UTCR Reporter to authorize correction of inaccurate citations in Supplementary Local Rules. See related item B.1.
3. 1.110 Amend to add a definition of “remote means” and “remote proceeding.” See related items B.4 – B.17.
4. 2.010(5) Amend the rule to remove the prohibition on backing sheets in subsection (5). See related items B.3 and B.5 – B.17.
5. 3.010 Amend to clarify application to remote proceedings. See related items B.3 – B.4 and B.6 – B.17.
6. 3.020 Amend to clarify application of the rule to remote proceedings. See related items B.3 – B.5 and B.7 – B.17.
7. 3.040 Amend to clarify application of the rule to remote proceedings. See related items B.3 – B.6 and B.8 – B.17.
8. 3.180 Amend the title and the rule to clarify application of the rule to remote proceedings. See related items B.3 – B.7 and B.9 – B.17.
9. 4.050 Amend to replace references to “telecommunication” with “remote means;” require a party requesting a hearing by remote means to include email addresses for all parties; and clarify that a party is not required to request a hearing by remote means if a Chief Justice

- Order or Presiding Judge Order has the effect of suspending that requirement. See related items B.3 – B.8 and B.10 – B.17.
10. 4.080 Amend to modernize terms referring to modes of communication permitted for SET proceedings. See related items B.3 – B.9 and B.11 – B.17.
 11. 5.050 Amend to replace references to “telecommunication” with “remote means;” require a party requesting a hearing by remote means to include email addresses for all parties; and clarify that a party is not required to request a hearing by remote means if a Chief Justice Order or Presiding Judge Order has the effect of suspending that requirement. See related items B.3 – B.10 and B.12 – B.17.
 12. 6.010 Amend the rule to refer to hearings held by “remote means” instead of “telecommunication.” See related items B.3 – B.11 and B.13 – B.17.
 13. 7.060 Amend the rule to require a person in need of an accommodation to notify the court whether the proceeding will be held in person in the courthouse, or by remote proceeding. See related items B.3 – B.12 and B.14 – B.17.
 14. 7.070 Amend the rule to require a person in need of an interpreter to notify the court whether the proceeding will be held in person in the courthouse, or by remote proceeding. See related items B.3 – B.13 and B.15 – B.17.
 15. 10.070 Amend to remove the distance requirement for requests that a hearing be held by remote means and clarify application of the rule to remote proceedings. See related items B.3 – B.14 and B.16 – B.17.
 16. 21.070 Amend to allow exhibits to be filed or submitted as permitted or directed by Chief Justice Order. See related items B.3 – B.15 and B.17.
 17. 24.070 Amend to clarify that, when used in the rule, “in person” refers to proceedings held at the courthouse. See related items B.3 – B.16.
 18. 1.110 Amend to add definitions of “authenticated signature,” “electronic signature” and “original signature.” See related items B.19 and B.20.
 19. 2.010(6) Amend section (6) to allow conventional filing of a document containing an electronic signature. See related items B.18 and B.20.
 20. 21.090 Amend to clarify the signature requirements of the rule. See related items B.18. and B.19.
 21. 2.100 Remove unnecessary citation to ORS chapter 416. See related items B.22 and B.23.
 22. 2.130 Remove unnecessary citation to ORS chapter 416. See related items B.21 and B.23.
 23. 8.020 Add a citation to ORS chapter 25 and remove unnecessary citation to ORS chapter 416. See related items B.21 and B.22.
 24. 3.030 Amend the rule to require jurors to be addressed by number instead of by last name, in response to 2021 Oregon Laws, chapter 295, (HB 2539 (2021)).

25. 3.190 Repeal the rule to avoid duplication or conflict with 2021 Oregon Laws, chapter 550, (HB 3265 (2021)).
26. 5.050 Amend the rule to give the court discretion to decide any civil motion without oral argument.
27. 7.020 Amend the rule to clarify that failure to serve a defendant will only result in the dismissal of the unserved defendant.
28. 8.090(4) Amend the rule to mirror the wording used in other rules to refer to forms on the OJD Forms website.
29. 21.050(2) Amend the rule to allow an application for waiver or deferral of court fees and costs to be filed electronically. See related item B.30.
30. 21.070(3) Remove documents that initiate an action that are accompanied by an application for waiver or deferral of a required fee from the list of documents that must be conventionally filed. See related item B.29.
31. 21.070(3) Amend the rule to add foreign subpoena documents under UTCR 5.140(1) to the list of documents that must be conventionally filed.
32. 21.070(6) Amend to require documents that are confidential by statute, rule, or court order to be designated as “confidential” in the eFiling system.
33. 21.080 Review section (5) for conflict with ORS 21.100, considering the ruling by the Supreme Court in *Otnes v. PCC Structural, Inc.*, 367 Or 787 (2021).
34. 21.110 Amend the rule to prohibit use of hyperlinks.

C. REVIEW PUBLIC COMMENT ON OUT-OF-CYCLE AMENDMENTS

1. 3.170 Amended the rule to conform to Oregon Laws 2020, chapter 14 (2020 1st Special Session (HB 4214)).
2. 5.130 Amended the rule to remove reference to the commission motion and declaration form. See related items C.3 – C.5.
3. 9.180 Amended the rule to remove reference to the “Depository Certification of Funds on Deposit” form. See related items C.2 and C.4 – C.5.
4. 9.410 Repealed the rule. See related items C.2 – C.3 and C.5.
5. 10.010 Amended the rule to remove reference to the petition for review and the certificate of service forms. See related items C.2 – C.4.

D. OTHER

1. Committee membership update.
2. Schedule spring 2022 meeting.
3. Schedule fall 2022 meeting.

Proposed UTCR changes discussed at this meeting, and a schedule of next year's meetings, will be posted for public comment on the Oregon Judicial Department (OJD) website. At the spring 2022 meeting, the UTCR Committee will consider public comment on these UTCR proposals before making final recommendations to the Chief Justice of the Oregon Supreme Court. Final changes to the UTCR adopted by the Chief Justice will be posted on the OJD website. They will take effect August 1, 2022.

The committee encourages public participation and comment on all proposals before the committee. Please email your comments, questions, information, and agenda items to UTCR@ojd.state.or.us or contact the UTCR Reporter at:

Aja T. Holland, UTCR Reporter

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For more information, please visit the UTCR webpage on the OJD website at:
<https://www.courts.oregon.gov/rules/Pages/default.aspx>.

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09/27/2021