


In the Matter of Out-of-Cycle)	CHIEF JUSTICE ORDER
Adoption of New Uniform Trial Court)	No. 20-040
Rules (UTCRC) 11.130 and 11.140)	
)	ORDER APPROVING OUT-OF-CYCLE
)	ADOPTION OF NEW UNIFORM TRIAL
)	COURT RULES (UTCRC) 11.130 and 11.140
)	

I HEREBY ORDER, pursuant to ORS 1.002 and UTCRC 1.020 that:

1. Good cause has been shown and the time limits established by UTCRC 1.020(2), (3), and (4) are waived for adoption of new UTCRC 11.130 and 11.140.
2. New UTCRC 11.130 and 11.140, as shown in Attachment A to this order, are approved and take effect on January 1, 2021.
3. Pursuant to UTCRC 1.020(5), the UTCRC Reporter shall take the steps necessary to post UTCRC 11.130 and 11.140 for public comment as soon as practicable and place them on the agenda for the March 5, 2021, UTCRC Committee meeting for review of public comment.

Dated this 16th day of October, 2020.



 Martha L. Walters
 Chief Justice

11.130 NEW DEPENDENCY PETITION ALLEGATIONS, WHEN CHILD IS A WARD

- (1) When a child is already a ward of the court under ORS 419B.100 and ORS 419B.328, any new petition containing allegations under ORS 419B.100 must be filed under the ward's existing dependency case number, unless otherwise permitted under ORS 419B.118.
- (2) If there is more than one dependency case number for the ward for the current wardship episode, a petition filed under subsection (1) must be filed under the first case number established for the ward during that wardship episode.
- (3) In addition to the requirements of ORS 419B.809, ORS 419B.863, and ORS 419B.866, a petition filed under an existing wardship must:
 - (a) Include in the document title the sequential number of the petition before the word "PETITION," e.g., "SECOND PETITION;" and
 - (b) Include in the body of the petition:
 - (i) The date of the initial judgment establishing jurisdiction over the ward during the current wardship episode;
 - (ii) The existing bases of jurisdiction and the date each basis was established in a judgment of jurisdiction and whether each allegation was admitted or otherwise proved; and
 - (iii) Any allegation that remains pending from a previous petition and the title of that petition.
 - (c) An allegation filed in an existing wardship petition must be numbered consecutively to allegations listed in the previous petition.
- (4) A copy of any new petition containing allegations under ORS 419B.100 filed during an existing wardship must be served with a summons in accordance with ORS 419B.815.

11.140 DEPENDENCY JUDGMENTS OF JURISDICTION AND DISPOSITION

- (1) A judgment of jurisdiction entered under ORS Chapter 419B must state how each allegation in the petition(s) under consideration is resolved: whether it is admitted, proved, dismissed or pended.
- (2) A judgment of jurisdiction entered under ORS Chapter 419B that is based on a post-jurisdiction dependency petition filed during an existing wardship must include:
 - (a) In the document title, in parentheses, the title of the petition or petitions it is resolving, e.g., JUDGMENT OF JURISDICTION (SECOND PETITION);

- (b) The bases of jurisdiction previously established during the existing wardship that have not been dismissed;
 - (c) The date each basis of jurisdiction was established in a judgment of jurisdiction; and
 - (d) The date of the first judgment establishing jurisdiction over the ward during the current wardship episode.
- (3) A separately entered judgment of disposition that is based on a post-jurisdiction dependency petition filed during an existing wardship must include the title of the petition it is based on in parentheses in the document title.