

**NOTICE SEEKING PUBLIC COMMENT ON
CORRECTED PROPOSED NEW UTCR 11.110**
(Comment Period Closes at 5:00 pm on February 22, 2019)

I. INTRODUCTION AND EXPLANATION

We are seeking comment on proposed UTCR 11.110. Proposed UTCR 11.110 was included in the Request for Public Comment posted in December 2018. However, the original request did not include the complete and correct wording of the proposed rule considered by the committee at the Fall meeting on October 5, 2018. The correct wording of proposed UTCR 11.110 is included below.

II. HOW TO SUBMIT COMMENTS

You can submit written comments by clicking on the button next to the item of interest. You can also submit written comments by email or traditional mail:

utcr@ojd.state.or.us

or

UTCR Reporter
Supreme Court Building
1163 State Street
Salem, Oregon 97301-2563

If you wish to appear at the spring meeting, please contact the UTCR Reporter at utcr@ojd.state.or.us or Bruce C. Miller at 503-986-5500 to schedule a time for your appearance.

Please submit your comments so that we receive them by 5:00 p.m. on February 22, 2019. Comments will be reviewed by the UTCR committee at its next meeting, currently scheduled for March 8, 2019.

III. CORRECTED PROPOSED NEW RULE

The corrected version of proposed new rule UTCR 11.110 includes the following wording which was omitted from section (2)(b) in the Request for Public Comment posted in December 2018: "A party may comply with the requirement in UTCR 21.040(4) that certain information be contained in the document filed by including a cover page that provides the required information with each electronic filing of an exhibit or group of exhibits, if they are filed together."

11.110 SUBMISSION OF EXHIBITS

- (1) The trial court shall establish a process by supplemental local rule or presiding judge order by which exhibits in juvenile cases will be submitted to the court.
- (2) If the trial court requires counsel to submit exhibits through electronic filing under subsection (1), the following requirements apply:

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on This Rule](#)

- (a) The court shall maintain an exhibit log for each hearing or trial listing each exhibit offered and whether or not it was received. The log shall be maintained in the record of the case.
- (b) Each exhibit that is electronically filed must comply with the format requirements of UTCR 21.040. The filer shall provide the party role, hearing or trial date and exhibit number or numbers in the comment field. A party may comply with the requirement in UTCR 21.040(4) that certain information be contained in the document filed by including a cover page that provides the required information with each electronic filing of an exhibit or group of exhibits, if they are filed together.
- (c) Exhibits shall be electronically filed on the day of the hearing or trial or by the end of the next judicial day. If the exhibits are not filed at the time of the hearing, counsel shall be required to sign an acknowledgment that provides counsel agrees to:
 - (i) Retain the exhibits pending submission of the exhibits by electronic filing;
and
 - (ii) Electronically file the exhibits by the end of the next judicial day.