

In the Matter of Establishing Fees)	CHIEF JUSTICE ORDER
Charged and Collected by the Oregon)	No. 23-016
Circuit Courts, the Oregon Tax Court,)	
the Oregon Appellate Courts, and the)	ORDER ESTABLISHING FEES CHARGED AND
Office of the State Court Administrator)	COLLECTED BY THE OREGON CIRCUIT
)	COURTS, THE OREGON TAX COURT, THE
)	OREGON APPELLATE COURTS, AND THE
)	OFFICE OF THE STATE COURT
)	ADMINISTRATOR

I HEREBY FIND as follows:

1. ORS 1.002(1) provides that the Chief Justice is the administrative head of the judicial department of government of this state and, to facilitate the exercise of that administrative authority, may make rules and issue orders appropriate to that exercise.
2. ORS 21.258 provides that an Oregon circuit court may collect such fees as established or authorized by the Chief Justice, for any service that the court may be required or authorized to perform (excluding the location or inspection of court records), and for which no fee is provided by law.
3. ORS 305.493 provides that the Chief Justice may establish fees for copies of Oregon Tax Court records, for services relating to those records and for other services that the court or its administrator is authorized or required to perform.
4. ORS 21.020(2) provides that the Chief Justice may establish or authorize fees for copies of records of the appellate courts and the administrative offices of the State Court Administrator, and for services relating to those records or other services that the appellate courts or the administrative offices are authorized or required to perform for which no fees are specifically provided by law; however, any such established fee for paper copies of records may not exceed 25 cents per page, except for records for which additional services are required (in which case, fees for providing the records are subject to ORS 192.324).
5. ORS 192.324(4) provides that a public body may establish fees to cover the actual costs of making public records available in response to a request for records under provisions of the Oregon Public Records Law, ORS 192.311 to 192.478.
6. The following statutes preclude the collection of fees that the Chief Justice otherwise may establish or authorize for the circuit courts under ORS 21.258:
 - a. ORS 20.140 (if a party in a state court proceeding is the state or is any Oregon county, city, or school district, or is an officer, employee or agent thereof appearing in a representative or other official capacity, then that party is not required to pay in advance to a state officer any fee taxable as costs and disbursements in the action or proceeding);
 - b. ORS 21.259 (fees established or authorized by the Chief Justice under ORS 21.258 may not be collected from either the state, the county in which the court is located, or the city in the county in which the court is located);

- c. ORS 107.718(8)(a), ORS 124.020(7)(a), and ORS 163.765(4)(a) (court shall provide without charge the number of certified true copies of the petition and order necessary to provide the petitioner with one copy and to effect service, and also two exemplified copies of the petition and order (on request), in cases initiated under the Family Abuse Prevention Act, the Elderly Persons and Persons with Disabilities Abuse Prevention Act, and the Sexual Abuse Protective Order statute);
 - d. ORS 399.238(3) (court may not charge or collect a fee from a state service member who applies for relief from an obligation or liability incurred before any period of active service or active state duty began, or for a stay of a civil proceeding in which the state service member is a party);
 - e. ORS 408.430 (as to any documents required by veterans seeking benefits from any agency or department of the State of Oregon or the federal government, a court clerk or court administrator shall affix the seal of the court whenever required, make and prepare copies of any documents of record, and certify such records without any charge, fee, or compensation); and
 - f. ORS 419C.020(1)(d) (in a juvenile delinquency proceeding, neither the youth nor the youth's parents or guardian may be asked or ordered to pay administrative costs associated with the youth's involvement with the court, probation, detention, or Oregon Youth Authority services, including but not limited to applications for court-appointed counsel, court-appointed counsel attorney fees and costs associated with legal representation, collection referral fees, transaction assessments, copy fees, fees for applications for expunction of records, juvenile sex offender reporting fees, electronic payment fees, or fees for checks that are returned for insufficient funds).
7. The following Chief Justice Orders (CJOs) relating to fees for court services are currently in effect:
- a. CJO 14-066, which established fees to be charged and collected by the circuit courts, commencing January 1, 2015, and superseded an earlier CJO establishing fees (CJO 13-064) (November 17, 2014);
 - b. CJO 14-067, which established fees to be charged and collected by the appellate courts and the administrative offices of the State Court Administrator, commencing January 1, 2015, and superseded an earlier CJO establishing fees (CJO 13-065) (November 17, 2014); and
 - c. CJO 11-091, which set miscellaneous Oregon Tax Court fees, commencing December 12, 2011 (December 12, 2011).
8. The fees set out in CJO 14-066, CJO 14-067, and CJO 11-091 have now been reviewed and re-evaluated, resulting in a recommendation that certain updates be made.

This order is based on the foregoing, including the authority set out in paragraphs 1 through 5, above.

I HEREBY ORDER that the fees set out below shall be charged and collected by the Oregon circuit courts, the Oregon Tax Court, the Oregon appellate courts, and the Office of the State Court Administrator, commencing on June 20, 2023, but with the exceptions also set out below.

1. Definitions

- a. "CD" means compact disc.
- b. "Page" means one side of a sheet of paper that is 14 inches or less long and 8.5 inches or less wide. Courts are encouraged to print on both sides of paper.

2. Fees

For each "Court Service Provided" listed in the tables below, when more than one fee is listed in the row in which the service is listed, the established fee is the sum of all such listed fees, as applicable.

a. Providing or Converting Copies, Images, Data, or Recordings

	Court Service Provided	Cost per Page	Cost per Request in a Case	Cost of Delivery
(1)	Paper copies of documents or data	25 cents	\$3.00	Actual cost of mailing or shipping, if requested
(2)	Electronic copies of documents or data	(n/a)	\$3.00	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested
(3)	Copying a recording of a court proceeding	(n/a)	\$10.00	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media if other than CD; and Actual cost of mailing or shipping, if requested
(4)	Converting microfilmed documents to electronic format	45 cents	(n/a)	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media if other than CD; and Actual cost of mailing or shipping, if requested

b. Certifications, Exemplifications, and Certificates

	Court Service Provided	Service Cost	Cost of Delivery
(1)	Certification	\$5.00 In addition to the cost of providing the document or data as stated in 2.a.(1), if provided in paper form	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested
(2)	Exemplification	\$10.00 In addition to the cost of providing the document or data as stated in 2.a.(1), if provided in paper form	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested
(3)	Circuit courts and Tax Court only – Official certificate with signature and seal	\$5.00 In addition to the cost of providing the document or data as stated in 2.a.(1), if provided in paper form	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested
(4)	Appellate courts only – Official certificate with signature and seal	\$1.00 In addition to the cost of providing the document or data as stated in 2.a.(1), if provided in paper form	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested

c. Segregation of Information

	Court Service Provided	Service Cost	Cost of Delivery
(1)	Segregation of confidential personal information or protected personal information when the information already exists in a document in a circuit court case file	\$25.00 per case	\$1.00 per page reviewed
(2)	Segregation of adoption records and redaction of confidential material	\$25.00 per case	\$2.00 per page reviewed

d. Other Services

	Court Service Provided	Service Cost	Cost of Delivery
(1)	Filing and making entry of an assignment of judgment	\$5.00	(n/a)
(2)	Each dishonored check	\$35.00	(n/a)
(3)	When applicable, staff time required to fulfill public records requests under the Oregon Public Records Law, ORS 192.311 to 192.478, separate from the case-related services set out in this order	\$25 per hour for clerical time \$40 per hour for managerial time \$75 per hour for professional time	\$0 if delivered electronically; \$1.00 per CD, if provided on CD; or Actual cost of court-provided media, if other than CD; and Actual cost of mailing or shipping, if requested

3. Exceptions

Fees may not be collected for the court services described in paragraph 2 of this order in any of the following circumstances:

- a. When any of the statutes described in paragraph 3 of the Findings section of this order apply, or when any other provision of law prohibits the collection of a fee;
- b. When the entity requesting the court service is an Oregon county, an Oregon city, an Oregon school district, an Oregon public agency, or other Oregon public body as defined in ORS 192.311(4), regardless of the location of that entity in relation to the circuit court to which the request is directed;
- c. When an original certified or courtesy copy of an order or judgment is provided to a party at the conclusion of an event or proceeding, or as required by law; and
- d. When the total cost of the court service provided is less than \$5.00 for a single request.


4. Waiver

Pursuant to ORS 192.324(5), the custodian of the record in an Oregon circuit court, the Oregon Tax Court, an Oregon appellate court, or the Office of the State Court Administrator may waive or reduce the fees required by this order if the custodian determines that waiver or reduction of the fee is in the public interest.

- 5. This order supersedes CJO 11-091 (Order Setting Miscellaneous Tax Court Fees Under ORS 305.493 and ORS 1.002(1)(a)) (December 12, 2011); CJO 14-066 (Order Setting Circuit Court Fees and Superseding CJO 13-064) (November 17, 2014); and CJO 14-067 (Order Setting Appellate Court and Administrative Fees and Superseding CJO 13-065).

6. This order becomes effective on June 20, 2023.

Dated this 30th day of May, 2023.



Meagan A. Flynn
Chief Justice