

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR DOUGLAS COUNTY – 16TH Judicial District

In the Matter of)
Dismissal of Small Claims)
For Want of Prosecution)

Presiding Judge's Order
ORDER 17-02

Pursuant to ORS 46.475(2), the clerk has authority to enter a default money judgment against a defendant; and

Pursuant to ORS 46.475(3), the clerk has authority to dismiss without prejudice if the plaintiff fails within the time provided to file a formal complaint pursuant to ORS 46.465 (3)(a).

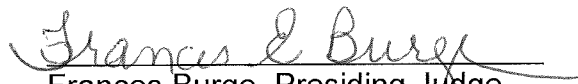
Pursuant to UTCR 15.020(2), if no return or acceptance of service is filed by the 63rd day after the filing of the complaint, the court may dismiss the case for want of prosecution; and

Pursuant to UTCR 15.020(3), if proof of service is filed and any defendant does not appear by the 35th day after the proof of service is filed, the court may dismiss the complaint against each nonappearing defendant for want of prosecution unless the plaintiff has applied for a default judgment.

Since the clerk has authority, as above, to dismiss without prejudice, and in the interest of efficient case management;

IT IS ORDERED that the authority for signing the Judgment of Dismissals under UTCR 15.020 (2) and (3) is delegated to the clerk of the court for the 16th Judicial District.

Dated this 24 day of January, 2017.


Frances Burge, Presiding Judge