



SUPPLEMENTARY LOCAL RULES

JACKSON COUNTY CIRCUIT COURT

EFFECTIVE FEBRUARY 1, 2024

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CHAPTER 1 - COURT OPERATIONS

1.171 Web Site

The Jackson County Circuit Court's website can be found at <https://www.courts.oregon.gov/courts/Jackson/pages/default.aspx>.

CHAPTER 2 - STANDARDS FOR PLEADINGS AND DOCUMENTS

2.101 Way of Necessity

- (1) In addition to the service of the petition, as required by law, petitioner shall cause a copy of the petition to be served on the county engineer by certified mail, return receipt requested.
- (2) Upon receipt of the petition, the county engineer (or any licensed civil engineer or registered surveyor designated by him) shall, within thirty (30) days, prepare and file with the clerk of the court the report required by ORS 376.160.
- (3) Upon receipt of the engineer's report, the clerk shall cause copies thereof to be forthwith mailed to petitioner and any persons upon whom the original petition was served. If the engineer's report includes any alternative route over land owned by persons other than those served by the original petition, petitioner shall forthwith cause a copy of the petition, a summons, and the engineer's report to be served upon such owner in the manner provided for the service of the original petition.
- (4) Petitioner shall, at the time of filing the original petition, deposit with the clerk \$750.00 cash as a deposit on expenses to be incurred by the county or other persons as the result of the petition and action thereon. The \$750.00 cash deposit may, in the exercise of the court's legal discretion, be refunded to the depositor in the event no expenses are incurred. Any filing fee required by law shall not be subject to return.

CHAPTER 3 - PUBLIC ACCESS

3.181 Public Access Coverage

- (1) Public access coverage is allowed in the public areas of the first floor of the Jackson County Justice Building. Special effort shall be made to reduce any disruption caused by media coverage in public access areas and in court facilities.
- (2) All requests for access coverage in facilities occupied by the court, excluding the public areas of the first floor of the Justice Building, require prior approval.

Requests for access coverage shall be directed to the Trial Court Administrator's Office:

Trial Court Administrator's Office
Jackson County Justice Building
100 South Oakdale
Medford, OR 97501
Phone: (541) 776-7171
Fax: (541) 776-7057

CHAPTER 4 - PROCEEDINGS IN CRIMINAL CASES

4.011 Pretrial Motions

All pretrial motions not covered by UTCR 4.010 (rule pertains to omnibus motions, motions relating to discovery) shall be filed with the court at or before the time of the pretrial conference. The court shall set the matter for hearing and notify the parties in writing of the date of said hearing. Unless for good cause shown, no such hearing shall be scheduled fewer than 14 days after the filing of said motion.

4.012 Authority in Support of Motions

Every motion, other than a motion to suppress, shall be accompanied by, or include, a memorandum of law or a statement of points and authorities explaining how any relevant authorities support the contentions of the moving party.

4.013 Form of Order

All motions containing a single issue or challenge, and all demurrers, shall be accompanied by a form of order upon which the court may either allow or deny the motion or sustain or overrule the demurrer.

4.081 Appearance at Criminal Proceedings by Simultaneous Electronic Transmission

- (1) Unless otherwise prohibited by the court or by statute, all arraignments, pretrial conferences, pleas, pretrial motions and sentencings involving a defendant incarcerated at an Oregon Department of Corrections institution may be held by simultaneous electronic transmission.
- (2) Unless otherwise prohibited by the court or by statute, all arraignments, pretrial conferences, security hearings and sentencings involving a defendant incarcerated in the Jackson County Jail may be held by simultaneous electronic transmission.

- (3) Defendants, other than those specified in subsection (1) and (2) above, and all other witnesses in a criminal proceeding, shall be allowed to testify by simultaneous electronic transmission provided that it is with the parties' consent and the approval of the court.
- (4) Whenever testimony by simultaneous electronic transmission is allowed under this rule, it shall be the responsibility of the party calling said witness to coordinate with the opposing party, the court and the witness the manner and time of simultaneous electronic transmission sufficiently in advance of the criminal proceeding so as not to cause undue disruption or delay.
- (5) "Criminal proceeding" and "simultaneous electronic transmission" shall have the same meaning as those terms are defined in ORS 131.045.
- (6) Circuit court proceedings may be conducted in person or by remote means, as determined by the Presiding Judge.

CHAPTER 5 - PROCEEDINGS IN CIVIL CASES

5.021 Electronic Recordings submitted in Writ of Review Proceedings.

Following the court's allowance of a Petition for Writ of Review pursuant to ORS 34.040, all audio and video recordings of hearings or proceedings before an officer or tribunal shall be fully and accurately transcribed and shall be returned as part of the certified copy of the record of proceedings in question in accordance with ORS 34.060.

5.061 Civil Motions

- (1) There are three types of civil motions: evidentiary, non-evidentiary and "ex parte."
 - (a) Evidentiary motions are motions in which it is contemplated that testimony will be taken.
 - (b) Non-evidentiary motions, including any motion for summary judgment, shall be heard without the taking of testimony.
 - (c) "Ex parte" motions may or may not require the taking of testimony.
- (2) Evidentiary motions shall be commenced by the filing of a motion asking for specific relief. They shall be supported by an affidavit and/or an ORCP 17 certified statement setting forth the factual and/or legal grounds for the relief sought. The documents filed shall reasonably apprise the opposing party(ies) of the issues sought to be determined.
 - (a) Evidentiary motions shall be accompanied by a completed "Civil Evidentiary

Motion Notice of Hearing” form. Service of the motion, the form, and any supporting documents shall be made pursuant to ORCP 7 or ORCP 9, as determined by the status of the case. Attached hereto as Appendix A is a sample form for use as a “Civil Evidentiary Motion Notice of Hearing” form.

(b) All Show Cause Motions filed by the State shall be heard on a date and time as prescribed by the court. The court will announce its calendar annually.

(c) All other evidentiary motions shall be scheduled and heard by the judge to whom the case or motion is assigned. Evidentiary motions shall be scheduled seven (7) or more days after service if the opposing party is served in Jackson County, and fourteen (14) or more days after service if the opposing party is served outside Jackson County. They will be set on a date and time as prescribed by the court. The court will announce its calendar annually.

(d) Evidentiary motions shall not be accompanied by an order to show cause unless such an order is required by statute or rule. If a show cause order is utilized, the statute or rule requiring said order shall be noted on the face of the order.

(3) Except as provided by SLR 8.041, non-evidentiary motions shall be heard on a date and time as prescribed by the court. The court will announce its calendar annually.

(a) The court’s Judicial Assistants shall set the time for all non-evidentiary hearings.

(b) When oral argument is requested pursuant to UTCR 5.050, the motion shall be heard on the first Monday after the expiration of twenty-one (21) days from the filing of the motion, except for summary judgment motions which shall be scheduled by the court in conformance with ORCP 47C.

(c) Except as provided by SLR 8.041(2), if a party served with a non-evidentiary motion has a legal basis for presenting evidence, and so desires, said party may reschedule the motion as an evidentiary motion by utilizing the procedures concerning evidentiary motions.

(4) Any party filing a response, reply, objection or memorandum relating to a previously filed motion must state in the caption of their filing the date, if any, of any scheduled hearing.

(5) Whenever a party submits a motion and order pursuant to ORS 293.293(2) requesting that funds held in trust by the court be placed in an interest-bearing account, the motion and order shall be submitted as a single document without reference to any other request or issue.

5.062 Stipulated or “Ex Parte” Orders

- (1) A stipulated or “ex parte” matter may be presented to the judge to whom the case is assigned; or, if unassigned, then to any individual judge with that judge’s permission. The presentation may be made in person by the moving party or attorney.
- (2) Emergency matters may be presented to a judge at any time, except as prohibited by SLR 5.062(4).
- (3) Stipulated or “ex parte” matters may also be left with the court clerk or any individual judge’s judicial assistant for presentation to the judge in due course.
- (4) The court will not entertain “ex parte” matters while on the bench other than the matter before the court for hearing.
- (5) “Ex parte” matters include, but are not limited to, the following: default dissolution judgments, petitions for restraining orders under the provision of any Oregon law, motions for show cause orders, waivers of marriage license waiting periods, waivers of waiting periods in domestic relations cases, default orders, and probate or guardianship orders.
- (6) No “ex parte” motion to continue shall be granted by the court unless the motion includes a statement setting forth the position of the opposing parties.

5.101 Submission of Orders and Judgments Following a Trial or Hearing.

- (1) Attorneys who are directed by the court to prepare and submit orders or judgments following a court proceeding shall use reasonable diligence in doing so within twenty-eight (28) days of the date they are instructed to do so.
- (2) An attorney who wishes to object to the form or content of a proposed order or judgment shall have ten (10) days from receipt of the proposed order or judgment in which to file written objections.
- (3) An attorney objecting to the form or content of a proposed order or judgment is required to make a good faith effort to confer with the attorney who prepared the order or judgment before filing objections thereto.

CHAPTER 6 – TRIALS

6.011 Pretrial Conferences in Civil Cases

- (1) A pretrial conference may be set by the court in any civil case to address the items contained in UTCR 6.010. If the court does not set a pretrial conference,

any party may request that one be scheduled.

- (2) The trial attorney or another attorney familiar with all aspects of the case shall appear at the pretrial conference. If unrepresented, the pro se litigant shall appear.
- (3) The persons appearing at the pretrial conference shall be prepared to discuss the status of settlement discussions and the possibility of settlement.
- (4) The court may enter a pretrial order based on the issues addressed in the pretrial conference. The pretrial order may provide for deadlines for the following:
 - (a) Amendments or additions to pleadings;
 - (b) Motions;
 - (c) Discovery;
 - (d) Trial Memoranda;
 - (e) Marking and exchange of all trial exhibits, except those to be used solely for impeachment purposes;
 - (f) Submission of jury instructions; and
 - (g) Any other matter that may aid in the disposition of the action.
- (5) The provisions of a pretrial order shall be enforced by the court, except on motion and for good cause shown.

6.012 Settlement Conferences

- (1) If one party requests a pretrial settlement conference, or in cases designated by the court, a mandatory settlement conference shall be held. However, scheduling of a settlement conference is subject to judicial availability and a settlement conference shall not be scheduled so as to delay trial of the case. The pretrial settlement conference will not be required if the opposing party demonstrates good cause why the settlement conference should not be held.
- (2) The purpose of the settlement conference is to provide a forum to resolve disputes before trial through the active participation of counsel and the court. The attendance of all parties and their trial attorneys is required. When a party is insured, a representative of the insurance company with authority to settle the case shall be in attendance. Upon a showing of good cause, the judge

conducting the settlement conference may excuse a party or insurance representative from personally appearing but may require him or her to participate by telecommunication.

- (3) Pretrial settlement conferences shall be conducted by a judge other than the assigned trial judge, unless all parties stipulate that the trial judge may also conduct the settlement conference.
- (4) For a meaningful settlement conference to occur, all attorneys and parties must participate in good faith. The failure of any person to comply with these rules, appear at, or participate in, a settlement conference, unless good cause is shown for any such failure may result in the court imposing appropriate sanctions as described in UTCR 1.090. Cases set for a settlement conference shall retain their place on the trial docket.
- (5) If settlement negotiations are not successful, counsel should be prepared to proceed to trial on the date scheduled. The court will make every effort to ensure the case proceeds to trial on the date scheduled.
- (6) If a settlement is reached, the parties shall place notice of the settlement on the record before the scheduled trial date, in accordance with UTCR 6.020.
- (7) Parties are required to file a detailed confidential settlement conference statement with the court, in the form prescribed by the settlement judge.

6.013 Criminal Settlement Conferences

For all criminal cases where the charging instrument alleges one or more Measure 11 crimes, other than attempted murder, murder or aggravated murder, and where the defendant is lodged, the court may schedule a voluntary settlement conference at the request of the attorney, which shall be subject to the following procedure:

- (1) The court, while being consistent with the requirements of ORS 136.290, will schedule the settlement conference within four (4) – six (6) months following the defendant's date of arraignment;
- (2) Prior to the conference, the DA's office and defendant's counsel shall submit to the settlement conference judge a confidential written statement in a form prescribed by the court. All documents submitted by the parties in connection with the settlement conference will remain confidential and shall either be returned to the parties or destroyed by the settlement judge immediately following the conference; and

- (3) If the case is resolved during the settlement conference, the defendant shall be prepared to complete a Plea Petition and enter a change of plea on the record, as well as proceed to sentencing, if the parties' waive the time prescribed by ORS 137.020(2) and if otherwise reasonably possible, prior to the conference being adjourned.

6.051 Providing Bench Copies of Written Submissions

Parties who file with the court any written submission (i.e. responses, replies, legal memos, trial briefs, orders) within ten days of a scheduled trial or hearing shall also simultaneously transmit bench copies of same to the chambers of the judge assigned to the case.

6.081 Marking Exhibits

- (1) Exhibits shall be marked using the self-adhesive and permanent Exhibit Stickers provided by the court (Pengad Exhibit Labels 7/8" X 1-1/2), or with stickers of Like size and color, as follows:

<u>White</u>	=	<u>Petitioner</u>
<u>Brown</u>	=	<u>Respondent</u>
<u>Blue</u>	=	<u>Defendant</u>
<u>Yellow</u>	=	<u>Plaintiff</u>
<u>Red</u>	=	<u>State</u>

- (2) In the event the same exhibit is offered in evidence in multiple hearings, the exhibit must be marked with separate exhibit stickers in such a manner that each will remain conspicuous.

6.211 Docket Call and Jury Trial Settings

Attorneys and parties on all criminal cases set for jury trial may be required by the court to appear at Docket Call at 8:00 a.m. on the scheduled trial date. The purpose is to determine the final status of the case and to be assigned to a trial judge. All jury trials shall commence on a Tuesday, Wednesday, or Thursday.

CHAPTER 7 - CASE MANAGEMENT AND CALENDARING

7.011 Guilty Pleas

After an entry of a not guilty plea, the court must be notified of the intent to withdraw the not guilty plea and to enter a guilty plea before 3:00 p.m. on the day preceding the plea, except felony reductions, which must be filed before 3:00 p.m. two working days preceding the plea. Guilty pleas in criminal matters may be entered any court day at 8:30 a.m. for out-of-custody defendants, at 1:30 p.m. for in-custody

defendants, or at any regularly scheduled docket call.

7.012 Order on Arraignment

In misdemeanor cases, when a jury trial is requested, the defendant's attorney may file an "Order on Arraignment" setting the matter for a pretrial conference. Said pretrial conference shall be scheduled in accordance with SLR 7.014. The "Order on Arraignment" shall waive formal arraignment and shall set forth that the attorney has advised the defendant of the right to remain silent, right to an attorney, and right to a jury trial. It shall further state that the attorney has explained to the defendant what the defendant is charged with and the maximum penalty. Attached hereto as Appendix B is a sample form for use as an "Order on Arraignment".

7.013 Release of Defendant Upon Order on Arraignment

When a bail decision has not already been made by the court, and the defendant's attorney files an Order on Arraignment, the defendant shall report to the court clerk's office within seven (7) days of the filing of the Order on Arraignment to sign a Conditional Release Agreement. The defendant will then within that same time period report to the Jackson County Jail to be processed and fingerprinted.

7.014 Pretrial Conference Settings in Criminal Cases; Duty to Confer

- (1) All criminal cases in which a jury trial has been requested shall first be set for a pretrial conference within thirty-five (35) days of the date of arraignment for out-of-custody defendants and within twenty-one (21) days for in-custody defendants. Pretrial conferences shall be set on Monday at 9:00 a.m.
- (2) By no later than the pretrial conference, attorneys are required to confer regarding the following:
 - (a) Plea negotiations;
 - (b) Plan of discovery and disclosure of documents;
 - (c) Likelihood of motions or other reason for a pretrial hearing; and
 - (d) Any other significant issues pertaining to the case.

7.015 Appearance at Criminal Case Pretrial Conference; Postponements

- (1) All parties and counsel of record shall appear at the pretrial conference for the purpose of setting a date certain for trial, except as provided in SLR 7.016.
- (2) The trial date and status check conference will be scheduled for in-custody

defendants within 60 days of arraignment unless speedy trial is waived or provisions of ORS 136.295 apply and for out-of-custody defendants within 70–90 days of the pretrial conference unless special circumstances exist.

- (3) The pretrial conference will not be postponed for failure to confer as required by SLR 7.014(2) or for other reasons.

7.016 Pretrial Report

Appearance at the pretrial conference shall be waived if all parties to the case have signed a pretrial report setting forth an agreed upon trial date. Said pretrial report must be e-filed with the Trial Court Administrator by 2:00 p.m. on the last judicial day prior to the pretrial conference. The filing of said report constitutes a representation to the court by each signee that the parties have conferred in accordance with SLR 7.014 (2), all witnesses have been contacted and subpoenaed if necessary and that the parties are ready for trial or that a plea will be entered on a date and at a time specified in said report. All trial dates and pleas must be scheduled for a date certain within ninety (90) days of the scheduled pretrial conference, unless approval of a judge has been received which extends the date of trial or plea. Attached hereto as Appendix C is a sample form for use as a “Pretrial Report”.

7.018 Motion Days

Evidentiary and non-evidentiary motions filed in criminal cases shall be heard on Tuesday, Wednesday or Thursday at 2:30 p.m. and 1:30 p.m. on Friday.

7.019 Initial Appearance on Other Matters

The initial appearance on all other matters (i.e., FED’s, Judgment Debtor Hearings, Garnishment Hearings, and Claims of Exemption) shall be set on a date and time as prescribed by the court. The court will announce its calendar annually.

7.021 Jury Trial Request After Trial Set

Except as set forth herein, when one party makes a proper written application for a jury trial after a non-jury trial has been set, the case shall proceed to trial on the original date scheduled as provided in SLR 6.211. If said trial date is scheduled on Monday or Friday, the trial will then proceed as provided in SLR 6.211 on the first Tuesday following the original trial date.

7.022 Civil Commitment Hearings

All hearings required by the provisions of Chapter 426 and 427 of the Oregon Revised Statutes, unless otherwise ordered by the court, shall be held at 7:30 a.m. on any day the court may fix.

7.023 Status Check Conference in Criminal Jury Trials: Trial Postponements

- (1) All attorneys and defendants in criminal jury cases must personally appear at a status check conference to advise the court as to the trial status of the case. The conference will be held at 10:30 a.m. on Thursday of the week before which the trial is set. If that Thursday is a holiday, the status check conference shall be held at 10:30 a.m. on Friday of that week.
- (2) If a case will be resolved by a plea, a Plea Notice may be filed, and personal appearance will not be required. Attached hereto as Appendix D is a sample form for use as a "Plea Notice."
- (3) In the absence of unusual circumstances, requests for trial postponements will not be considered at the status check conference unless by the preceding Monday a motion is filed supported by a declaration or affidavit containing particularized facts justifying a need for a reset of the trial.

7.041 Notify Court of Bankruptcy Petition

The attorney representing a party in a civil action who has filed a federal bankruptcy petition shall immediately provide notice of such event to the court and all other parties to the action.

CHAPTER 8 - DOMESTIC RELATIONS PROCEEDINGS

8.011 Mediation of Child Custody and Parenting Time

- (1) In any domestic relations suit involving a contest over custody or parenting time of children, the parties shall make themselves available to the court's mediation service. A notice from the mediation service must be filed with the court stating that the parties have cooperated, and the mediation has been unsuccessful before a trial or hearing on the merits is to be held.
- (2) The parties may select, by stipulation, a private mediator. The parties shall directly contract with the private mediator and be responsible for payment of the mediator's fees. If independent mediation is selected, a written stipulation indicating the name of the mediator shall be filed with the court.
- (3) A case filed in the Jackson County Circuit Court remains under the jurisdiction of that court in all phases of the proceedings, including mediation. Any agreement of the parties reached as a result of mediation for which court enforcement may be sought must be presented to the court and the court shall retain final authority to accept, modify, or reject the agreement. At any point during the mediation, the court may approve a temporary custody and parenting time order reflecting the parties' agreement as to those issues.

- (4) To qualify as a court-approved mediator, a person must:
 - (a) Meet the requirements of UTCR chapter 12;
 - (b) Sign and file an application with the court; and
 - (c) Receive approval by the Presiding Judge, upon recommendation of the Domestic Relations Mediation Screening Committee.
- (5) Upon a showing of good cause, the Presiding Judge may allow appropriate substitutions, or allow a waiver, of the minimum requirements consistent with UTCR chapter 12.
- (6) The Presiding Judge may remove a mediator from the court-approved list at any time at the Presiding Judge's discretion.
- (7) A mediator has authority and control over the mediation process; but a mediator has no control or authority over the parties or over their decisions in the case. A mediator shall encourage disputing parties to obtain individual legal review and advice of any mediated agreement before signing any agreement. Further, the mediator shall not act as a lawyer for either party.
- (8) Upon receipt of a mediation assignment, a mediator shall immediately notify the parties of a reasonable date and time for the initial mediation session which shall occur within twenty-one (21) days of the mediator's receipt of the first notice of assignment. Mediation shall be completed in a prompt manner so as to not unduly delay the court and in no event later than a deadline date ordered by the court. Ninety percent of cases shall be mediated within forty-nine (49) days of the date of referral.
- (9) In all cases which have been referred to a court-appointed mediator, the mediator shall make a final report to the court describing the conclusion of the mediation, whether successful or unsuccessful, and in a manner prescribed by the court.
- (10) The mediator shall prepare a written memorandum of any agreement which the parties reach as a result of the mediation. The unsigned, proposed memorandum of agreement shall be distributed to the parties and to their attorneys by the mediator. If the parties choose to sign the memorandum of agreement after having had an opportunity to review it with a lawyer, the document may then be incorporated into a Court Order or Judgment.
- (11) The mediator may notify the court at any time following the initial mediation session involving the parties and the mediator that the mediation was unsuccessful, in which case the proceeding will be scheduled for hearing. The

mediator may determine that the mediation has been unsuccessful if the parties are unable to resolve the custody or parenting plan controversy; or, if one or both parties are unwilling to participate in mediation; or, if the mediator determines that either party is using the mediation process in bad faith for the delay of resolution of other issues.

- (12) In issues subject to mandatory mediation under these rules (custody and parenting plan), Jackson County shall compensate the mediator at a per case rate set by the Presiding Judge. Mediators will be credited for each case assigned. All meetings surrounding the case, from the time of appointment for a period of four (4) months will constitute one (1) case. Each case includes time for administrative requirements including setting appointments, corresponding with parties and attorneys, mediation sessions, and for time spent drafting the parties' agreements.
- (13) In the event both parties do not appear at a scheduled mediation session without at least 24 hours advanced notice to the mediator, the mediator may request a cancellation fee, set by the Presiding Judge. Alternatively, the mediator may mediate with one party if shuttle mediation would be helpful in resolving the case and charge the set per case rate. The party canceling must provide advance notice on a regular business day to avoid imposition of the cancellation fee. In order to charge the cancellation fee, the mediator must send a written notification identifying the responsible parent and the amount charged, to the assigned judge and both parties, through their attorneys if they are represented. The mediator shall refer the case back to the court after two no shows on any one case. The assigned judge will allocate the cost of any no shows to the responsible party, in the absence of good cause.
- (14) The parties may agree to mediate the financial issues, including, but not limited to, property and debt division, and support. The court may also refer matters to mediate on the motion of one (1) party, or on the court's own motion. In the event the parties agree to mediate financial issues, the mediator is to be compensated at a rate set by and directly paid by the parties to the mediator.
- (15) Regarding issues not involving mandatory mediation, the parties may agree to mediate with the court-appointed mediator; but the compensation arrangement shall be between the parties and mediator, as they may agree in writing, and the compensation rate shall be negotiated between the parties and mediator, unless the court has entered an order allowing for payment.

8.012 Dismissal of Dissolution Cases

Dissolution cases will not be continued as active cases beyond their trial dates where the parties have reconciled. If no motion to dismiss is filed, the court may, on its own motion, enter a judgment of dismissal.

8.013 Mandatory Parent Education Program

- (1) Jackson County has established a Parent Education program of the type authorized by ORS 3.425. All parties involved in a case that includes a child under the age of 17 years shall successfully complete a court-approved Co-Parenting Education Program. The program provides information on the impact of family restructuring on children to each person named as a party in the following types of proceedings involving minor children:
 - (a) annulment or dissolution;
 - (b) legal separation;
 - (c) petition to establish custody or parenting time; and
 - (d) post-judgment litigation involving custody or parenting time.
- (2) Each party who files an appearance in a proceeding of the types described above shall complete the Parent Education program prior to any court hearing and prior to attending mediation unless otherwise waived by the court. However, if a party filing a post judgment motion to modify involving custody or parenting time has previously filed a Parenting Education Program completion certificate with the court, that party shall not be required to complete the Parent Education Program a second time.
- (3) A final judgment shall not be entered in the proceeding until each party who has filed an appearance has attended the Parent Education program and has filed a Certificate of Completion with the court unless otherwise waived by the court.
- (4) A statement of the requirements of this local rule and instructions on how to attend the program shall be served by the initiating party on all parties against whom relief is sought. Service shall be completed in the manner provided in ORCP 7 at the time the initiating documents are served.
- (5) The clerk shall provide a statement of the requirements of this rule to the initiating party for service upon all parties against whom relief is sought, together with a statement describing the program, including contact telephone numbers and addresses.
- (6) The program provider shall issue a certificate of completion to the court when the participant has completed the program.
- (7) The court may exempt one or both parties from the program if, after reviewing the requesting party's motion and supporting affidavit(s), the court determines that the participation is unnecessary or inappropriate or the parties select and

participate in comparable education programs with prior approval of the court.

- (8) The court shall actively promote each party's completion of the program. Failure or refusal to complete the program in a timely manner shall be considered by the court in making its ruling on issues which are in dispute.
- (9) A party who has completed the program shall have the right, as set forth in UTCR 1.090(2), to:
 - (a) request the pleadings of a party who has appeared be stricken if that party has not completed the program in a timely manner without good reason; and
 - (b) request entry of an order from the court to compel the non-complying party's completion of the program should the non-complying party have appeared and not completed the program in a timely manner without good reason. The court may enter an award of attorney fees in favor of the complying party who utilizes this option to force the non-complying party's compliance with this rule.
- (10) Court action on a petition shall not be delayed by a party's refusal or delay in completing the program unless the non-complying party has appeared in the proceeding.

8.041 Pre-General Judgment Relief

- (1) Pursuant to ORS 107.095(1)(a) and (b), temporary child and spousal support and suit funding shall be determined without an evidentiary hearing, based on the Uniform Support Declarations and affidavits or declarations filed by the parties using the following procedures:
 - (a) The moving party must file a Uniform Support Declaration together with the motion and a supporting affidavit or declaration for an order of temporary support. The motion must include, prominently displayed on the first page, a notice to the adverse party stating, in substance, the responding party's obligations under paragraph (b) of this subsection. The notice also must state: "If you do not respond, the court may take action based on this motion. You may be ordered to pay support in the amount requested. Refer to SLR 8.041 for further information."
 - (b) The adverse party must file a Uniform Support Declaration within fourteen (14) days of being served with the moving party's motion and documentation, or within thirty (30) days of being served with the petition and summons if the motion for temporary support is served with the summons. The adverse party may also submit a supporting affidavit or declaration responding to specific statements made in the moving party's documentation. The adverse party's affidavit or declaration, if any, must be filed together with the Uniform Support

Declaration.

(c) The moving party may respond to the adverse party's responding documentation by supplemental affidavit or declaration within fourteen (14) days of being served with the adverse party's documentation. In any case involving temporary child support, the documents filed by the parties with the court shall include applicable child support computation worksheets.

(d) The court will determine the matter within fourteen (14) days after the last filing by a party. The court may, on its own motion, order that the matter be determined through an evidentiary hearing.

- (2) Notwithstanding the provisions of subsection (1), a party may request in writing that temporary support be established through an evidentiary hearing. The request must show good cause and state why the procedure of subsection (1) would not be appropriate.
- (3) A temporary support order may be modified under the procedure of subsection (1) or (2). The moving party must show good cause and state why the temporary support obligation should be reconsidered by the court instead of awaiting final determination at the trial.

8.071 Restraining Orders

If the respondent requests a court hearing pursuant to ORS 107.716, the clerk of the court shall notify the petitioner of the date and time of such hearing. The petitioner shall give the clerk of the court information sufficient to allow such notification. (ORS 107.718(6))

8.072 Domestic Relations Motions

All motions shall be filed and heard in accordance with SLR 5.061.

CHAPTER 9 - PROBATE AND ADOPTION PROCEEDINGS

9.051 Restriction of Assets

Any assets restricted by court order require filing of an acknowledgment of restriction of assets. Attached hereto as Appendix F is a sample form for use of an "Acknowledgement of Order Restricting Assets."

9.076 Non-Professional Fiduciary Educational Program

- (1) The following court appointed non-professional fiduciaries are subject to this rule:

- (a) Any guardian or conservator appointed pursuant to ORS Chapter 125 on or after September 1, 2022.
 - (b) Any personal representative appointed pursuant to ORS Chapter 113 on or after September 1, 2022.
 - (c) Any trustee appointed pursuant to ORS Chapter 130 on or after September 1, 2022.
 - (d) Any non-professional fiduciary cited for a deficiency in the handling of fiduciary duties pursuant to the show cause process.
- (2) All non-professional fiduciaries involved in a case described under subsection (1) above, shall:
- (a) Successfully complete an education class for non-professional fiduciaries with a curriculum as prescribed by the Presiding Judge of Jackson County within sixty (60) days of appointment as fiduciary by the court.
 - (b) Register for the program no later than fifteen (15) day from appointment as fiduciary.
- (3) A professional fiduciary, for purposes of this rule, is defined in ORS 125.240(5). Professional fiduciaries are exempt from this rule.
- (4) The court will send notice and instructions of this requirement to the non-professional fiduciary at the time of appointment as guardian, conservator or personal representative. The attorney representing a trustee shall provide notice and instruction to the trustee of this requirement.
- (5) Fees for the court-required class shall be considered a cost of administration of the protective proceeding, estate or trust. The fee for the court-required class may be waived or deferred at the court's discretion, in keeping with the court's policy of fee waiver and deferrals.
- (6) Upon successful completion of the court-required class, the Non-Professional Fiduciary Education Program provider shall e-file a certificate of completion with the Probate Department stating the date and time the class was taken and the provider of the class.
- (7) Upon a showing of good cause, a non-professional fiduciary may request a waiver of the requirements of this rule. The request must be made by motion, supported by affidavit and filed within fifteen (15) days of receipt of notice.

- (8) The court may, at its discretion, require a non-professional fiduciary to retake the class.
- (9) Failure to timely comply with this rule may result in removal of the non-professional fiduciary by the court.

9.081 Presentation of Oral Objections

Manner for making oral objections: Oral objections pursuant to ORS 125.075 shall be presented to a Probate Clerk at the Civil Counter on the 1st floor of the Courthouse, located at 100 South Oakdale, Medford, Oregon, during regular office hours. Objections may also be given orally to an appointed court visitor. Court visitors shall reflect any objections of the respondent or protected person in the court visitor's report to be filed with the court.

9.161 Probate Proceedings

In accordance with ORS 125.475(3) and ORS 116.083(2)(d), in lieu of actual vouchers, a list of expenditures as reflected by the actual vouchers shall accompany all accountings.

9.162 Protective Proceedings

- (1) When a petitioner seeks appointment of a guardian for an adult respondent, the petitioner shall provide the court visitor's fee directly to the court visitor. The court visitor who shall be appointed by the court on a rotation basis, from the court's approved list of court visitors. The court visitor will not undertake the investigation until the fee has been paid, unless the fee has been waived by an order of the court.
- (2) In accordance with ORS 125.155(5), reasonable compensation for a court visitor at any hearing on any objection of a fiduciary shall be \$25.00. The compensation is to be paid by the objecting party prior to any hearing being set regarding the objection.
- (3) Within thirty (30) days after each anniversary of appointment, a guardian of a minor shall file with the court a written report. Copies of the guardian's report must be given to those persons specified in ORS 125.060(3). The report shall be in the form prescribed by the court. Attached hereto as Appendix E is a sample form for use as a "Guardian's Report for Minors."

9.163 Duties of Custodian of Will

The custodian of a will who delivers a will to the court in compliance with ORS 112.810(1)(f), shall also file a Declaration containing facts demonstrating that the court

has jurisdiction of the estate of the testator and that the testator is dead.

9.200 Visitors

Pursuant to ORS 125.165 and 125.170, the Presiding Judge of Jackson County establishes by order:

- (1) Qualifications for persons serving as visitors for the court;
- (2) Standards and procedures to be used by visitors in the performance of their duties; and
- (3) Fees for visitors conducting interviews and preparing reports.

CHAPTER 11 – JUVENILE

11.015 Appearance at Juvenile Proceedings by Simultaneous Electronic Transmission

- (1) Unless otherwise prohibited by the court or statute, all initial appearances, pretrial conferences, pleas, status hearings, and review hearings involving a juvenile who is lodged in detention may be held by simultaneous electronic transmission (*e.g. telephone or video*).
- (2) Unless otherwise authorized by the court, all initial appearances, pretrial conferences, review hearings, trials and permanency hearings where a parent is incarcerated at the Oregon Department of Corrections or in the Jackson County Jail may be held by simultaneous electronic transmission.
- (3) Parties other than those specified in subsection (1) and (2) above, and all other witnesses in a proceeding shall be allowed to appear and testify by simultaneous electronic transmission provided that it is with the parties' consent and the approval of the court.
- (4) Whenever testimony by simultaneous electronic transmission is allowed under this rule, it shall be the responsibility of the party calling said witness to coordinate with the opposing party, the court, and the witness the manner and time of simultaneous electronic transmission sufficiently in advance of the proceeding so as not to cause undue disruption or delay.

11.016 Termination of Parental Rights (TPR)

- (1) TPR Initial Appearances are held on the second Friday of each month at 1:00 p.m. in the Jackson County Circuit Court Justice Building located at 100 S Oakdale Avenue, Medford, Oregon 97501.

- (2) A parent who is served with a summons for the first appearance in a petition to terminate parental rights case shall appear personally in court at the time and place specified in the summons. The purpose of the appearance is to deny allegations of the petition and to receive/acknowledge future court dates for TPR proceedings.
- (3) At the first appearance, a parent may request a court appointed attorney to represent the parent at trial.
- (4) Parents who are incarcerated will be permitted to appear by simultaneous electronic transmission (*e.g. telephone or video*).
- (5) A parent who fails to appear as summoned may be subject to entry of judgment granting the petition to terminate the parental rights of that parent following a prima facie hearing.
- (6) A parent who fails to appear at any hearing subsequent to the first appearance may be subject to entry of judgment granting the petition to terminate parental rights of that parent following a prima facie hearing.

11.017 Private Dependency Petitions

- (1) When a private petition is filed in a dependency case where the Oregon Department of Human Services (ODHS) is not a party, the Juvenile Court Clerk's Office will schedule hearings as required by statute in due course.
- (2) The party filing the private dependency petition is responsible for ensuring that service of the petition and summons is affected on the parties.
- (3) The party filing a private dependency petition is responsible for providing the discovery to the court and other parties in the case.
- (4) Following a Judgment for Jurisdiction & Disposition, the court will set a future status hearing out 365 days, or the date the child reaches the age of majority, whichever is sooner.
- (5) The court may, on its own motion, terminate jurisdiction and wardship when the child reaches the age of majority.

11.018 Petitions for Judicial Determination

- (1) Petitions for Judicial Determination are filed by the Oregon Department of Human Services (ODHS) with the Juvenile Court Clerk's Office. Petition filings must include an affidavit, a voluntary placement agreement and a formal request by ODHS, and a proposed Judgment of Judicial Determination.

- (2) The court does not require an initial review hearing, unless requested by ODHS prior to the court entering a Judgment for Voluntary Placement.
- (3) Following entry of Judgment for Voluntary Placement the court will set a Permanency Hearing within six months and send notices to parties.

11.019 Motions to Continue a Hearing for Good Cause

- (1) In all Dependency Cases, and any Juvenile Delinquency case proceeding where a child is the victim, the court and counsel shall take appropriate action to ensure such actions are given precedence over all other proceedings.
- (2) When ruling on any motion or other request for postponement for good cause, the court shall consider any adverse impact it may have on the child involved in the case.

11.020 Motions or Special Set Hearing Requests

- (1) Any motion or matter for which oral argument is requested must include in the case caption the approximate time needed.
- (2) If the motion is in a dependency case, the filing party may request it be added to the next scheduled hearing date. If the requesting party believes that the time allotted for the next hearing is not sufficient to accommodate argument on the motion or requested matter before the court, the requesting party may contact the court to request a future hearing date and time to include in the motion filing or request, after consulting with the other parties on their availability. The filing may also designate 'on a future date to be set by the court'.
- (3) If the motion is in a delinquency case, the filing party may request it added to the next scheduled hearing date. If the requesting party believes that the time allotted for the next hearing is not sufficient to accommodate argument on the motion or requested matter before the court, the requesting party may contact the court to request a future hearing date and time to include in the motion filing or request, after consulting with the other parties on their availability. The filing may also designate 'on a future date to be set by the court'.
- (4) The court, on its own motion, may reschedule a hearing at any time if it is determined that the time allotted for the matter is not sufficient to accommodate the argument in its current calendar setting.

11.021 In Camera Review

- (1) Parties seeking *in camera* review of documents in juvenile dependency or delinquency cases shall file a motion with the Juvenile Court Clerk's Office describing the records to be reviewed, the information the party seeks to obtain

from the records, and the legal authority for the *in camera* review. Documents submitted for *in camera* review shall be directed to the Juvenile Clerk's Office.

- (2) Motions for *in camera* review of documents in juvenile dependency or delinquency cases shall be set for a hearing in due course, unless there is an assigned judge, in which case the motion will be scheduled on that judge's calendar.
- (3) Upon Order for *in camera* review, the custodian of the records/documents included shall deliver them to the court in a sealed envelope or box with a copy of the order affixed to the outside, made to the attention of the judge who signed the order.
- (4) *In camera* documents shall be sealed and retained in the records of the court in the event there is an appeal. After the statutory appeal period has passed, the court will follow local procedures to notify the submitting party to retrieve their original documents from the court or destroy the records if unclaimed.

11.022 Waiver of Jurisdiction on Juveniles for Traffic, Boating and Game

Violations

Pursuant to Presiding Judge Order 07-16 all cases involving a juvenile and an alleged violation of the Oregon Vehicle Code, Municipal traffic laws and any Oregon boating and or game laws, are waived into Jackson Circuit Court, Jackson Justice Court or appropriate Municipal court.

11.023 Juvenile Delinquency – Pretrial Report

- (1) Appearance at the scheduled pretrial conference shall be waived if parties have submitted a pretrial report setting forth an agreed upon plea hearing or declared the Juvenile Offender is ready for Trial.
- (2) Said pretrial report must be e-filed with the Trial Court Administrator by 2:00pm on the last judicial day prior to the scheduled pretrial conference.
- (3) The filing of said report constitutes representation to the court by each signee that the parties have conferred in accordance with SLR 7.041(2), all witnesses have been contacted and subpoenaed if necessary and that parties are ready for trial or a plea will be entered on a date previously arranged with the court.
- (4) Plea hearings that require scheduling may be set in any 8:30am Delinquency Detention session or in a 9:00am Tuesday/Friday Delinquency Proceeding session. At the time of the plea hearing, a disposition hearing date will be set with all parties present or set for the previously scheduled date of the Trial.

- (5) Attached hereto as Appendix G is the sample form for use as a 'Pretrial Report in Juvenile Proceedings'.

CHAPTER 12 - CIVIL MEDIATION

12.001 Child Custody Mediation

Jackson County Circuit Court has a mandatory child custody and parenting time mediation program. See SLR 8.011.

12.002 Matters Subject to Mediation

- (1) Jackson County Circuit Court has a mandatory Alternative Dispute Resolution (ADR) program pursuant to ORS 36.400 to 36.425, UTCR Chapter 13, and ORS 36.185 to 36.210. Litigants may satisfy this requirement by participating in court annexed arbitration or mediation.
- (2) All small claims cases in which a jury trial has been requested, and in which a formal complaint has been filed, shall be subject to the Alternative Dispute Resolution program rules.
- (3) All contested small claims and landlord/tenant cases shall be referred to mediation pursuant to ORS 36.185, except as otherwise ordered by the court. Parties in landlord/tenant cases may opt out of mediation at first appearance. Mediation may be attended by remote means. If a resolution is not reached, the case shall thereafter proceed to trial. Cases involving an incarcerated party shall not be referred to mediation unless all parties agree to participate in mediation.

12.003 Alternative Dispute Resolution Commission

In addition to its other duties, the Alternative Dispute Resolution Commission shall monitor the court mediation programs, advise the court regarding mediation services, review qualifications and training of mediators, and establish a compensation schedule for court mediators.

12.004 Mediation Panel Established

There shall be a panel of mediators comprised of mediators who satisfy qualifications and training standards prescribed in UTCR chapter 12 and have been appointed by the Presiding Judge.

12.005 Appointment of Mediation Panel

- (1) To apply for inclusion on the Jackson County panel of mediators, a person must sign and file an application provided by the court.
- (2) The Alternative Dispute Resolution Commission shall review each application and make a recommendation to the Presiding Judge.
- (3) The decision as to whether an individual is qualified to be on the panel of mediators, and the number of mediators which comprise the panel, shall be made by the Presiding Judge.

12.006 Removal from Mediation Panel

- (1) The Alternative Dispute Resolution Commission shall monitor the performance of mediators and report to the Presiding Judge as appropriate.
- (2) The Presiding Judge may remove a mediator from the court panel at the Presiding Judge's discretion.

12.008 Referral to Mediation

- (1) Upon appearance of the parties and determination of the case at issue, the clerk of the court will notify the parties of the SLR 12.002 and 13.021 requiring participation in an ADR program.
- (2) The case shall be assigned to arbitration unless a request for mediation is made by one of the parties.

12.009 Exemption from Mediation

The parties may request exemption from Alternative Dispute Resolution (ADR) requirements by filing an affidavit or declaration within 14 days of receipt of the notice of Alternative Dispute Resolution (ADR) requirements wherein the parties state they have attempted to settle all issues in dispute by participating in mediation prior to filing the case.

12.010 Assignment of Mediator and Scheduling

- (1) The court shall exercise its authority under ORS 36.200(2) to assign cases subject to SLR 12.008(2) to a mediator.
- (2) The mediator will assign the date, time, and meeting place of the initial mediation session and any additional sessions. Mediation may occur by remote means.
- (3) The parties may choose, at their option and expense, mediation services other

than those suggested by the court. Private mediation services shall be subject to the same provisions of ORS 36.180 to 36.210.

- (4) Providing a party objects to the court-appointed mediator, the party may request reassignment of another mediator by filing an affidavit with the court setting forth good cause for the request.

12.011 Compensation of Mediators

- (1) Payment of the mediation fee is due within 14 calendar days of notice of assignment of a mediator. Each party shall pay the mediator directly.
- (2) If any party fails to pay the prescribed fee within 14 calendar days of assignment, the court will exercise its authority under UTCR 1.090 to impose an appropriate sanction.
- (3) If arbitration is requested subsequent to the appointment of a mediator, but prior to any mediation occurring, the parties shall nevertheless be required to pay the mediator a fee of \$25.00 each.

12.012 Completing Mediation

Any case assigned to mediation must complete mediation within 90 days of assignment, unless otherwise ordered by the court.

- (1) In all cases assigned to mediation in which a settlement is reached, the parties shall report such settlement to the mediator and the mediator shall file a notice of such settlement with the court.
- (2) The results of mediation hearings shall be reported to the court as either “settled” or “not settled.”
- (3) If a case is reported as “settled”, the terms of the agreement, including a date of final compliance, shall be signed by the parties and filed by the mediator with the clerk of the court within 10 judicial days.
 - (a) The mediator shall provide the creditor with a form to report compliance or non-compliance with the terms of the settlement agreement.
 - (b) Should the creditor fail to file a report of compliance or non-compliance within 30 days after the final date for compliance or report the terms of the settlement have been met, the clerk of the court shall dismiss the case.
 - (c) Upon notice by a creditor of non-compliance with the terms of the settlement agreement, the clerk of the court shall refer the case to a judge for disposition.

- (4) If the parties are not able to settle a mediated case, the case will be set for trial and not be required to arbitrate.

12.013 Good Faith Mediation

In the event a party fails to mediate in good faith, the court may exercise its authority under UTCR 1.090 to assess as costs any party's costs necessarily incurred in mediation in any subsequent judgment.

CHAPTER 13 - CIVIL ARBITRATION

13.003 Alternative Dispute Resolution Commission

In addition to its other duties, the Alternative Dispute Resolution Commission shall monitor the court arbitration programs, advise the court regarding arbitration services, review qualifications of arbitrators, and establish a compensation schedule for court arbitrators.

13.011 Uninsured Motorist, Under-Insured Motorist and Personal Injury Protection Arbitrations

Arbitration proceedings commenced under ORS 742.505 and ORS 742.521 shall be conducted pursuant to UTCR 13.140, 13.150, 13.170, 13.180 and 13.190. (See UTCR 13.010(2))

13.021 Matters Subject to Arbitration

Jackson County Circuit Court has a mandatory Alternative Dispute Resolution (ADR) program pursuant to ORS 36.400 to 36.425, UTCR Chapter 13, and ORS 36.185 to 36.210. Litigants may satisfy this requirement by participating in either court annexed arbitration or mediation.

13.022 Referral to Arbitration

- (1) Upon appearance of the parties and determination that the case is at issue, the court clerk will notify the parties of the SLR 12.002 and 13.021 requiring participation in an ADR program.
- (2) Unless one of the parties requests mediation, the case shall be assigned to arbitration pursuant to SLR 12.008.
- (3) All cases assigned to arbitration shall be subject to this chapter of the Supplementary Local Rules.

13.023 Compensation of Arbitrators

- (1) Payment of the arbitration fee is due within 14 calendar days of notice of assignment of an arbitrator. Each party must pay the assigned arbitrator directly.
- (2) If the plaintiff fails to pay the prescribed fee within 14 calendar days of assignment, the court may exercise its authority under UTCR 1.090 to impose an appropriate sanction, absent relief prescribed by ORS 36.420(3).
- (3) If the defendant fails to pay the prescribed fee within 14 calendar days of assignment, the court may exercise its authority under UTCR 1.090 to impose an appropriate sanction.

13.024 Arbitration Date

The date for the arbitration hearing will be no more than six months from the date the case is assigned to an arbitrator.

CHAPTER 16 - VIOLATIONS

16.001 Trial by Affidavit/Declaration

Trial by affidavit or declaration, as provided in ORS 153.080, is authorized for all violations. If the defendant chooses to waive the right to have testimony presented orally in court or to waive the right to a hearing in court, the defendant must make this request by completing a signed written waiver and filing it with the court.

16.005 Postponements, Violation Trial

- (1) Each party may request a single postponement of a scheduled court trial with a showing of good cause.
- (2) A party's request for a postponement of a court trial must be made in written form, signed by the party and received by the court not less than five (5) judicial days prior to the scheduled trial date.
- (3) Subsequent requests by a party for a postponement of a court trial must be made in written form signed by the party. The motion will only be granted upon a showing of extraordinary circumstances.
- (4) When the court grants a postponement, the court will notify all parties to the action.

APPENDIX OF FORMS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

CASE NO. _____

**CIVIL EVIDENTIARY MOTION
NOTICE OF HEARING**

Reporting Requested: _____ No _____ Yes Estimated Length _____

TO THE CLERK OF THE COURT AND TO:

The undersigned has scheduled for hearing the following motion:

_____, a copy of which is attached.

The evidentiary hearing is scheduled at 9:00 a.m. on _____, in

Courtroom No. _____.

YOU SHOULD APPEAR AT THE TIME AND PLACE DESIGNATED.

Failure to appear, unless good cause is established, may result in relief being granted in accord with the motion filed, if consistent with Oregon law.

Signed: _____ Dated: _____

Name: _____ Bar No: _____

Address: _____

City, State, Zip: _____

Appendix A
(Per SLR 5.061(2)(a))

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

STATE OF OREGON,

Plaintiff,

vs.

_____,
Defendant.

CASE NO. _____

ORDER ON ARRAIGNMENT

The defendant waives arraignment on the District Attorney's Information and has been advised of the following rights:

1. The right to remain silent;
2. The right to an attorney; and
3. The right to a jury trial.

The charges have been explained to defendant, along with the maximum penalty for each charge and defendant understands same.

IT IS HEREBY ORDERED that the District Attorney of Jackson County, Oregon, and the attorney for the Defendant mutually disclose all information required under the discovery statutes ORS 135.805 to 135.873 at least ten (10) days prior to the date to which this case is continued by this order.

IT IS FURTHER ORDERED that within seven (7) days of filing this Order with the court, the defendant will report to the court clerk's office to sign the Conditional Release Agreement. The defendant will then within that same time period report to the Jackson County Jail to be processed and fingerprinted.

IT IS FURTHER ORDERED that the Defendant appear on Monday, _____, 20 ____, at _____ A.M. for entry of plea.

Appendix B
(Per SLR 7.012)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

STATE OF OREGON,

Plaintiff,

vs.

Defendant.

CASE NO. _____

PRETRIAL REPORT

Pretrial reports must be e-filed with the Court by 2:00 PM on the last judicial day before the pretrial date or you must appear at the Pretrial hearing.

- 1. PRETRIAL DATE: _____
- 2. ATTORNEY: _____
- 3. DEPUTY DISTRICT ATTORNEY _____
- 4. DEFENDANT WILL CHANGE PLEA TO GUILTY ON: _____, 20__, __.M.

The plea time must have been arranged through the Criminal Clerk, and if that has been done, the rest of this report need not be executed.

- 5. DEFENDANT IS READY FOR TRIAL AND:
 - A. The parties have conferred in accordance with SLR 7.014 (2).
 - B. All necessary witnesses have been contacted and subpoenaed as necessary.
 - C. Has been in contact with attorney within 10 days prior to Pretrial:
Indicate type: () letter () telephone () personal contact

6. Pretrial matter or motions to be resolved:

- 7. DISCOVERY: Complete _____ Incomplete _____
- 8. JURY: 6 person _____ 12 person _____ Waived _____
- 9. TRIAL DATE: _____ STATUS CHECK DATE _____ (Thursday prior to Trial Week)
- 10. TRIAL TIME: _____ day(s) LODGED Yes ___ No ___

Dated: _____
_____ Defendant

Deputy District Attorney
Bar No. _____

Attorney for Defendant
Bar No. _____

Appendix C
(Per SLR 7.016)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

STATE OF OREGON,

Plaintiff,

vs.

_____,
Defendant.

CASE NO. _____

PLEA NOTICE*

1. Trial Readiness Hearing Date (Status) _____

2. Trial Date _____

3. Attorney _____

4. Deputy District Attorney _____

5. Defendant will enter pleas of Guilty or No contest to the following charges or counts:

On _____, at _____.M.

And the following charges or counts will be Dismissed.

Dated _____

Attorney Signature _____

* This form is not to be used for defendants who are in custody without prior judicial approval.

Appendix D
(Per SLR 7.023(2))

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

In the Matter of the Guardianship of:

CASE NO. _____

Name of the protected person

GUARDIAN'S REPORT FOR MINOR

Minor's Date of Birth: _____

1. The address of the minor is:

Telephone: _____

2. Is the minor living with you? YES _____ NO _____

If not, please state who the child is living with, the relationship of that person to the child, and why the child stopped living with you:

When did the child leave your residence?

3. How is the minor doing in school? Is he/she participating in any extracurricular activities?

4. I believe I ___ should or ___ should not continue to be the guardian for the minor child because:

5. Any additional information you wish to provide to the court regarding this minor's adjustment to your care:

6. During the past year, I have received \$_____ from _____ to help support this minor. I spent \$_____ of that income on behalf of the minor and now I have \$_____ remaining.

7. Since my last report:

(a) I have been convicted of the following crimes (not including traffic infractions): _____

(b) I have filed for or received protection from creditors under the Federal Bankruptcy Code:
_____ Yes _____ No

(c) I have had a professional or occupational license revoked or suspended:
_____ Yes _____ No

(d) I have had my driver's license revoked or suspended: _____ Yes _____ No

I am the guardian herein and I hereby declare that the above statement is true to the best of my knowledge and belief. I understand that it is made for use as evidence in court and is subject to penalty for perjury.

Date Signature of Guardian

Date Signature of Co-Guardian (if applicable)

FOR COURT USE ONLY:

APPROVED BY: _____

Appendix E
(Per SLR 9.162(3))

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON**

In the Matter of the _____)
of _____)
___ Deceased ___ Minor ___ Incapacitated.)

CASE NO. _____

**ACKNOWLEDGMENT OF
RESTRICTION OF ASSETS**

We acknowledge receipt of a copy of the court order signed on _____, 20__ that restricts access to the assets of the above estate/conservatorship as described below. We will not allow ANY distribution or withdrawal of principal or income from these assets or use of the assets as security for any obligation without specific authority by court order, except as allowed by this Order unless modified by a subsequent Order of this Court. We will not close the account without Court Order or upon the minor reaching the age of majority. We will provide the Court with at least 30 days prior written notice with any intent to close for any other reason. The Order allows the conservator to make withdrawals from the restricted assets as follows: ___ **None** ___ **Other conditions or restrictions:**

_____.

The assets on deposit with us that are subject to the Order are identified as follows:

Account No.	Value of Account Assets	Type of Account	Maturity

(You may list any other accounts subject to the Court's Order on the back of this form)

The name of the holder of the account shown on our records is _____.

We understand that the conservator/personal representative may do the following without court order:

- (1) transfer restricted assets to other accounts with us that are subject to the restrictions stated above; and
- (2) change the investment of assets, as long as all assets remain in an account with us subject to the restrictions stated above.

We agree to abide by the Order. We understand that if assets are removed from a restricted account without prior court order, this institution shall be required to pay the value of those assets to the estate/conservatorship.

DATE: _____, 20__.

Name & Address of Financial Institution:

THIS DOCUMENT MUST BE SIGNED
BY AN OFFICER OR OTHER PERSON
AUTHORIZED TO BIND THE INSTITUTION.

By: _____

(Printed Name and Title)

Appendix F
(Per SLR 9.051)

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR JACKSON COUNTY**

In the Matter of: _____)
)
)
)
)
A Youth _____,)
)

Case No. _____
PRETRIAL REPORT

Pretrial reports must be e-filed with the Court by 2:00 PM on the last judicial day before the pretrial date or you must appear at the Pretrial hearing.

- 1. PRETRIAL DATE: _____
- 2. ATTORNEY: _____
- 3. DEPUTY DISTRICT ATTORNEY: _____
- 4. JUVENILE COUNSELOR: _____
- 5. YOUTH WILL ADMIT JURISDICTION ON: _____, 20__, __.M.

The plea time must have been arranged through the Juvenile Clerk's Office, and if that has been done, the rest of this report need not be executed.

- 6. The parties () have () have not personally conferred regarding plea negotiations, discovery matters and the need for a court hearing on motions or other matters affecting this case.
- 7. YOUTH IS READY FOR TRIAL AND:
All necessary witnesses have been contacted and subpoenaed as necessary.
- 8. DISCOVERY: Complete _____ Incomplete _____
- 9. TRIAL DATE: _____
- 10. TRIAL TIME: _____ LODGED Yes ___ No ___

CERTIFICATE OF SERVICE

I further certify that on today's date I served a true copy of this pretrial report upon the Jackson County District Attorney's office and to the Jackson County Juvenile Community Justice office.

Attorney for Defendant Date
Bar No. _____

Appendix G
(Per SLR 11.023)

CERTIFIED ELECTRONIC COPY

STATE OF OREGON

COUNTY OF JACKSON



I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A DOCUMENT IN THE POSSESSION OF THE COURT ADMINISTRATOR FOR THE JACKSON COUNTY CIRCUIT COURT.

DATED: 12/8/2023

COURT ADMINISTRATOR FOR THE JACKSON COUNTY CIRCUIT COURT OR DESIGNEE.

A handwritten signature in black ink, appearing to read "Benjamin Bloom", is written over a horizontal line.

HON. BENJAMIN BLOOM
PRESIDING JUDGE
JACKSON COUNTY CIRCUIT COURT