


In the Matter of Out-of-Cycle Revision of Uniform Trial Court Rule 1.050(2)) CHIEF JUSTICE ORDER
) No. 20-015
)
) ORDER APPROVING OUT-OF-CYCLE
) REVISION OF UNIFORM TRIAL COURT
) RULE 1.050(2)
)

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

1. Good cause has been shown and the time limits established by UTCR 1.020(2), (3), and (4) are waived for the revision of UTCR 1.050(2).
2. UTCR 1.050(2), as shown in Attachment A to this order, is revised effective immediately.
3. Pursuant to UTCR 1.020(5), the UTCR Reporter shall take the steps necessary to post the revised rule for public comment as soon as practicable and shall place it on the agenda for the October 2, 2020, UTCR Committee meeting for review of public comment.

Dated this 12th day of May, 2020.



Martha L. Walters
Chief Justice

1.050 PROMULGATION OF SLR; REVIEW OF SLR; ENFORCEABILITY OF LOCAL PRACTICES

(1) * * *

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(2) Review of SLR

- (a) The presiding judge must give written notice of proposed new rules and proposed changes to existing rules to the president(s) of the bar association(s) in the affected judicial district and allow the bar association(s) to provide public comment to the presiding judge. The presiding judge must give the written notice at least 49 days before the date of submission of the SLR to the Office of the State Court Administrator (OSCA) pursuant to subsection (b).
- (b) On or before September 1 of each year, the presiding judge or designee must submit to OSCA a complete set of SLR, including proposed new rules and proposed changes to existing rules, if any. The submission must include a written explanation of each proposed new rule and each proposed change of an existing rule. Absent a showing of good cause, proposed new rules and proposed changes to existing rules will be considered by the UTCR Committee and the Chief Justice or designee not more often than once each year.
- (c) SLR submitted to OSCA must show proposed changes as follows: new wording and new rules must be in bold and underlined and have braces placed before and after the new wording ({...}), wording to be deleted and rules to be repealed must be in italics and have brackets placed before and after the deleted wording (*[...]*). When final SLR are submitted to OSCA pursuant to subsection (g), changes shall not be indicated in the manner required by this subsection.
- (d) The UTCR Committee will conduct an annual review of existing rules, proposed new rules, and proposed changes to existing rules. The UTCR Committee may suggest rule changes to a presiding judge, and recommend disapprovals to the Chief Justice, regarding existing rules, proposed new rules, and proposed changes to existing rules.
- (e) The Chief Justice or designee shall issue any disapprovals on or before December 15 of the same year. If a local rule is disapproved, notice of that action shall be given to the presiding judge of the judicial district submitting the rule.
- (f) A presiding judge may include in the final SLR, submitted pursuant to subsection (g), changes suggested by the UTCR Committee. A presiding judge must address in the final SLR any disapprovals made by the Chief Justice. Subsection (a) does not apply to these changes or disapprovals.

- (g) Judicial districts must file with OSCA a final certified electronic copy of their SLR in PDF and send a copy to the president(s) of the bar association(s) in the affected judicial district. The final certified electronic copy must be received by OSCA no later than January 1 of the next year. Those SLR become effective on February 1 of the next year. SLR filed after January 1 become effective 30 days after the date received by OSCA.
- (h) The Chief Justice may waive the time limits established in this section upon a showing of good cause.

(3) * * *