

In the Matter of Approving Out-of-	)	CHIEF JUSTICE ORDER
Cycle Amendment of Uniform Trial	)	No. 26-019
Court Rule 4.130	)	
	)	ORDER APPROVING OUT-OF-CYCLE
	)	AMENDMENT OF UNIFORM TRIAL
	)	COURT RULE 4.130

I HEREBY ORDER, pursuant to ORS 1.002 and Uniform Trial Court Rule (UTCRC) 1.020, the following:

1. Good cause has been shown and the time limits established by UTCRC 1.020(2), (3), and (4) are waived for the amendment of UTCRC 4.130.
2. UTCRC 4.130 is amended, as shown in Attachment A to this order. For the convenience of the reader, deleted wording is shown in *[brackets and italics]* and new wording is shown in **{braces, underline, and bold}**.
3. Pursuant to UTCRC 1.020(5), the UTCRC Reporter shall take the steps necessary to post the amendment of UTCRC 4.130 for public comment as soon as practicable and shall place them on the agenda for the October 22, 2026, UTCRC Committee meeting for review of public comment.
4. This order is effective July 1, 2026.

Dated this 16th day of June, 2026.



 Meagan A. Flynn
 Chief Justice

4.130 CAPTION REQUIREMENT FOR REFILED CHARGING INSTRUMENTS

In addition to any other requirements imposed by statute or rule, [if]{**when**} a prosecuting attorney files a charging instrument [that]initiat[es]{**ing**} a criminal action [and is]based on charges previously dismissed without prejudice by the court[,]{:}[*the caption of the charging instrument must include the phrase: "Refiling after prior dismissal without prejudice."*]

{(1) The caption must include the phrase: "Refiling after prior dismissal without prejudice;" and

(2) The charging instrument must be filed as a new case and may not be filed into the previously dismissed criminal case.}