

News About Rules

Oregon Rules of Appellate Procedure: Users of the Oregon Appellate Courts' electronic filing system will no longer have to pay a transaction charge; they will have to pay a document recovery charge of \$.10 per page multiplied by seven copies of every document electronically filed, except for motions for extensions of time, consolidation, permission to file reply briefs or extended briefs, appellant's motion to dismiss, or stipulated motions to dismiss. (See Chief Justice Order No. 08-047, August 21, 2008, amending Chief Justice Order No. 08-034, June 25, 2008, at www.publications.ojd.state.or.us/RULE136.htm.)

New amended rules in Chapter 16: Filing by Electronic Means, have been adopted, effective August 25, 2008. The amendments require conventional filing in certain categories of cases: adoption, juvenile dependency (including termination of parental rights), juvenile delinquency, commitment of mentally ill and deficient persons, and stipulations for discipline in Oregon State Bar matters. Documents in all other cases may be filed electronically. (See Chief Justice Order No. 08-046, replacing the rules set forth in Chief Justice Order No. 08-033, June 25, 2008, at www.publications.ojd.state.or.us/RULE135.htm.)

Oregon Rules of Civil Procedure: The Council on Court Procedures seeks comments on the following proposed changes to the ORCP: 1G – a new enabling rule for future court rules allowing electronic

filing and service of documents, except for service of summons; 7D(3) – clarifying requirements for service on corporations, limited liability companies, limited partnerships, general partnerships, and limited liability partnerships; 54E – clarifying when offers to allow judgment may be filed; 59B – requiring written jury instructions; and 69 – addressing the form and filing of notices of intent to take default. You can view the proposed changes at www.lclark.edu/~ccp/Amendments_PublishedforComment.htm. Fax comments to the Council's Executive Director, Mark Peterson, at 503-768-6540, or visit www.lclark.edu/~ccp and click "Contact Us." Comments must be received by December 3, 2008, to be considered.

Uniform Trial Court Rules: UTCR 5.100(1) contains specific requirements for giving opposing counsel or an unrepresented party the opportunity to object to the form of a proposed judgment or order submitted in response to a court ruling. UTCR 5.100(2) requires that a certificate describing the manner of compliance with subsection (1) be attached to the proposed judgment or order. Many attorneys are still not complying with these requirements, which were effective August 2007. Judges in at least one circuit court are returning proposed orders or judgments that do not have the requisite certificate attached. You can view current 2008 UTCRs at www.ojd.state.or.us/programs/utcr/utcrrules.htm.

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News About Rules, continued

Supplementary Local Rules: Proposed changes to the SLRs for Multnomah County Circuit Court, to be effective February 1, 2009, are available for review at www.ojd.state.or.us/mul/2009_SLR_Changes.pdf. Current 2008 SLRs for all Oregon trial courts can be viewed at www.ojd.state.or.us/web/OJDPublications.nsf.

Thanks to Kathryn M. Pratt, Law Offices of Kathryn M. Pratt, for her assistance with these tips.