

OLC MUNICIPAL & JUSTICE COURTS WORK GROUP

OCTOBER 23, 2025

MEETING NOTES

ATTENDEES

Judge Juliet Britton	Judge Mary James	Jim Nass
Melissa Franz	Monte Ludington	Kimberely McCullough
Lindsey Detweiler	Jessica Minifie	Judge Erin Zemper
Amie Fender-Sosa	Judge Daniel Cross	Matt Shields – <i>moving forward, will be Matt or Avery</i>
Rep. Kim Wallan	Judge Emily Oberdorfer	Scott Winkels

Introductory Remarks from Judge James

- Judge James, Jessica, and Amy met prior to the first meeting
 - They identified potentially low hanging fruit to start the conversation
 - Moving forward: work group may want to identify who else should be brought into the conversation
- Spoke to fairly strict timelines

Initial Logistics, Judge James and Amy: Preliminary conversations on a lot of these topics

- Previous success of small group process
- Amy will be sending out a roster at the end of the workgroup
 - Group will meet on monthly basis with caveat that if additional meetings are needed, they will be scheduled as necessary
 - Recordings will be posted
 - Agendas, meeting notes, and materials will be posted on the OLC website and distributed
 - Please reach out to Judge James or Amy if any questions come up
- Scheduling and Process
 - Noon hour (Tuesday/Wednesdays) as optimal day?
 - 1hr – written, preparatory materials can be useful, executive memos

Topics of Interest

- Issues identified in the report
 - Limitations on appeals from municipal offense convictions
 - Whether violations that appeal from local court to circuit and then to court of appeals should proceed under ORS Ch. 119 or 138
 - Forcible entry & detainer (FED)
 - Treatment of abolished local courts & records
 - Efficiency of Service Requirements on District Attorneys
 - Local Courts to become Courts of Record
 - Unintended consequences of HB 2460? We may not know yet, because it is so new
- Issues raised by the OLC Program Committee
 - City of Portland has no municipal court
 - Training & Oversight of Non-Lawyer Judges
 - A house bill in 2015 (HB 3399 (<https://olis.oregonlegislature.gov/liz/2015R1/Measures/Overview/HB3399>)) was passed that related to Rep Wallan's concerns.
- Issues raised during initial meeting
 - Issue of transfer from local court to circuit court. Can a person transfer a violation?
 - Violation under civil and misdemeanor under criminal

Drafting Process – Jessica Minifie

- Taking HB 2460 and inserting into ORS
 - Legislative Counsel is responsible for publishing ORS, codifies them, creates editorial notes, etc. (happens btwn Aug-Nov)
 - Bill draft needs to be submitted
 - Where 2460 was codified
 - When workgroup originally met, concerns were raised about Justice Court statutes being all over the place
 - Justice Courts - Now Codified in Title 6
 - ORS Chapter 51 – Justice Court Jurisdiction
 - ORS Chapter 52 – Civil Actions and Small Claims
 - ORS Chapter 53 – Everything from ORS Chapter 156 dealing with criminal actions
 - ORS Chapter 54 – Juries
 - ORS Chapter 55 – Justice Court Appeals
 - Municipal Courts – Remain in ORS Chapter 221

- Realistically, it would be best to hold off on draft-sharing until the end of Nov/early Dec
- Actual new edition of ORS will be in early Jan
- Where to start
 - Because of limited window and Commission and Legislative deadlines, good to start talking now. Hoping to start with things that can be a little more self-contained
 - Potential good topics for November/December would be (so that we can get started, Jessica can do what she can, and then we can look at things that are more expansive) ...
 - FED issue (raised by Judge Cross and Jim Nass)
 - Are others interested in this issue?
 - Small group to look into this and whether there is an issue
 - Information will be distributed. If interested in this issue, please contact Amy.
 - Also, potentially other FED issues that will not come to light until HB 2460 goes into effect
 - DA Question about Service
 - Monte expressed interest in conferring with ODAA folks before talking about this question
 - City Attorneys would like to participate in this conversation

Additional Information

- Request for a memo fleshing out the issues and questions presented.
 - Amy and Cara will draft this
- Draft roster to be sent out with link to recording

Timeline

- Plan to complete draft bill by end of August, to give Jessica a chance to draft legislator bills and report to be written.
- LC Draft and Report submitted to full Commission in time for December 4, 2026 (tentative date) meeting.

Steps for next meeting

- Review p. 11 of HB 2460 Report
- Potentially participate in the FED waiver of undertaking conversation