

Meeting Notes

Oregon Law Commission

Municipal and Justice Courts Work Group – Abolished Local Courts Subgroup

August 26, 2026

I. Call to Order

In Attendance: Jessica Minifie, Kimberly McCullough, Tim Dooley, Lindsey Detweiler, Charlie Conrad, Daniel Cross, Emily Oberdorfer, Amy Zubko

II. Discussion

a. Draft records-transfer language

The group first reviewed revisions to the justice court records-transfer language, including changing “turn over” to “transfer,” splitting the provision into two sentences, and stating that the justice of the peace must transfer the court’s case records to the clerk of the circuit court for the county where the justice court was located. The group discussed making transfer of the records the triggering event for circuit court jurisdiction and agreed to retain “exclusive” in describing the circuit court’s jurisdiction after transfer. The group also discussed language to clarify that the records-transfer provision applies when a justice court is abolished and does not merge with another justice court in the same county; a possible alternative was to define “abolished” to exclude those combinations.

b. Notice and planning period

The group discussed requiring at least six months’ notice before a county abolishes a justice court, rather than exactly six months’ notice, to give counties flexibility while preserving a minimum planning period. The notice provision was revised in concept to require notice to both the Oregon Judicial Department’s state court administrator and the trial court administrator for the circuit court in the county where the abolished justice court is located. The group also discussed framing the notice requirement as a prerequisite to abolition by beginning the provision with language such as “prior to abolishing any justice court.” Several members discussed whether the statute should allow the county and receiving court to agree on a different timeline, but the group did not determine final language on that point.

c. Transfer process and continued administration of justice

The group discussed identifying the county, including the justice of the peace, the state court administrator, and the local trial court administrator, as the entities that would work together to

develop and implement the transfer process. Possible wording changes included replacing “those records” with “justice court records” or a statutory cross-reference, prioritizing electronic transfer where possible, and removing the word “specifically” from language about promoting and effectuating the continued administration of justice. The group discussed whether the electronic-transfer concept should appear in the same subsection or as a separate subsection and left the final structure to the drafter.

The group also discussed a subsection that would have addressed circuit court authority after the notice period, including what would happen if records were not transferred as expected. After discussion about whether the intended enforcement authority should be stated expressly and whether the subsection was redundant of earlier jurisdiction language, the direction was to remove that subsection.

d. Financial obligations and collections

The group then discussed whether transferred cases should follow circuit court rules for payment, collection, interest, priority, and distribution, or whether some obligations should continue to be treated as originating local court judgments. Questions were raised about how Oregon Judicial Department systems would receive transferred debts, how litigants would know where to pay, and how statutory collection and disbursement duties would apply after transfer. It was suggested that counties choosing to abolish a court may need to account for outstanding financial obligations transferring with the case records; other participants indicated that the financial-processing issues would need further review. Lindsey Detweiler indicated that information on the financial issue could be put together by the following week.

e. Wind-down and new filings

The group discussed whether the statute should require a wind-down period during which new cases would be filed in circuit court before the justice court’s closure. Several members suggested that the closure plan, rather than the statute, should cover notice to law enforcement and district attorneys, immediate transfer of misfiled cases, and resetting arraignment or first-appearance dates. The discussion clarified that transferred records may include both open and closed cases, although the expectation was that most records would be closed cases.

f. Municipal court parallel issues

Because similar language may apply to municipal courts, the group discussed whether municipal courts should be able to transfer matters by agreement to other municipal courts across county lines, using Harrisburg and Junction City as an example. The municipal court draft was described as a fallback provision that would apply when a municipal court is abolished without an

agreement for services under statutes allowing agreements with another municipal court, a justice court, or the circuit court. The group also briefly discussed justice courts that sit as municipal courts under intergovernmental agreements, including how records might be separated or returned to a city, and noted that the applicable agreement would likely govern that issue.

III. Scheduling

The next full work group meeting is September 16, 2026. The group discussed holding another small-group meeting on September 15, 2026, at noon. Jessica Minifie said she had enough information to prepare another draft and could circulate a revised version the week before the next meeting, with further revisions possible after discussing the financial issue.