

## Meeting Notes

### Oregon Law Commission

#### Municipal and Justice Courts Work Group - Abolished Local Courts Small Group

June 12, 2026

#### **I. Call to Order**

**In Attendance:** Judge Juliet Britton, Jessica Minifie, Kimberly McCullough, Charlie Conrad, Tim Dooley, Emily Oberdorfer, Amy Zubko, Nora Robison.

Amy Zubko opened the meeting by explaining that the discussion would address what should happen to local court records if a municipal or justice court is closed. The meeting was described as the first conversation on this issue, intended to identify concerns and possible directions rather than to reach a final resolution.

#### **II. Discussion**

##### **a. Records of Abolished Local Courts**

The group reviewed the Oregon Judicial Department outline on records of abolished local courts. Kimberly McCullough explained that current law provides that justice court case records are to be turned over to the clerk of the circuit court when a justice court is abolished but does not clearly address what happens to open cases, unpaid judgments, violations, fines, or fees. The outline proposed repealing the automatic transfer provision for justice court records and considering a framework similar to the municipal court statute, which allows a city and the circuit court to enter into an agreement for judicial services. The purpose of that approach would be to create an opportunity to discuss timing, record transfer, jurisdiction, resource needs, and possible funding before the circuit court assumes responsibilities associated with an abolished court.

The group discussed whether a statutory notice period or wind-down period should be required before a justice court is abolished. Questions were raised about how often justice courts close, whether closures usually result from financial concerns, low volume, or other factors, and whether the reason for closure should affect the statutory solution. Past examples mentioned included Springfield Justice Court, Jackson County's experience with abolishing and creating a justice court, and the consolidation of Marion County justice courts. There was discussion that some municipal courts may stop handling criminal dockets while continuing to handle violations, rather than ceasing operations entirely.

The group also discussed whether counties should be able to retain records after abolishing a justice court. Concerns were raised that a county retaining records without trained court staff could create problems for public records requests, appeals, DMV-related matters, set-asides, and other later case activity. Judge Britton noted that post-judgment matters can arise decades later, including set-aside requests, and suggested that any abolishment plan should clearly address those issues.

#### **b. Possible Statutory Approaches**

The group discussed whether the statutes should require an abolishment plan rather than simply permit an agreement between courts and local governments. There was a suggestion that each justice court could be required to have a plan addressing the transfer of case records, the transfer of jurisdiction, the collection of judgments, public records responses, and possible agreements with a circuit court or another local court. Several members expressed interest in a middle-ground approach that would preserve flexibility while requiring some form of plan

The group discussed whether the justice court statute is too prescriptive and whether the municipal court statutes may not be prescriptive enough. The discussion included whether the law should preserve flexibility while requiring some plan for where jurisdiction and records go after abolishment. Tim Dooley also suggested exploring whether a board of commissioners sitting as a county court could be an option for limited judgment-enforcement functions, while noting that he was not necessarily endorsing that approach.

#### **c. Practical Concerns**

The group discussed the practical difficulty of transferring old local court records into OJD systems, especially when different local courts use different vendors or record-management systems. There was discussion that some justice courts may use systems related to Odyssey because they are county courts, while municipal courts may use less expensive systems chosen by their cities. The group noted that data migration could involve cost and vendor issues, especially if a court is being abolished for financial reasons.

The group also discussed fines and fees, including whether allocation rules differ between justice courts, municipal courts, and OJD. Judge Britton explained that allocation can depend on the law enforcement officer who issued the citation and suggested that the issue should be explored further. The group discussed that any approach should consider both the collection of outstanding amounts and judicial remedies, including ability-to-pay analysis and protections against sanctions based on poverty.

### **III. Scheduling**

Amy stated that notes from the meeting would be prepared and distributed to the subgroup and the full work group. The larger work group is expected to receive a brief update at its next meeting on Wednesday, June 17, 2026, to report that the conversation has started, identify open questions, and invite any additional participants who want to join the discussion. Nora Robison was assigned to research the legislative history of ORS 221.357 and related municipal-court provisions concerning agreements for judicial services. The group expected to schedule another meeting after the June 17 full work group meeting to continue discussing possible statutory approaches.