Feedback from Oregon Judicial Department regarding the draft language for ORS 19 or 138 to the Oregon Law Commission's Municipal and Justice Court Work Group

(10/26/2026)

Amend page 2, lines 7-10 as follows:

(7) ~~A~~ order or judgment involving a violation as described in ORS 153.008, entered by a circuit court, or a justice or municipal court that has become a court of record under ORS 51.025 or 221.342, may be appealed under this chapter subject to the provisions of section 3 of this 2027 Act.

Amend page 2, lines 13-18 as follows:

~~(1) If a justice court or municipal court has become a court of record under ORS 51.025 or 221.342, an appeal from a judgment involving a violation shall be as provided in this chapter, except that the standard of review is the same as for an appeal from a judgment in a proceeding involving a misdemeanor or felony.~~

(~~2~~1)(a) Subject to the provisions of this subsection, an appeal from an order or judgment involving a violation entered by a circuit court, or a justice or municipal court that has become a court of record under ORS 51.025 or 221.342, may be taken as provided in this chapter.

Amend page 3, lines 4-9 as follows:

(f) The standard of review for an appeal under this subsection is the same as for an appeal from a judgment in a proceeding involving a misdemeanor or felony. ~~On review of a violation proceeding, the Court of Appeals will review as it does in misdemeanor and felony proceedings.~~

(g) In any case in which only violations are charged, the state may not appeal from an order or judgment dismissing the case that is entered by reason of a police officer's failure to appear at the trial of the matter if the police officer was timely provided with no-tice of the trial date.

Amend page 3, lines 12-14 as follows:

(a) An appeal in a proceeding involving a violation shall be taken to the Court of Appeals as provided in [ORS 138.057] ORS chapter 19 ~~for appeals from judgments entered by circuit courts~~, subject to the provisions of section 3 of this 2027 Act.

Amend page 4, lines 4-5 as follows:

153.121.An appeal from an order or judgment in a violation proceeding may be taken by either party as follows:

Amend page 4, lines 19-21 as follows:

(a) An appeal in a proceeding involving a violation shall be taken to the Court of Appeals as provided in ORS 138.057ORS chapter 19 ~~for appeals from judgments entered by circuit courts~~, subject to the provisions of section 3 of this 2027 Act.