

Meeting Notes

Oregon Law Commission

OLC MJC 2025-2027 Work Group

June 17, 2026

I. Call to Order

Attendees for this meeting were Judge Mary James, Jim Nass, Monte G. Ludington, Jessica Minifie, Judge Juliet Britton, Lindsey Detweiler, Judge Emily Oberdorfer, Charlie Conrad, Amie Sosa, Hugh Duvall, Melissa Franz, Kathryn Hill, and Judge Daniel Cross. Judge Mary James began the meeting by welcoming everyone.

OLC Staff: Amy Zubko, Gracie Schweitzer

II. Discussion

Judge Mary James began the discussion by giving the group a brief overview of the agenda: reports from the previous small work group meetings and discussion of next steps and upcoming meetings.

Closure of Local Courts: Amy Zubko provided a brief recap of what was discussed during the small work group meeting on June 12. The small work group discussed the issue, brought by OJD, and discussed options for statutory guidance on how transfer of records from both municipal and justice courts would need to be drafted. Currently, there is specific statutory language, ORS 51.125, which directs justice courts to pass along records of closed local courts to the circuit court in the county in question. For municipal courts, there is ORS 221.357 which allows a municipal court to enter into an agreement to provide court services by a circuit court. The group discussed a process that would direct municipal and justice courts to come up with a plan of transfer which would address a number of issues raised by the small group members

including enforcing judgments, records requests, IT, resource issues, fines and fees, and potential litigation. The small work group expressed an interest in continuing to explore solutions. When the discussion was opened to the larger MJC work group, members discussed what an agreement should require and whether this proposal would come in the form of a statutory fix. The question of counties with two or more justice/municipal courts came up, Douglas County was used as an example, and the group discussed whether a process for record transfers should be given for this unique circumstance. The group also discussed whether technology would create issues with court transfers if the courts in the agreement did not share a common record-keeping system. One group member shared that the current statutory scheme for justice courts was sufficient and that any issues that came up when a court was closing would be the responsibility of the city or county to figure out. The conversation ended with an expressed interest from some group members in being proactive while others expressed an interest in not wanting to overcomplicate the process. Judge Mary James closed the discussion by recognizing further discussions are necessary.

Limitations on Appeals from Municipal Courts: Amy Zubko provided a brief recap of what was discussed during the small work group meeting on June 11. The small work group went over the issue as originally brought in 2024 and decided to narrow the issue down to whether *City of Eugene v. Lincoln*, 183 Or. App. 36, 50 P3d. 1253 (2002), should be codified in order to provide litigants with better clarification. The small group also discussed some minor tweaks that should be made to HB 2460. It was also brought to the larger work group's attention that when two courts enter into agreement to transfer cases and hear them on behalf of the other (ORS 221.357 and ORS 221.355), the issue of choice of law needs to be addressed. Choice of law would determine if the limitation on appeals from municipal court violations would be permitted. The

larger work group was given more details and provided time to ask questions about this additional issue. While the perspective was shared by one small group member that the group might not be able to reach consensus on this issue, there was also an interest in a second small group conversation.

Ch 19 vs. Ch 138: Judge Mary James provided a brief recap of what the small work group discussed, stating that the work group could either recommend small changes to current statutory provisions or attempt a wholesale shift in the law. A proposal had been shared by one of the small work group members to make certain parts of the statute clearer, but the small work group had not yet fully addressed the changes suggested. A discussion ensued about what clarifications in ORS 19 are necessary and if the statutory language here should mirror certain language found in ORS 53 and ORS 138. The entire work group then briefly discussed the issue of whether to place the changes under ORS 19 or ORS 138 and what the unintended consequences might be if placed under ORS 138. Judge Mary James closed out the conversation by sharing that some of the stakeholders were not at the meeting today and were unable to share their feedback on the issue.

III. Scheduling

Amy Zubko closed out the meeting by informing work group members of the plan for the rest of the year, before entering the 2027 legislative session. The group was then reminded that July 15, 2026 would be the next MJC work group meeting with some small group meetings scheduled before the meeting on the 15th. An additional two meetings were added, one in September and one in October, for discussion of a draft and final report.