LC 0072
2027 Regular Session
OLC00-003
09/16/26 (JLM)

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SUMMARY

A BILL FOR AN ACT

Relating to local courts.

Be It Enacted by the People of the State of Oregon:

RECORDS OF ABOLISHED LOCAL COURTS

SECTION 1. (1) A municipal court shall safely and securely keep all case records of the municipal court described in ORS 221.352. The case records are public records for the purposes of ORS 192.311 to 192.478.

(2)(a) Prior to abolishing a municipal court, a city shall provide notice, at least six months prior to the abolishment, to the State Court Administrator, the trial court administrator of the circuit court for the county in which the municipal court is located, the district attorney of the county in which the municipal court is located and law enforcement agencies within the county in which the municipal court is located.

(b) Notwithstanding paragraph (a) of this subsection, the city, the State Court Administrator and the trial court administrator of the circuit court for the county in which the municipal court is located may agree to a notice period of less than six months.

(3) During the notice period described in subsection (2) of this section, the city, the State Court Administrator and the trial court administrator of the circuit court for the county in which the municipal court is located shall work together to develop

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and implement a process to transfer the municipal court cases and case records to promote and effectuate the continued administration of justice. The process must prioritize the electronic transfer of case records when possible.

(4) When a municipal court is abolished in accordance with subsections (2) and (3) of this section, the municipal court shall transfer the cases and case records of the court to the clerk of the circuit court for the county in which the municipal court is located. After the cases and case records have been transferred to the circuit court, the circuit court has exclusive jurisdiction over the cases and case records.

(5) As used in this section, "abolishment" does not include circumstances in which a municipal court has an agreement for the provision of judicial services, under ORS 51.035, 221.355 or 221.357, in effect on the date the court ceases operations.

SECTION 2. ORS 51.125 is amended to read:

51.125. (1) The justice of the peace shall safely and securely keep all case records of the justice court described in ORS 51.115. The case records are public records for the purposes of ORS 192.311 to 192.478.

(2)(a) Prior to abolishing a justice court, the county shall provide notice, at least six months prior to the abolishment, to the State Court Administrator, the trial court administrator of the circuit court of the county in which the justice court is located, the district attorney of the county in which the justice court is located and law enforcement agencies within the county in which the justice court is located.

(b) Notwithstanding paragraph (a) of this subsection, the county, the State Court Administrator and the trial court administrator of the circuit court for the county in which the justice court is located may agree to a notice period of less than six months.

(3) During the notice period described in subsection (2) of this section, the county, the trial court administrator of the circuit court for the county in which the justice court is located, the State Court Administrator and the justice of the peace shall work together to develop and implement a process to transfer the justice court cases and case records to promote and effectuate the continued administration of justice. The transfer process must prioritize the electronic transfer of case records when possible.

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[*(2)*] **(4)** When [*any*] **a** justice court is abolished **in accordance with subsections (2) and (3) of this section**, the justice of the peace shall [*turn over the*] **transfer the cases and** case records of that court to the clerk of the circuit court for the county in which the justice court was located**. After the cases and case records have been transferred to the circuit court, the circuit court has exclusive jurisdiction over the cases and case records**.

(5) As used in this section, "abolishment" does not include circumstances in which a justice court combines with another justice court, or ceases to operate and has a designated successor justice court within the same county.

CAPTIONS

SECTION 3. The unit and section captions used in this 2027 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2027 Act.

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