

Clackamas County Circuit Court Supplementary Local Rules

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SUPPLEMENTARY LOCAL COURT RULES OF THE CIRCUIT COURT OF CLACKAMAS COUNTY - FIFTH JUDICIAL DISTRICT OF OREGON

SLR 1.151: HOURS OF OPERATION

The Clackamas County Courthouse and administrative offices are open to the public from 8:00 A.M. to 5:00 P.M. on the business days prescribed by state statute. The main courthouse is located at 807 Main Street, Oregon City, Oregon 97045. The Juvenile Court Building is located at 2123 Kaen Road, Oregon City, Oregon 97045.

SLR 3.181: PUBLIC ACCESS COVERAGE IN AREAS OUTSIDE OF COURTROOM

No public access coverage is allowed in any area outside the courtroom that is on the courthouse premises and under the supervision and control of the Courts without the written permission of the presiding judge. Requests to conduct public access coverage in such areas may be made to the Office of the Presiding Judge at any time during the business day.

SLR 4.021: CASE MANAGER APPEARANCE

- (1) Excluding Ballot Measure 11 offenses and homicide cases, all criminal cases will be given a case manager date.
- (2) The defendant shall appear with counsel and this mandatory appearance cannot be waived.

SLR 5.061: EX PARTE MATTERS

Ex Parte matters will be heard each day at 8:45 A.M. and 1:15 P.M.

SLR 6.012: CONFERENCES IN CIVIL PROCEEDINGS

- (1) Settlement Conferences are required prior to trial on all civil cases except domestic relations, FEDs, and small claims. However, the pretrial settlement conference will not be required if a party demonstrates good cause why the settlement conference should not be held.
- (2) A trial-setting conference is not held prior to the pre-trial settlement conference.

- (3) The settlement conference judge shall not be permitted to act as the trial judge if the case does not settle.
- (4) The following must be personally present at the settlement conference, unless excused in advance by the Court for good cause:
 - a. The parties;
 - b. The trial attorneys;
 - c. The insurance company representatives.
- (3) An insured party may appear by such party's trial counsel and insurance carrier.
- (4) Notwithstanding the information required in subsection (5) of this rule, pretrial statements are not required in civil cases. Upon the request of either party, any pretrial statements and supporting documents that are voluntarily submitted by the parties are maintained in a separate confidential file, except for those documents required to be filed in Domestic Relations cases.
- (5) In Domestic Relations cases, information and documents required under UTCR 8.010 (4) and (5), regarding distribution of assets and support, must be filed and served at the time of the pretrial conference.
- (6) In the event the case settles, the judge reports the settlement to the Docketing Unit. The Docketing Unit removes the matter from the active trial docket, and the Court sends out an administrative Notice of Dismissal. If the court does not receive an appropriate order or judgment within 30 days of the Notice, the case will be dismissed for want of prosecution in accordance with UTCR 6.020(2).
- (7) The materials and notes prepared by the pretrial settlement judge are not placed in the trial court file and are maintained as separate confidential records.
- (8) Failure to comply with any of the above could result in sanctions being imposed, including an award of attorney fees.

SLR 7.015: CRIMINAL TRIALS

- (1) Felony and misdemeanor criminal trials in which the defendant is in custody are set at arraignment. Notices are given directly to the defendant and counsel who acknowledge receipt thereof by signature.

- (2) Felony and misdemeanor criminal trials in which the defendant is out of custody are set at a pre-plea conference (titled Case Manager Hearings). The pre-plea conference (Case Manager Hearing) is held approximately forty-five days following defendant's arraignment.
- (3) Criminal motions in Circuit Court are held prior to the beginning of trial and must be filed in accordance with UTCR 4.010. Parties are notified by mail.

SLR 7.025: CIVIL TRIALS, MOTIONS AND SHOW CAUSE HEARINGS

- (1) Civil motion oral argument is heard on Monday morning. Notices are mailed.

SLR 8.015: EDUCATION FOR DIVORCING PARENTS

- (1) The following cases are subject to this rule: annulment or dissolution of marriage actions, legal separation actions, petitions to establish custody or visitation, and post-decree litigation involving custody or visitation
- (2) All parties, where the interest of a child under the age of 18 years is involved, shall successfully complete the education for divorcing parents program offered by the court designated providers or a pre-approved alternative education program. Parties shall register for the program or make application for approval of an alternate program within 15 days of receiving notice of this education requirement. All parties shall complete the program before trial or entry of decree.
- (3) Notice and instructions to the petitioner of the requirement that the parties complete the education program or alternative education program will be provided by the trial court administrator when the petition is filed. Petitioner, when serving the respondent with the petition, shall also include a copy of the trial court administrator's notice. The petitioner's return of service on the respondent shall indicate service of the notice with the summons and petition.
- (4) Each party shall pay a fee determined by the program provider to cover program costs. The fee may be waived if the party presents a verified affidavit of indigency to the Court and the party meets indigency guidelines.
- (5) Each person who successfully completes the Court's program or the pre-approved alternative program shall present a certificate of completion to the judge before trial or entry of decree.

- (6) Upon a showing of good cause, a party may request a waiver of this rule. The request must be made by motion, supported by affidavit, and filed within 15 days of receipt of the trial court administrator's notice.
- (7) Court action on a petition shall not be delayed by a party's refusal or delay in completing the program unless the non-complying party is the petitioner or the moving party. Upon a party's failure to successfully complete the education program pursuant to this rule, the assigned judge may take appropriate action including, but not limited to, proceedings for contempt.

**SLR 9.081: OBJECTION TO PETITION FOR APPOINTMENT OF GUARDIAN/
CONSERVATOR**

- (1) Any interested person, as described in ORS 125.075(1), who has an objection to a petition in a protective proceeding should contact a court clerk at (503) 655-8623. The objecting party should advise the court clerk that the objecting party wishes to make oral objections to the petition and would like to speak to the judicial assistant of the judge assigned to the case. Upon receipt of the objection and payment of the applicable fee required by ORS 21.310, the Court will schedule a hearing and notify the appropriate parties.
- (2) If the objecting party wishes to file a written objection, the court clerk will provide the objection form contained in APPENDIX C.
- (3) Objections must be received by the Court at the clerk's office located at 807 Main Street, Room 104, Oregon City, Oregon 97045, within the time line specified in ORS 125.075(2).

SLR 11.005 APPEARANCE IN JUVENILE COURT DEPENDENCY CASES

- (1) A parent who is served with a summons in a child dependency case shall appear personally in court at the time and place specified in the summons for a hearing on the allegations of the petition.
- (2) A parent who fails to appear shall be subject to entry of a default order and/or judgment granting the relief sought by the petitioner.

SLR 13.005 ARBITRATION

- (1) Clackamas Circuit Court maintains an arbitration program in accordance with UTCR Chapter 13.
- (2) Arbitration is required in matters involving less than \$50,000.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

Guardianship/Conservatorship of

Case No. _____

**Objection To Petition For
Appointment of Guardian/
Conservator**

_____,
(Protected Person)

I, _____,
(Objecting party's name and relationship to the Protected Person)

hereby object to the Protective proceeding or the proposed guardian or conservator for the following reasons (state reason below and use additional sheet if necessary):

Signature of Objecting Party

Printed or Typed Name of Objecting Party

Address or Contact Address

City State Zip

Telephone or Contact Telephone Number(s)