

Summary and Explanation of 2011 Proposed SLR Changes

Summary	Explanation
<p>Table of contents and page numbers:</p> <p>Remove rule based pagination (e.g. 1-1). Replace with regular page numbers at the bottom of each page.</p> <p>Place page numbers in the table of contents.</p>	<p>Word processing programs do not support rule-based pagination. Using regular page numbers will allow the word-processing program to automatically generate a table of contents with page numbers.</p> <p>This change eliminates the need to number each page by hand. It will save time in revising and maintaining the SLR, and will save paper for printed copies as chapters can be combined on pages.</p>
<p>1.161 – Filing of Documents</p> <p>Add new rule.</p>	<p>UTCR 1.160(1) requires that in order to be filed with the court, all documents (other than an order or judgment submitted to a judge for signature) must be filed with the office of the trial court administrator. It specifically states that “no document delivered to a judge, judge’s staff, judge’s mailbox, courtroom, or chambers is filed until it is received by the office of the trial court administrator or designee.” Subsection (2) of this rule allows courts to adopt local SLRs to allow filing of documents in places other than required by subsection (1).</p> <p>As Lane has a long-standing practice of allowing filings at the request of the judge either in court or with judicial staff, this rule officially formalizes that practice.</p>
<p>1.171 – Court Website</p>	<p>Correct scrivener and grammatical errors.</p>
<p>2.011 Proposed orders</p>	<p>New rule requires allowed and denied check boxes on all proposed orders.</p>

<p>3.142 Attorney of record</p> <p>Amended to reflect current practice</p>	<p>Removes requirement that court appointed attorneys obtain prior approval of the court before submitting a substitution.</p>
<p>Former 3.18 – Personal Communication Devices</p> <p>Renumbered to 3.182.</p>	<p>SLR 3.181 is reserved by UTCR 3.180 to define specific areas for media and other public access coverage. Due to a scrivener's error, the court's SLR for personal communication devices was numbered incorrectly.</p> <p>Clarification that the rule includes audio recording</p>
<p>New 3.181 – Media and other public access coverage outside of courtroom.</p> <p>New rule</p>	<p>SLR 3.181 is reserved in UTCR 3.180 to define specific areas for media and other public access coverage outside of courtrooms.</p> <p>This rule includes the content of two court general orders. One that limits coverage in the courthouse, and one that denies media access coverage of court proceedings held at Lane County Adult Corrections.</p>
<p>4.005 – Demurrer to Indictment</p>	<p>Rule deleted – not current practice.</p>
<p>Former 4.006 – Demurrers in Criminal Cases</p> <p>Renumbered to 4.051</p>	<p>UTCR 4.05 is appropriate chapter for this rule regarding oral motions on criminal cases</p> <p>Language added to clarify that this rule applies to motions as well as demurrers. Second sentence in (1) deleted, not current practice.</p>
<p>5.005 – Motions in civil cases</p>	<p>Language revised. Continuation of motion consideration may be to a later motion day, not only the following motion day</p>

5.061 (2) Presentation of ex parte orders	Removed language regarding internal procedures.
5.061 (4) Presentation of ex parte orders	Clarification regarding stipulations
6.031 Motions to postpone	(1) Language amended to match current practice. (3) Section added to reflect current requirement for postponements.
7.031 (1) Commercial Court	Website reference fix.
8.002 (3) Contempt show cause procedures	Clarification to show cause motion and order timeline.
8.013 Property Lists	Outdated form deleted from appendix– rule 8.013 provides the requirements for property lists.
9.001(1) – Probate Commissioner	Revised to remove out-dated language.
9.001(2)(b) – Probate Commissioner duties	Deleting items no longer approved by Probate Commissioner.
9.003 Ex Parte Orders in Decedents' Estates	Add judgments for clarification
9.004 Scheduling conferences and hearings	Remove requirement for requesting party to notify other parties. Notices now sent by the probate clerk's office.

<p>9.005 Filing Delinquencies or Deficiencies</p> <p>Changed to match court procedure</p>	<p>Rule revised to reflect current court practice of setting status hearings and providing attorneys/parties with an opportunity to correct the deficiency prior to that hearing. If corrected, no appearance required. If not corrected, appearance required and sanctions imposed. If not corrected and no appearance, order to show cause may be issued.</p>
<p>9.021 Bonds</p> <p>Rule deleted</p>	<p>Conflicts with ORS 113.105(1)</p>
<p>9.041 Guardianship</p> <p>Rule renumbered to 9.091</p>	<p>UTCR Chapter 9.040 refers to Settlement of personal injury claims in probate cases. This Guardianship rule is not appropriate for this UTCR section. As there is no current UTCR subsection for guardianship rules, we are choosing the currently unused section starting with 9.091.</p>
<p>9.041 (1) former (now 9.091(1) see above)</p> <p>Rule deleted –</p>	<p>Restatement of ORS 125.600. Rule deleted as restatement.</p>
<p>9.041 (2) former (now 9.091(2) see above)</p> <p>Rule deleted –</p>	<p>Restatement of ORS 125.600. Rule deleted as restatement.</p>
<p>9.041 (3) Guardianships – visitor copies</p> <p>Renumbered to 9.091(1) - see above</p>	<p>Renumbered to fit above numbering format</p>

<p>9.041 (4) Guardianships – appointment of visitor</p> <p>Renumbered to 9.091(2) - see above</p>	<p>Renumbered to fit above numbering format.</p> <p>Add language for potential deferral of visitor fee.</p>
<p>9.041 (5) Guardianships – appointment of visitor</p> <p>Renumbered to 9.091(3) - see above</p>	
<p>9.051 Personal Injury settlement petitions</p> <p>Renumbered to 9.041</p>	<p>As mentioned above. UTCR 9.040 refers to personal injury claims in probate cases. This rule belongs in that sub-chapter.</p>
<p>9.061 Verification of accounts</p>	<p>Rule deleted to reflect current practice. Actions no longer required for accountings.</p>
<p>9.062 Presentation of Accounts</p> <p>Renumbered to 9.162</p>	<p>UTCR 9.160 specifies the form of accountings. This rule belongs in that UTCR sub-chapter</p>
<p>9.062(1) former now 9.162(1) see above</p>	<p>Language revised for clarity</p>
<p>9.062 (2) (a) former now 9.162 (2)(a) see above</p>	<p>Clarifies hearing day for objections to accounts and that objection hearings anticipated to take more than 2 hours will be scheduled on the trial docket.</p>
<p>9.063 Presentation of Accountings</p> <p>renumbered to 9.163</p>	<p>UTCR 9.160 specifies the form of accountings. This rule belongs in that UTCR sub-chapter</p>

9.063 (2)(a) former now 9.163 (2)(a)	Clarifies hearing day for objections to accounts and that objection hearings anticipated to take more than 2 hours will be scheduled on the trial docket.
9.092 (2) New Rule	Requires filing of annual reports by guardians of minor incapacitated persons.