

Chief Justice signed CJO 15-058

Adopting an Out of Cycle Amendment to UTCR 5.100

RE: UTCR 5.100, Submission of Proposed Orders and Judgments

On October 26, 2015, the Chief Justice signed Chief Justice Order 15-058, adopting an out-of-cycle amendment to UTCR 5.100 (civil cases, submission of proposed orders and judgments). [Available here](#).

The Oregon Judicial Department (OJD) sought public comment on two earlier iterations of the proposed amendment. Comments received from OSB members greatly assisted in narrowing the proposal, so as to attain the initial goals without extensively changing the existing rule. The amendment to UTCR 5.100 as adopted becomes effective January 1, 2016.

The proposal was initially submitted by the Oregon eCourt Law and Policy Work Group, following a recommendation from a group of judges working with proposed orders and judgments in the Oregon eCourt system. The proposal addressed difficulties with managing electronic “submitted for signature” documents, while awaiting assurances from parties that those documents are, in fact, ready for judicial signature. As approved in CJO 15-058, the amendment to UTCR 5.100 incorporates the following changes:

- Subsection (1) makes the rule applicable to all proposed orders and judgments – not just those submitted in response to a ruling of the court – unless an exception applies;
- Paragraph (1)(c) requires that a proposed order or judgment sent to a self represented party be accompanied by notice of the time period to object;
- Paragraph (2)(b) adds a new requirement that all proposed orders and judgments attach a “certificate of readiness,” which will assist with document and case processing; and
- Subsection (3) expands the list of exceptions to which the service provisions in subsection (1) do not apply.

The family law forms packets available on OJD’s website for self represented litigants will be updated to reflect the amended rule prior to the effective rule.