

**Circuit Court of the State of Oregon  
for the County of Clatsop**

**GUIDE TO  
CLATSOP CIRCUIT COURT**

**The Honorable Paula Brownhill, Presiding Judge**

**The Honorable Cindee Matyas, Judge**

**The Honorable Philip L. Nelson, Judge**

**Lee Merrill, Trial Court Administrator**



## **Court Location**

Clatsop County Circuit Court is located in the Clatsop County Courthouse at:

**749 Commercial Street**

**Astoria, Oregon.**

The mailing address is:

**P.O. Box 835**

**Astoria, Oregon 97103.**

Court staff and public windows are on the main level.

The Family Resource Center is on the main level.

Courtroom 100 is on the lower level.

Courtroom 200 is on the main level.

Courtroom 300 is on the upper level.

## **Telephone and Fax Numbers**

The Court can be reached by telephone at **(503) 325-8555**.

The Court can be reached by fax at **(503) 325-8677**.

## **Website**

The Court website is located at: [\*\*http://courts.oregon.gov/clatsop\*\*](http://courts.oregon.gov/clatsop)

## **Hours of Operation**

The Court is open Monday through Friday from 8:00 a.m. to noon and 1:00 p.m. to 5:00 p.m. except:

- Court is closed on state holidays
- The court is closed from 4:00 p.m. to 5:00 p.m. on the first Wednesday of every month for a Staff Meeting

The Family Resource Center hours are:

Monday through Friday from 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m.

## **Hybrid Calendaring System**

The Court uses a hybrid calendaring system. Under this system, the judges each have their own individual docket. Civil, domestic relations, and criminal cases are assigned to one judge who handles them from start to finish.

Hearings are set on the individual dockets by each judge's judicial support staff.

<u>Judge</u>	<u>Judicial Support</u>	<u>Email</u>	<u>Telephone #</u> <u>503-325-8555</u>
Judge Brownhill	Katie Danen	<a href="mailto:300calendar.clatsop@ojd.state.or.us">300calendar.clatsop@ojd.state.or.us</a>	Ext. 304
Judge Matyas	Darla Aho	<a href="mailto:100calendar.clatsop@ojd.state.or.us">100calendar.clatsop@ojd.state.or.us</a>	Ext. 339
Judge Nelson	Paula Hovden	<a href="mailto:200calendar.clatsop@ojd.state.or.us">200calendar.clatsop@ojd.state.or.us</a>	Ext. 320

The judges also rotate the court's general docket every two weeks. Hearings set on the general docket include arraignments, protective orders, landlord/tenant first appearances, violations, and civil commitments.

In order to maintain an established schedule, early resolution conferences are also set on the general docket during the weeks the judge assigned to the case has the general docket.

General docket calendaring staff set hearings on the general docket. The email address for general docket calendaring is [Docket.clatsop@ojd.state.or.us](mailto:Docket.clatsop@ojd.state.or.us), and the telephone number is [503-325-8555 Option 5](tel:503-325-8555).

## Arraignments

Out of custody felony arraignments are usually at 8:30 a.m. on Monday, Wednesday, Thursday, and Friday and at 9:00 a.m. on Tuesday.

The Jail gives days/times for arraignment or appearance to defendants who do not have a current court date scheduled at the time of their release.

Misdemeanor arraignments are at 2:00 p.m. on Tuesday.

In-custody arraignments are held at 1:15 p.m. daily.

At arraignment, the Court will accept not-guilty, guilty or no-contest pleas as allowed by law. Criminal cases shall be set over for early resolution conferences unless the defendant pleads guilty or no contest at arraignment.

## Early Resolution Conferences

Early resolution conferences (ERC) are settlement conferences in criminal cases. They are usually set on the Court's general docket approximately:

- 21 days from arraignment on indictment for in-custody defendants.
- 4 weeks from arraignment on information if defendant is in custody and has waived grand jury.
- 21 days from arraignment for in-custody defendants in misdemeanor cases.
- 10-12 weeks from arraignment for out-of-custody defendants in misdemeanor and felony cases.
- 10-12 weeks from arraignment for in-custody defendants in misdemeanor and felony cases if defendant has waived 60 days.

**Note:** A defendant who waives 60 days at arraignment will be treated like an out-of-custody defendant for purposes of ERC docketing procedures.

The DA is expected to provide discovery and make an offer prior to the ERC, and the defense attorney is expected to discuss the offer with the defendant prior to the ERC. The ERC is the deadline for negotiated pleas unless good cause is shown for a later date.

Early resolution conferences will not be set over absent good cause. Attorneys and unrepresented parties may request a reset of an ERC if there is an unforeseen conflict with the ERC date or the conference would be futile. The request should state available dates for all parties (ERC dates if the ERC will be reset; trial dates if the ERC would be futile). Depending on the available dates, the ERC may be set on the assigned judge's individual docket.

If the case is not resolved at or before the ERC, the case will be set for trial. The trial will be set in accordance with statutory requirements and the Oregon Standards of Timely Disposition.

The Court sets ERCs on Wednesdays, Thursdays, and Fridays. ERCs may be set at other times if necessary.

Attorneys must bring their calendars to resolution conferences. The DA must bring the officers' schedules.

**Defendants must appear in person for all resolution conferences.**

The Court may waive ERC and set any case for trial at its option.

If the parties affirm in writing to the Court that the case will not resolve through the ERC process, the Court may set the case for trial.

## **Final Resolution Conference (FRC)**

If the case is not resolved by ERC, the case may be set for a Final Resolution Conference (FRC) in *exceptional* cases only if settlement is likely and defendant is out of custody or has waived 60 days. FRCs will be set on individual dockets on a case-by-case basis as authorized by a judge.

The FRC is the deadline for negotiated pleas unless good cause is shown for a later date.

Attorneys must bring their calendars to the final resolution conferences. The DA must bring the officers' schedules.

## **Pretrial Motions**

For any out-of-custody defendant and in-custody defendant who has waived 60 days and whose case does not resolve at the ERC, the pretrial motion deadline is 30 days from the date of the ERC. If pretrial motions are filed, the motion hearing will be set as soon as practicable on the assigned judge's individual docket. If suppression motions are filed prior to the ERC, the ERC will be canceled.

For any in-custody defendant whose case does not resolve at the ERC, the pretrial motion deadline is 48 hours after the ERC. Trial will be set at the ERC.

## Ten-Day Rule

Requests to reschedule a criminal court proceeding must be in writing and received by the Court not later than ten (10) days after the proceeding is set. **The request must include a list of dates on which the parties and counsel are available to try the matter.** The request must be served on all parties.

Requests to reschedule a proceeding in a case that has been open for more than nine (9) months must be made by motion and must show good cause.

## Case Management in Civil Cases

To facilitate agreement on trial dates the Court will send “at issue” notices to parties when a civil case is at issue. The attorneys/parties must identify two to three mutually agreeable trial dates within the designated period, write them on the notice, and return the notice to the Court within 14 days. In addition, attorneys/parties shall identify unavailable dates. **If notices are not returned or the parties are unable to agree on a date within the designated period, the judge will pick a date convenient to the Court and set the case for trial.**

Continuances will not be allowed except for good cause.

The trial date must be no later than one year from the date of filing unless a judge allows a later date.

All trial memoranda, requested jury instructions, witness lists, motions in limine, a proposed neutral statement of the case, and exhibit lists must be received by the Court and opposing counsel at least twenty-four (24) hours prior to the commencement of the trial.

## Case Management in Juvenile Cases

### Procedures in juvenile delinquency cases

At the first appearance, a youth may admit or deny allegations in the petition. If the youth denies, the case will be set for a settlement conference in approximately three (3) weeks.

At the settlement conference, the youth and his/her attorney, if any, will discuss resolution with the Juvenile Department staff or District Attorney. If the case resolves, the Court will hold disposition if time allows and all parties are ready. Disposition may be set over upon request of a party.

If the case does not resolve at the settlement conference, the case will be set for adjudication.

- No plea negotiations will be accepted after the case is set for adjudication.
- If the case does not resolve at the settlement conference, the parties shall advise the approximate length of trial, the number of witnesses, and other relevant matters.

Adjudications in delinquency cases will be set within 56 days whenever possible.

**Once adjudication is set, continuances will not be allowed absent substantial cause.**

## **Procedures in juvenile dependency cases**

At the shelter or first appearance hearing, the Court will give dates for settlement conference, adjudication and docket call. DHS will record the dates on the summons and serve the parents if they have not already been served.

- Settlement conferences generally will be set 25 to 35 days after the petition is filed.
- Adjudications generally will be set 50 to 55 days after the petition is filed.  
Adjudications shall be held within 60 days unless the Court finds good cause for delay.