

CIRCUIT COURT OF OREGON
ELEVENTH JUDICIAL DISTRICT
DESCHUTES COUNTY JUSTICE BUILDING
1100 NW BOND STREET
BEND, OREGON 97701
(541) 388-5300

A. MICHAEL ADLER, *Judge*
WELLS B. ASHBY, *Judge*
ALTA J. BRADY, *Judge*
STEPHEN P. FORTE, *Judge*

BARBARA A. HASLINGER, *Judge*
MICHAEL C. SULLIVAN, *Presiding Judge*
STEPHEN N. TIKTIN, *Judge*

MEMORANDUM

To: Deschutes, Crook and Jefferson County Bar
From: Michael C. Sullivan, Presiding Judge
Date: June 20, 2011
Re: Significant civil, domestic relations and criminal docket changes
FINAL IMPLEMENTATION OF NEW DOCKET SYSTEM

The 11th Judicial District has completed the development of a comprehensive case flow system. The new system has been designed to accommodate past and current budget cuts, increase efficiencies and maintain credible trial dates for all types of cases. The first implementation phase began on January 31 with the criminal docket. The balance that will be implemented effective **Monday, July 11, 2011** involves the creation of civil and domestic relations dockets. **There are significant changes related to scheduling for all court cases. Please review the following information closely.**

CRIMINAL DEPARTMENT

Three judges are assigned to the criminal department. Two judges will process all non-trial short matters in criminal court 1 and 2. Criminal court 3 will handle miscellaneous hearings on Mondays and trials Tuesday through Friday. A second judge from one of the other two departments will also try criminal cases. Additional judges will hear criminal trials as they may be available.

Criminal short matters will be scheduled consistent with the January 12, 2011 memorandum previously sent to the bar, with the following revisions. Trial readiness will occur each Thursday at 8:30 am the week before trial. Motions to continue a trial must be filed by noon on Wednesday the week before trial. At the trial readiness hearing, counsel must give oral notice of an intention to file a motion for change of judge pursuant to ORS 14.270. A written motion and affidavit must be filed not later than the close of the next judicial day. No motion to disqualify a judge shall be made after the judge has ruled upon any petition, demurrer or motion. Defendants who are not in custody must personally appear at trial readiness unless the appearance is waived in advance. Defendants who are in custody will appear via attorney. Courtroom assignments for trial will be posted on the court website. The courtroom assignment posting will be updated as trials are assigned. Unless a trial is noted "continued by the court," attorneys and

defendants must stand by and be prepared to begin trial within two hours. Attorneys should notify the court immediately if the case has been resolved. The website will be the sole source of information related to the assignment of criminal trials. Court staff will not respond to requests for such information.

The criminal department docket (adopted 06/03/11) is attached and will also be posted on the court website.

CIVIL DEPARTMENT

Two judges are assigned to the civil department. Civil cases will not be individually assigned. The initial pretrial conference will be scheduled ninety (90) days after filing of the complaint. Pretrial conferences will be scheduled Monday through Thursday at 1:15 pm. Trial readiness (formerly referred to as 'trial status') will take place each Thursday at 9:00 am the week before trial. On selected cases, a judge may schedule a status conference approximately a month in advance of the trial date on a Monday, Wednesday or Friday at 9:00 am.

FED initial appearances will be scheduled on Mondays and Thursdays at 8:15 am. Judgment debtor exams and name change hearings will be scheduled on Tuesdays, Wednesdays and Fridays at 8:15 am.

The civil department docket (adopted 06/15/11) is attached and will also be posted on the court website. A civil department informational meeting for the bar will be held in Courtroom C at **noon on Thursday, June 30, 2011.**

DOMESTIC RELATIONS DEPARTMENT

Two judges are assigned to the domestic relations department. Cases will not be individually assigned. The initial pretrial conference will be scheduled sixty (60) days after the filing of the petition. Attorneys for the parties may file a stipulated continuance of the pretrial conference using the attached form up to two times. The stipulated continuance may be used only if both parties are represented by attorneys. The length of each continuance may not exceed sixty days. The form will be posted on the court website. Notification of the new pretrial conference date will be sent by e-mail only. Pretrial conferences will be scheduled Wednesday through Friday at 8:30 am. For trials scheduled on Tuesday or Wednesday, trial readiness (formerly referred to as 'trial status') will take place on Monday at 8:30 am. For trials scheduled on Thursday or Friday, trial readiness will take place on Tuesday at 8:30 am.

Ex parte restraining order and stalking order petitions will be heard once daily Monday through Friday at 1:15 pm. The filing deadline for petitions is 11:00 am. Petitioners must check in at the court window by 12:45 pm. Hearings on objections to restraining order or stalking order will continue to be heard each Monday from 9:30 am to noon.

Motions to enforce parenting time and motions for emergency custody based on immediate danger (ORS 107.139) will be heard daily at 8:30 am. Please familiarize yourself with 2011 legislation requiring filing of a motion for modification in conjunction with an ORS 107.139 emergency custody motion.

The domestic relations department docket (adopted 06/11/11) is attached and will also be posted on the court website. A domestic relations department informational meeting for the bar will be held in Courtroom C at **noon on Wednesday, June 29, 2011.**

Please contact Ernie Mazorol or Judge Alta Brady if you have any questions.

cc: Deschutes County Circuit Court Judges
Deschutes County Circuit Court Supervisors