

**NOTICE SEEKING PUBLIC COMMENT ON OUT-OF-CYCLE
AMENDMENT OF UNIFORM TRIAL COURT RULES 1.110, 6.050, 6.080, and 6.120**
(Comment Period Open February 12, 2025, through April 2, 2025, at 5:00 p.m.)

I. INTRODUCTION

We are seeking comment on out-of-cycle amendment of Uniform Trial Court Rules (UTCR) 1.110, 6.050, 6.080, and 6.120. These changes were adopted out-of-cycle by Chief Justice Order [\(CJO\) 25-003](#), effective March 17, 2025.

II. SUBMISSION OF WRITTEN COMMENTS

You can submit written comments by:

- Clicking on the button below, next to each rule;
- Email (utcr@ojd.state.or.us); or
- Traditional mail (UTCR Reporter, Supreme Court Building, 1163 State Street, Salem, Oregon, 97301-2563).

Please submit your comments so that we receive them by 5:00 p.m. on April 2, 2025. Comments will be reviewed by the UTCR Committee at its next meeting on March 20, 2025.

III. OUT-OF-CYCLE AMENDMENTS

For the convenience of the reader, deleted wording is shown in [*brackets and italics*] and new wording is show in **{braces, underline, and bold}**.

1. 1.110 – DEFINITIONS

EXPLANATION

The out-of-cycle amendment of UTCR 1.110, 6.050, 6.080, and 6.120 is necessary for the Oregon Judicial Department’s (OJD) implementation of its new Digital Evidence System. The amendment of UTCR 1.110 creates definitions of “Digital Evidence” and “Digital Evidence System” for purposes of the amendment of UTCR 6.050, 6.080, and 6.120. The amendment of UTCR 6.050, 6.080, and 6.120 is intended to create carveouts from those rules to allow related local SLR that are necessary for and specific to the operation of OJD’s Digital Evidence System in the courts.

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AMENDMENT

1.110 DEFINITIONS

As used in these rules:

(1) * * *

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{5} “Digital Evidence” means any trial exhibit that is submitted to the court in digital format (e.g., documents, PDF, images, or multimedia).

{6} “Digital Evidence System” means the court’s web-based application and cloud storage system for submitting digital evidence to the court.}

{7} “Document” means any instrument filed or submitted in any type of proceeding, including any exhibit or attachment referred to in the instrument. Depending on the context, “document” may refer to an instrument in either paper or electronic form.

{8} “Electronic Signature” means an electronic symbol intended to substitute for a signature, such as a scan of a handwritten signature or a signature block that includes the typed name preceded by an “s/” in the space where the signature would otherwise appear.

Example of a signature block with “s/”:

s/ John Q. Attorney
JOHN Q. ATTORNEY
OSB #
Email address
Attorney for Plaintiff Smith Corporation, Inc.

{9} “Original Signature” means a handwritten signature on a printed document.

{10} “Party” means a litigant or the litigant’s attorney.

{11} “Plaintiff” or “Petitioner” means any party asserting a claim for relief, whether by way of claim, third-party claim, crossclaim, or counterclaim.

{12} “Remote Means” or “Remote Proceeding” means the use of telephone, telecommunication, video, other two-way electronic communication device, or simultaneous electronic transmission, in a manner that permits all participants to hear and speak with each other.

([11]{13}) “Trial Court Administrator” means the court administrator, the administrative officer of the records section of the court, and where appropriate, the trial court clerk.

2. 6.050 – SUBMISSION OF TRIAL MEMORANDA AND TRIAL EXHIBITS

EXPLANATION

See the related explanation for item 1.

AMENDMENT

6.050 SUBMISSION OF TRIAL MEMORANDA AND TRIAL EXHIBITS

- (1) A party must file any trial memorandum. The court also may require that a party submit a copy of the trial memo, in the manner and time that the court specifies.
- (2) All trial memoranda must be served on the opposing party.
- (3) Trial exhibits must be delivered or submitted as ordered by the assigned judge **{or, if applicable, as required by the court’s SLR 6.101 governing the submission of digital evidence through the court’s digital evidence system. Trial exhibits may not be}***[and not]* filed with the court except as required by UTCR 11.110 or UTCR 24.040(3)(a).

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3. 6.080 – MARKING EXHIBITS

EXPLANATION

See the related explanation for item 1.

AMENDMENT

6.080 MARKING EXHIBITS

- (1) **{Except as provided in subsection (7) of this rule, b}***[B]*efore the commencement of the trial, parties must mark all exhibits in the following manner:
 - (a) Plaintiff’s exhibits must be marked consecutively from 1 through 99.
 - (b) Defendant’s exhibits must be marked consecutively from 101 through 199.
 - (c) On request, the court must assign additional blocks of numbers.

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- (d) In cases involving multiple parties or large numbers of exhibits, the parties shall agree on the assignment of the numbers. If the parties cannot reach agreement, or if for any reason the numbering system cannot accommodate the parties, then the court may direct the parties to use any other numbering system not inconsistent with the intent of this section.
- (2) Upon request, the trial court administrator shall provide a party with appropriate stamps, labels or tags for exhibit marking.
- (3) **{Except as provided in subsection (7) of this rule, t}**[T]he parties must submit to the court at the time of trial a list of premarked exhibits.
- (4) * * *

* * * * *

{(7) Subsections (1) and (3) of this rule do not apply if the judicial district has adopted SLR 6.101 governing the submission of digital evidence through the court’s digital evidence system.}

4. 6.120 – DISPOSITION OF EXHIBITS

EXPLANATION

See the related explanation for item 1.

AMENDMENT

6.120 DISPOSITION OF EXHIBITS

- (1) * * *

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- (4) Exhibits not returned to the parties shall be processed as follows:
 - (a) Such exhibits shall be retained by the trial court until the appeal period has elapsed and there is a final disposition of the case.
 - (b) After final disposition of the case, a notice shall be sent to the parties of record that, unless they withdraw their respective exhibits within 30 days, the exhibits will be disposed of by the court.

{(c) Subsections 4(a) and (b) of this rule do not apply to the disposition of digital evidence submitted through the court’s

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digital evidence system. See SLR 6.101(6) governing the disposition of such evidence.

(5) * * *

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