

STRICT ENFORCEMENT OF COURT FEES

The Professional Liability Fund has received notice that at least three circuit courts (Bend, Multnomah, and Washington counties) are now strictly enforcing Oregon Chief Justice Order (CJO) 08-015 and **returning all motions and responses that are unaccompanied by the correct filing fee-\$50 for motions and \$35 for responses.** Circuit courts in other counties throughout the state are also considering strict enforcement of these motion and response fees.

Firms will no longer receive courtesy calls or letters from the court, and there is no grace period to submit the filing fee at a later date. Motions and responses submitted without the correct fee will not be filed with the court, and hearings based on the motion will be cancelled.

CJO 08-015 requires filing fees for the following trial motions and responses:

- (1) ORCP 21 motions to dismiss, make more definite and certain, strike, and quash (such ORCP 21 motions, filed jointly, in any combination, are subject to one fee);
- (2) ORCP 46 motions to compel discovery;
- (3) ORCP 47 motions for summary judgment;
- (4) ORCP 63 motions for judgment notwithstanding the verdict (JNOV) or reconsideration;
- (5) ORCP 64 motions for new trial or reconsideration;
- (6) Motions to reconsider rulings on the motions identified in CJO 08-015;

The fees apply only to those trial cases subject to a fee under ORS 21.110. The fees do not apply to juvenile, postconviction, habeas corpus, and involuntary commitment cases.

Follow these practice tips:

- Update the instructions or procedures that accompany your motion forms to reflect applicable filing fees.
- Double-check filing fees for your county before submitting motions or other court documents subject to fees.
- Give your bookkeeper/accounting department a copy of the current fee schedule in the counties where you practice, or show them how to locate this information online.
- Don't wait until the last minute to file any document. Last-minute filings leave no cushion of time to correct mistakes, such as failure to attach a fee check.

See <http://www.ojd.state.or.us/courts/circuit/2007feenotice.htm> for more information.