

Rule 10

Background

^{sections}
ORS Chapters ~~Superseded~~:

174.120

COMMENT

This rule is ~~XXXXXX~~ based upon Federal Rule 6. The only substantial difference from the time computation provided in Ors 174.120 is the next to the last ~~XXXXXXXX~~ sentence of section A relating to intermediate saturdays, sundays and holidays for periods of less than 7 days. *Section B was eliminated from the Federal Rule in 1968 because Federal Courts no longer have terms. Since Oregon Courts do have terms, it was included in this rule.*

Rule 11 = Reserved

than 1 day before the hearing, unless the court permits them to be served at some other time.

BACKGROUND NOTE

ORS section superseded: 174.120.

COMMENT

This rule is based upon Federal Rule 6. The only substantial difference from the time computation provided in ORS 174.120 is the next to the last sentence of section ¹²A., relating to intermediate Saturdays, Sundays and holidays for periods of less than 7 days. Section ¹⁰B. was eliminated from the federal rule in 1968 because federal courts no longer have terms. Since Oregon courts do have terms, it was included in this rule.

RULE 11 (RESERVED)

to do any act or take any proceeding in any civil action which
has ^{is} been pending before it.

BACKGROUND NOTE

ORS section superseded: 174.120.

COMMENT

Section 10 A. is based upon Federal Rule 6 (a). The only substantial difference from the time computation provided in ORS 174.120 is the next to the last sentence of section 10 A. relating to intermediate Saturdays, Sundays and holidays for periods of less than 7 days. Section 10 B. was eliminated from the federal rule in 1968 because federal courts no longer have terms. Since Oregon courts do have terms, it was included in this rule.

RULE 11 (RESERVED)

RULE 12

PLEADINGS LIBERALLY CONSTRUED
DISREGARD OF ERROR

A. Liberal Construction. All pleadings shall be liberally construed with a view of substantial justice between the parties.

B. Disregard of error or defect not affecting substantial right. The court shall, in every stage of an action or proceeding, disregard any error or defect in the pleadings or proceedings which does not affect the substantial rights of the adverse party.

BACKGROUND NOTE

ORS sections superseded: 16.120, 16.660.

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memo
Add rule E