

Oregon Rules of Civil Procedure Legislative Amendments 1979-2023

ORCP 1

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Lewis & Clark Law School | Oregon Council on Court Procedures

Rule 1 – Scope; Construction; Application; Citation

§	Latest Amendment
A	Or. Laws 1995 c.685 § 117
B	Unamended
C	Or. Laws 1979 c.284 § 7
D	Or. Laws 1981 s.s. c.1 § 21
E	Or. Laws 2013 c.218 § 9
F	Or. Laws 2003 c.193 § 1

Or. Laws 1979 c.284 § 7

Amends Rule 1(C), (D) & (E)

- A. [Unamended]
- B. [Unamended]
- C. **Application.** These rules, and amendments thereto, shall apply to all actions pending at the time of or filed after their effective date, **except to the extent that in the opinion of the court their application in a particular action pending when the rules take effect would not be feasible or would work injustice, in which event the former procedure applies.**
- D. **"Rule" defined and local rules.** References to "these rules" shall include Oregon Rules of Civil Procedure numbered 1 through 64. General references to "rule" or "rules" shall mean only rule or rules of pleading, practice and procedure established by ORS 1.745, or promulgated under ORS 1.002, 1.735, 2.130 and 305.425, unless otherwise defined or limited. These rules do not preclude a court in which they apply from regulating pleading, practice and procedure in any manner not inconsistent with these rules.
- E. **[(D)] Citation.** These rules may be referred to as ORCP and may be cited, for example, by citation of Rule 7, section D., subsection (3), paragraph (a), subparagraph (i), as ORCP 7 D.(3)(a)(i).

H.B. 3131

Or. Laws 1979 c.284 § 7

House Introduction

5/11/79

A-Engrossed Bill

5/25/79 – Passed unamended in House

6/6/79 – Passed with amendments in Senate (per Justice Committee recommendation)

6/8/79 – House concurred with Senate amendments and repassed bill

Governor signed Enrolled Bill

6/26/79

Or. Laws 1981 s.s. c.1 § 21

Amends Rule 1(D)

- A. [Unamended]
- B. [Unamended]
- C. [Unamended]
- D. **"Rule" defined and local rules.** References to "these rules" shall include Oregon Rules of Civil Procedure numbered 1 through 85. General references to "rule" or "rules" shall mean only rule or rules of pleading, practice and procedure established by ORS 1.745, or promulgated under ORS ~~1.002~~ **1.006**, 1.735, 2.130 and 305.425, unless otherwise defined or limited. These rules do not preclude a court in which they apply from regulating pleading, practice and procedure in any manner not inconsistent with these rules.
- E. [Unamended]

H.B. 3293

Or. Laws 1981 s.s. c.1 § 21

House Introduction

10/24/81

A-Engrossed Bill

10/24/81 – Passed with amendments in House (per Judiciary Committee recommendation)

10/24/81 – Passed unamended in Senate

Governor signed Enrolled Bill

10/30/81

Or. Laws 1981 c.898 § 3

Amends Rule 1(D)

- A. [Unamended]
- B. [Unamended]
- C. [Unamended]
- D. **"Rule" defined and local rules.** References to "these rules" shall include Oregon Rules of Civil Procedure numbered 1 through ~~64~~ 85. General references to "rule" or "rules" shall mean only rule or rules of pleading, practice and procedure established by ORS 1.745, or promulgated under ORS 1.002, 1.735, 2.130 and 305.425, unless otherwise defined or limited. These rules do not preclude a court in which they apply from regulating pleading, practice and procedure in any manner not inconsistent with these rules.
- E. [Unamended]

H.B. 3261

Or. Laws 1981 c.898 §

House Introduction

6/5/81

A-Engrossed Bill

6/23/81 – Passed unamended in House

7/17/81 – Passed with amendments in Senate (per Justice Committee recommendation)

7/24/81 – House refused to concur with Senate Amendments; Conference Committee formed

Conference Committee Bill

8/1/81 – House adopted and repassed Conference Committee Bill

8/1/81 – Senate adopted and repassed Conference Committee Bill

Governor signed Enrolled Bill

8/22/81

Or. Laws 1995 c.658 § 117
Amends Rule 1(A)

- A. **Scope.** These rules govern procedure and practice in all circuit ~~and district~~ courts of this state, except in the small claims department of ~~district circuit~~ courts, for all civil actions and special proceedings whether cognizable as cases at law, in equity, or of statutory origin except where a different procedure is specified by statute or rule. These rules shall also govern practice and procedure in all civil actions and special proceedings, whether cognizable as cases at law, in equity, or of statutory origin, for the small claims department of ~~district circuit~~ courts and for all other courts of this state to the extent they are made applicable to such courts by rule or statute. Reference in these rules to actions shall include all civil actions and special proceedings whether cognizable as cases at law, in equity or of statutory origin.
- B. [Unamended]
- C. [Unamended]
- D. [Unamended]
- E. [Unamended]
- F. [Unamended]

H.B. 2625

Or. Laws 1995 c.658 § 117

House Introduction

2/10/95

A-Engrossed Bill

2/13/95 – Referred to Judiciary Committee

2/23/95 – Assigned to Civil Law and Judicial Administration Subcommittee

4/20/95 – Returned to Judiciary Committee

5/10/95 – Judiciary Committee recommended passing with amendments, printing engrossed (A-Eng.), and referring to Ways and Means Committee; Referred to Ways and Means Committee

5/30/95 – Assigned to Public Safety/Regulation Subcommittee

6/4/95 – Returned to Ways and Means Committee

6/5/95 – Ways and Means Committee recommended passing with amendments and printing engrossed (B-Eng.)

6/7/95 – Passed with amendments in House (per Judiciary Committee and Ways and Means Committee recommendations)

6/7/95 – Referred to Senate Ways and Means Committee

6/8/95 – Senate Ways and Means Committee recommended passing with amendments

B-Engrossed Bill

6/9/95 – Passed with amendments in Senate (per Ways and Means Committee recommendation); House concurred with Senate amendments and repassed bill

Governor signed Enrolled Bill

7/18/95

Or. Laws 2003 c.194 § 1

Amends 1(E) & (F)

- A. [Unamended]
- B. [Unamended]
- C. [Unamended]
- D. [Unamended]
- E. Use of declaration under penalty of perjury in lieu of affidavit; “declaration” defined. A declaration under penalty of perjury may be used in lieu of any affidavit required or allowed by these rules. A declaration under penalty of perjury may be made without notice to adverse parties, must be signed by the declarant and must include the following sentence in prominent letters immediately above the signature of the declarant: “I hereby declare that the above statement is true to the best of my knowledge and belief, and I understand that it is made as use for evidence in court and is subject to penalty for perjury.” As used in these rules, “declaration” means a declaration under penalty of perjury.
- F. [(E)] Citation. These rules may be referred to as ORCP and may be cited, for example, by citation of Rule 7, section D., subsection (3), paragraph (a), subparagraph (i), as ORCP 7 D.(3)(a)(i).

H.B. 2064 [Passed Unamended]

Or. Laws 2003 c.194 § 1

Or. Laws 2013 c.218 § 9
Amends Rule 1(E)

- A. [Unamended]
- B. [Unamended]
- C. [Unamended]
- D. [Unamended]
- E. **Use of declaration under penalty of perjury in lieu of affidavit; “declaration” defined.** A declaration under penalty of perjury, **or an unsworn declaration under sections 1 to 8 of this 2013 Act, if the declarant is physically outside the boundaries of the United States**, may be used in lieu of any affidavit required or allowed by these rules. A declaration under penalty of perjury may be made without notice to adverse parties, must be signed by the declarant and must include the following sentence in prominent letters immediately above the signature of the declarant: “I hereby declare that the above statement is true to the best of my knowledge and belief, and I understand that it is made as use for evidence in court and is subject to penalty for perjury.” As used in these rules, “declaration” means a declaration under penalty of perjury.
- F. [Unamended]

H.B. 2833

Or. Laws 2013 c.218 § 9

House Introduction

2/11/13

A-Engrossed Bill

4/17/13 – Passed with amendments in House (per Judiciary Committee recommendation)

5/14/13 – Passed unamended in Senate

Governor signed Enrolled Bill

5/23/13