

**Oregon Rules of Civil Procedure
Legislative Amendments 1979-2023**

ORCP 70

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Rule 70 – Form of Entry of Judgment [REPEALED (Or. Laws 2003, c.576 § 580)]

§	Latest Amendment
A	Repealed (as of 2003)
B	Repealed (as of 2003)
C	Repealed (as of 2003)
D	Repealed (as of 2003)

Or. Laws 1981 c.898 § 9

Amends Rule 70(C)

- A. [Unamended]
- B. [Unamended]
- C. **Submission of forms of judgment.** Attorneys shall submit proposed forms for judgment at the direction of the court rendering the judgment. ~~Unless otherwise~~ When so ordered by the court, ~~any~~ the proposed form of judgment shall be served in accordance with Rule 9 B. The proposed form of judgment shall be filed and proof of service made in accordance with Rule 9 C.

H.B. 3261

Or. Laws 1981 c.898 § 9

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 1987 c.873 § 19
Amends Rule 70(A)

- A. **Form.** [Full section text unamended]
1. **Content.** [Full section text unamended]
 - a. [Unamended]
 - b. ~~The judgment shall~~ Be signed by the court or judge rendering such judgment or, in the case of judgment entered pursuant to Rule 69 B.(1), by the clerk.
 - c. If the judgment provides for the payment of money, contain a summary of the type described in section 70 A.(2) of this rule.
 2. **Summary.** When required under section 70 A.(1)(c) of this rule a judgment shall comply with the requirements of this part. These requirements relating to a summary are not jurisdictional for purposes of appellate review and are subject to the requirements under section 70 A.(3) of this rule. A summary shall include all of the following:
 - a. The names of the judgment creditor and the creditor's attorney.
 - b. The name of the judgment debtor.
 - c. The amount of the judgment.
 - d. The interest owed to the date of the judgment, either as a specific amount or as accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals.
 - e. Any specific amounts awarded in the judgment that are taxable as costs or attorney fees.
 - f. Post-judgment interest accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals.
 - g. For judgments that accrue on a periodic basis, any accrued arrearages, required further payments per period and accrual dates.
 3. **Submitting and certifying summary.** The following apply to the summary described under section 70 A.(2) of this rule:
 - a. The summary shall be served on the opposing parties who are not in default or on their attorneys of record as required under ORCP 9.
 - b. The attorney for the party in whose favor the judgment is rendered or the party directed to prepare the judgment shall certify on the summary that the information in the summary accurately reflects the judgment.

S.B. 566

Or. Laws 1987 c.873 § 19

Senate Introduction
3/26/87

A-Engrossed Bill

6/2/87 – Passed with amendments in Senate (per Judiciary Committee recommendation)

6/19/87 – Passed with amendments in House (per Judiciary Committee recommendation)

[NOTE: House Judiciary Committee recommended passing with amendments as *A-Engrossed*. This seems to be erroneous since the Senate had already passed the bill, making *B-Engrossed* being the proper designation.]

B-Engrossed Bill

6/24/87 – Senate refused to concur with House Amendments; Conference Committee formed

6/25/87 – Conference Committee failed to agree; Conference Committee reformed

6/27/87 – Conference Committee recommended Senate concur with House amendments; Senate adopted and repassed bill; House adopted Conference Committee report

Governor signed Enrolled Bill

7/20/87

[NOTE: If the above note is correct, *C-Engrossed* is the proper designation for the Enrolled Bill.]

Or. Laws 1989 c.768 § 1
Amends Rule 70(A)–(C)

- A. **Form.** Every judgment shall be in writing plainly **labeled titled** as a judgment and set forth in a separate document. A default or stipulated judgment may have appended or subjoined thereto such affidavits, certificates, motions, stipulations, and exhibits as may be necessary or proper in support of the entry thereof.
1. **Content.** [Full section text unamended]
 - a. [Unamended]
 - b. [Unamended]
 - c. ~~If the judgment provides for the payment of money, contain a summary of the type described in section 70 A.(2) of this rule.~~
 2. **Summary.** When required under A.(1)(c) of this rule a judgment shall comply with the requirements of this part. These requirements relating to a summary are not jurisdictional for purposes of appellate review and are subject to The requirements under section 70 A.(3) of this rule. A summary shall include all of the following:
 - a. **Money judgment; contents.** Money judgments are judgments that require the payment of money, including judgments for the payment of costs or attorney fees. The requirements of this subsection are not jurisdictional for purposes of appellate review. Money judgments shall include all of the following:
 - i. The names of the judgment creditor and the creditor's attorney.
 - ii. [(b)] The name of the judgment debtor.
 - iii. [(c)] The amount of the judgment.
 - iv. [(d)] The interest owed to the date of the judgment, either as a specific amount or as accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals.
 - v. ~~[(e)] Any specific amounts awarded in the judgment that are taxable as costs or attorney fees.~~ [(f)] Post-judgment interest accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals.
 - vi. [(g)] For judgments that accrue on a periodic basis, any accrued arrearages, required further payments per period and accrual dates.
 - vii. If the judgment awards costs and disbursements or attorney fees, that they are awarded and any specific amounts awarded. This subparagraph does not require inclusion of specific amounts where such will be determined later under Rule 68 C.
 - b. **Form.** To comply with the requirements of paragraph A.(2)(a) of this rule, the requirements in that paragraph must be presented in a manner that complies with all of the following:
 - i. The requirements must be presented in a separate, discrete section immediately above the judge's signature if the judgment contains more provisions than just the requirements of paragraph A.(2)(a) of this rule.
 - ii. The separate section must be clearly labeled at its beginning as a money judgment.
 - iii. The separate section must contain no other provisions except what is specifically required by this rule for judgments for the payment of money.
 - iv. The requirements under paragraph A.(2)(a) of this rule must be presented in the same order as set forth in that paragraph.
 3. ~~Submitting and certifying summary. The following apply to the summary described under section 70 A.(2) of this rule:~~ A.(3) If the proposed judgment does not comply with the requirements in subsections A.(1) and (2) of this rule, it shall not be signed by the judge. If the judge signs the judgment, it shall be entered in the register whether or not it complies with the requirements in subsections A.(1) and (2) of this rule.
 - a. ~~The summary shall be served on the opposing parties who are not in default or on their attorneys of record as required under ORCP 9.~~
 - b. ~~The attorney for the party in whose favor the judgment is rendered or the party directed to prepare the judgment shall certify on the summary that the information in the summary accurately reflects the judgment.~~
- B. **Entry of judgments.**

1. **Filing; entry; notice.** All judgments shall be filed and **notation of the filing** shall be entered **in the register** by the clerk. The clerk ~~shall~~, on the date judgment is entered, **shall** mail a notice of the date of entry of the judgment **in the register and shall mail a copy of the entry in the judgment docket. If the judgment was not docketed in the judgment docket, the clerk shall give notice of this fact. The clerk shall mail the notice** to the attorneys of record, if any, of each party who is not in default for failure to appear. If a party who is not in default for failure to appear does not have an attorney of record, such notice shall be mailed to the party. The clerk also shall make a note in the ~~judgment docket register~~ of the mailing. In the entry of all judgments, except a judgment by default under Rule 69 B.(1), the clerk shall be subject to the direction of the court. Entry of judgment **in the register and docketing of the judgment in the judgment docket** shall not be delayed for taxation of costs, disbursements, and attorney fees under Rule 68.
 2. **Judgment effective upon entry.** Notwithstanding ORS 3.070 or any other rule or statute, for purposes of these rules, a judgment is effective only when entered **in the register** as provided in this rule.
 3. **Time for entry.** The clerk shall enter the judgment **in the register** within 24 hours, excluding Saturdays and legal holidays, of the time the judgment is filed. When the clerk is unable to or omits to enter judgment within the time prescribed in this subsection, it may be entered any time thereafter.
- C. **Submission of forms of judgment.** Attorneys shall submit proposed forms for judgment at the direction of the court rendering the judgment. **The proposed form must comply with section A. of this rule.** When so ordered by the court, the proposed form of judgment shall be served five days prior to the submission of judgment in accordance with Rule 9 B. The proposed form of judgment shall be filed and proof of service made in accordance with Rule 9 C.
- D. [Unamended]

H.B. 2127

Or. Laws 1989 c.768 § 1

House Introduction

1/9/89

A-Engrossed Bill

4/28/89 – Passed with amendments in House (per Judiciary Committee recommendation)

6/24/89 – Passed with amendments in Senate (per Judiciary Committee recommendation)

B-Engrossed Bill

6/27/89 – House concurred with Senate Amendments and repassed the bill

Governor signed Enrolled Bill

7/22/89

Or. Laws 1991 c.202 § 20
Amends Rule 70(A)

A. Form. [Full section text unamended]

1. [Unamended]

2. **[No text]**

a. [Unamended]

b. **Form. [Full section text unamended]**

i. [Unamended]

ii. [Unamended]

iii. The separate section must contain no other provisions except what is specifically required by this rule for judgments ~~and, if applicable, by section 8 of this 1991 Act~~ for the payment of money.

iv. [Unamended]

3. [Unamended]

B. [Unamended]

C. [Unamended]

D. [Unamended]

S.B. 401

Or. Laws 1991 c.202 § 20

Senate Introduction

1/22/91

A-Engrossed Bill

3/7/91 – Passed with amendments in Senate (per Judiciary Committee recommendation)

5/14/91 - Passed unamended in House

Governor signed Enrolled Bill

6/10/91

Or. Laws 1993 c.763 § 3
Amends Rule 70(A)

A. Form. [Full section text unamended]

1. [Unamended]
 2. **[No text]**
 - a. [Unamended]
 - b. **Form.**
 - i. [Unamended]
 - ii. The separate section must be clearly labeled at its beginning as a money judgment. **On or after the effective date of this 1993 Act, if the money judgment includes a child support obligation, the label must so indicate.**
 - iii. [Unamended]
 - iv. [Unamended]
 3. [Unamended]
- B.** [Unamended]
C. [Unamended]
D. [Unamended]

H.B. 2976

Or. Laws 1993 c.763 § 3

House Introduction

2/17/93

A-Engrossed Bill

4/29/93 – Passed with amendments in House (per Judiciary Committee recommendation)

7/19/93 – Passed with amendments in Senate (per Judiciary Committee recommendation)

7/21/93 – House refused to concur with Senate Amendments; Conference Committee created

7/31/93 – Conference Committee recommended House concur with Senate Amendments, further amend the bill, and repass.

B-Engrossed Bill

8/1/93 – House adopted Conference Committee bill and repassed; Senate adopted Conference Committee report and repassed.

Governor signed Enrolled Bill

8/30/93

Or. Laws 1999 c.195 §
Amends Rule 70(A)

A. Form. [Full section text unamended]

1. [Unamended]

2. [No text]

a. **Money judgment; contents.**

- i. The ~~names~~ **name and address** of ~~the~~ **each** judgment creditor and the **name, address and phone number of each** creditor's attorney, if any.
- ii. The name of ~~the~~ **each** judgment debtor **and, if known, the address, date of birth, Social Security number and driver license number for each judgment debtor, the state of issuance for each judgment debtor's driver license and the name of each judgment debtor's attorney.**
- iii. **The name of any person or public body known to the judgment creditor, other than the judgment creditor's attorney, who is entitled to any portion of a payment made on the judgment.**
- iv. [(iii)] **The amount of the judgment.**
- v. [(iv)] **The interest owed to the date of the judgment, either as a specific amount or as accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest is simple or compounded and, if compounded, at what intervals at each rate on each balance runs, and whether in**
- vi. [(v)] **Post-judgment interest accrual information, including the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals.**
- vii. [(vi)] **For judgments that accrue on a periodic basis, any accrued arrearages, required further payments per period and accrual dates.**
- viii. [(vii)] **If the judgment awards costs and disbursements or attorney fees, that they are awarded and any specific amounts awarded. This subparagraph does not require inclusion of specific amounts where such will be determined later under Rule 68 C.**

b. [Unamended]

B. [Unamended]

C. [Unamended]

D. [Unamended]

S.B. 415

Or. Laws 1999 c.195 §

Senate Introduction

1/11/99

A-Engrossed Bill

3/2/99 – Passed with amendments in Senate (per Judiciary Committee recommendation)

4/20/99 – Passed with amendments in House (per Judiciary Committee and Civil Law Subcommittee recommendation)

B-Engrossed Bill

4/26/99 – Senate concurred with House amendments and repassed bill

Governor signed Enrolled Bill

5/27/99

Or. Laws 2001 c.417 § 2
Amends Rule 70(A)

A. Form. [Full section text unamended]

1. [Unamended]

2. **[No text]**

a. **Money judgment; contents. [Full section text unamended]**

i. [Unamended]

ii. [Unamended]

iii. [Unamended]

iv. [Unamended]

v. [Unamended]

vi. [Unamended]

vii. [Unamended]

viii. If the judgment awards costs and disbursements or attorney fees, that they are awarded **and**, any specific amounts awarded, **a clear identification of the specific claims for which any attorney fees are awarded and the amount of attorney fees awarded for each claim.** This subparagraph does not require inclusion of specific amounts where such will be determined later under Rule 68 C.

b. [Unamended]

3. [Unamended]

B. [Unamended]

C. [Unamended]

D. [Unamended]

H.B. 2374

Or. Laws 2001 c.417 § 2

House Introduction

1/11/01

A-Engrossed Bill

4/18/01 – Passed with amendments in House (per Judiciary Committee and Civil Law Subcommittee recommendation)

5/22/01 – Passed unamended in Senate

Governor signed Enrolled Bill

6/18/01

Or. Laws 2003 c.194 § 15
Amends Rule 70(A)

- A. **Form.** Every judgment shall be in writing plainly titled as a judgment and set forth in a separate document. A default or stipulated judgment may have appended or subjoined thereto such affidavits, **declarations**, certificates, motions, stipulations, and exhibits as may be necessary or proper in support of the entry thereof.
- B. [Unamended]
- C. [Unamended]
- D. [Unamended]

H.B. 2064 [Passed Unamended]
Or. Laws 2003 c.194 § 15

Or. Laws 2003 c.380 § 5
Amends Rule 70(A)

A. Form. [Full section text unamended]

1. [Unamended]

2. **[No text]**

a. **Money judgment; contents. [Full section text unamended]**

i. [Unamended]

ii. The name of each judgment debtor and, if known, the address, date of birth, Social Security number and driver license number for each judgment debtor, the state of issuance for each judgment debtor's driver license and the name of each judgment debtor's attorney. **However, for a judgment issued in a proceeding under ORS 107.085 or 107.485, the Social Security number must be included in a manner established under section 1 of this 2003 Act.**

iii. [Unamended]

iv. [Unamended]

v. [Unamended]

vi. [Unamended]

vii. [Unamended]

viii. [Unamended]

b. [Unamended]

3. [Unamended]

B. [Unamended]

C. [Unamended]

D. [Unamended]

H.B. 3015

Or. Laws 2003 c.380 § 5

House Introduction

3/6/03

A-Engrossed Bill

5/9/03 – Passed with amendments in House (per Judiciary Committee recommendation)

5/29/03 – Passed unamended in Senate

Governor signed Enrolled Bill

6/16/03

Or. Laws 2003 c.576 § 580
[Rule Repealed]

H.B. 2646

Or. Laws 2003 c.576 § 580

House Introduction

2/13/03

A-Engrossed Bill

5/6/03 – Passed with amendments in House (per Judiciary Committee recommendation)

6/27/03 – Passed with amendments in Senate (per Judiciary Committee recommendation)

B-Engrossed Bill

7/1/03 – House concurred with Senate amendments and repassed bill

Governor signed Enrolled Bill

7/17/03