

Oregon Rules of Civil Procedure Legislative Amendments 1979-2023

ORCP 80

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Lewis & Clark Law School | Oregon Council on Court Procedures

Rule 80 – Receivers

§	Latest Amendment
A	Or. Laws 2017 c.258 § 43
B	Unamended
C	Or. Laws 1981 c.898 § 9(A)
D	Unamended
E	Unamended
F	Or. Laws 1981 c.898 § 10

Or. Laws 1981 c.898 § 9(A), 10

§9(A) Amends Rule 80(C);

§10 Amends Rule 80(F)

- A. [Unamended]
- B. [Unamended]
- C. **Appointment of receivers; notice.** No receiver shall be appointed without notice to the adverse party at least **10 five** days before the time specified for the hearing, unless a different period is fixed by order of the court.
- D. [Unamended]
- E. [Unamended]
- F. **Special Notices.**
1. **Required notice.** Creditors filing claims with the receiver, all persons making contracts with the receiver, all persons having known claims against the receiver, all persons **having actually or constructively known to be claiming** any interest in receivership property, and all persons against whom the receiver asserts claims shall receive notice of any proposed action by the court affecting their rights.
 2. **Request for special notice.** At any time after a receiver is appointed, any person interested in **said the** receivership as a party, creditor, or otherwise, may serve upon the receiver (or upon the attorney for such receiver) and file with the clerk a written request stating that such person desires special notice of any and all of the following named steps in the administration of **said the** receivership:
 - a. [Unamended]
 - b. [Unamended]
 - c. [Unamended]
 - d. [Unamended]
 3. **Form and service of notices.** Any notice required by-this-rule (except petitions for the sale of perishable property, or other personal property, the keeping of which will involve expense or loss) shall be addressed to the person to be notified, or such person's attorney, at their post-office address, and deposited in the United States Post Office, with the postage thereon prepaid, at least five days (10 days for notices under **sections-C and section G.** of this rule) before the hearing on any of the matters above described; or personal service of such notice may be made on the person to be notified or such person's attorney not less than five days (10 days for notices under **sections-C and section G.** of this rule) before such hearing. Proof of mailing or personal service must be filed with the clerk before the hearing. If upon the hearing it appears to the satisfaction of the court that the notice has been regularly given, the court shall so find in its order.

H.B. 3261

Or. Laws 1981 c.898 § 9(A); 10

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 2017 c.258 § 43
Amends Rule 80(A)

- A. **Receiver defined; applicability.**
 - 1. [Unamended]
 - 2. **The provisions of the Oregon Receivership Code control over conflicting provisions of this rule with respect to receiverships governed by the Oregon Receivership Code.**
- B. [Unamended]
- C. [Unamended]
- D. [Unamended]
- E. [Unamended]
- F. [Unamended]

S.B. 899

Or. Laws 2017 c.258 § 43

Senate Introduction

2/28/17

A-Engrossed Bill

4/18/17 – Passed with amendments in Senate (per Judiciary Committee recommendation; no recommendation from General Government and Accountability Committee nor Ways and Means Committee)
6/1/17 – Passed unamended in House

Governor signed Enrolled Bill

6/14/17