

1. GENERAL PROVISIONS

- 1.0 The Tigard Municipal Court serves as the municipal court for the City of Tigard, Washington County, State of Oregon.
- 1.1 The Court is open during regular business hours, excluding training events. Consult the City of Tigard's website for hours or closures. The Court may be closed for emergencies, including health, safety, or weather.
- 1.2 The Court is located inside Tigard City Hall at 13125 SW Hall Boulevard, Tigard, Oregon 97223. The mailing address is the same as the physical address. The telephone number is 503-718-2478. The email address is court1@tigard-or.gov. Attorneys should submit filings to court-attorney@tigard-or.gov. The website as of signing is <https://www.tigard-or.gov/your-government/departments/municipal-court>.

2. PRESUMPTIVE FINES & FEES

- 2.0 Presumptive fines and fees for violations of a state statute are set by the State of Oregon.
- 2.1 Presumptive fines and fees for violations of a city ordinance are set by Tigard City Council.
- 2.2 See the City of Tigard Fees and Charges Schedule for additional court fees.

3. DECORUM

- 3.0 All parties, witnesses, court staff, observers, or other participants will be treated with dignity and respect.
- 3.1 Media Coverage and private recording are subject to UTCR 3.180. Recording or transmittal of court proceedings by any electronic means by a private party, member of the public, or a party in the case shall only be permitted with prior approval of the judge handling the proceeding. Any request to record or transmit must be made 24 hours before the proceeding in writing. The decision to allow recording or transmission is the sole discretion of the Judge.
- 3.2 Tigard Municipal Court is a court of record. Recordings of any proceeding are available to the public for a nominal fee, which may be waived for good cause.
- 3.3 Attorneys must make themselves known to the court. At the start of the proceeding, an attorney must state their name, law firm connection, and bar number.

3.4 No person may disturb the functioning of the Court or Court proceedings, including the Court Clerk windows/office, hallways, or the grounds and buildings associated with Tigard City Hall. Security screenings may be conducted by order of the court.

4. VIOLATIONS BUREAU AUTHORITY

4.0 The Tigard Municipal Court hereby establishes a Violations Bureau (VB) as authorized by ORS 153.800. The VB consists of staff employed by the City of Tigard to work in the Tigard Municipal Court.

4.1 In addition to the powers established by statute, the VB is authorized to process violations according to the Vehicle Compliance Program.

4.2 Dismiss citations according to statute, such as ORS 806.012, Failure to Carry Proof of Compliance.

4.3 Accept a not guilty plea on any violation.

4.4 Accept a no contest plea on any parking violation, Class B, C, or D violation, enter a guilty finding, and assess a fine according to the attached fine reduction schedule. Defendants cited with Class A violations or above must appear before the judge in person or in writing.

4.5 Accept a no contest plea and enroll an eligible defendant in the Traffic Safety Diversion Program under Rule 6.

4.6 Postpone an arraignment for up to two weeks.

4.7 Set up a monthly payment plan of \$25 or more for any debt owed to the court,

4.8 Enter default judgments under ORS 153.102 on any parking ticket, B, C, or D violation.

4.9 Delete a \$15 suspension fee added to a defaulted business in error.

4.10 Forward cases to a collections agency to the extent allowed by law.

4.11 Nothing in this rule is intended to limit the authority of a judge to impose a greater or lesser amount in any case if allowed by law.

4.12 Nothing in this rule is intended to limit the ability of the court to adopt local orders or procedures requiring the personal appearance of a particular defendant or by all defendants in a specified category of offenses under ORS 153.061(5).

4.13 The VB may forward any case to the judge at any time, for any reason.

5. PROCEEDINGS AND RESETS

- 5.0 A party filing a pre-trial motion must serve a copy on the opposing party.
- 5.1 Discovery, or the exchange of potential evidence, must be requested in writing and filed with the opposing party 30 days before trial. Resets for discovery violations will not be granted if a written request was not filed.
- 5.2 A motion and affidavit for change of judge are waived unless they are filed 10 days before the scheduled proceeding. See ORS 221.353 for statutory guidance on motions to disqualify a municipal judge for prejudice.
- 5.3 The Court does not schedule pre-trial conferences for violations.
- 5.4 Motions will be heard at the time and date set for trials unless the court has ordered an advanced setting.
- 5.5 The Court does not appoint attorneys for violations or civil matters.
- 5.6 Requests to reset trials must be filed in writing seven calendar days before the trial.
- 5.7 Requests for second or subsequent resets will be granted by the judge for good cause only.
- 5.8 Postponements requested less than seven calendar days before trial will be denied except on a showing of serious illness of a party, attorney, or pivotal witness, or family member.
- 5.9 A defendant's request for a trial by affidavit will be granted ORS 153.080. An officer may appear in person or by affidavit once the defendant has requested the trial by affidavit.

6. TRAFFIC SAFETY DIVERSION PROGRAM

- 6.0 Eligible defendants may be permitted to participate in a Traffic Safety Diversion Program (Diversion), which, if successfully completed, would result in a dismissal of the case.
- 6.1 To be eligible, the defendant must be cited with a single moving violation, cannot have any moving violations or crimes on their record in the three years prior to the incident date alleged on the citation, cannot have done a class for dismissal in the three years prior to the alleged incident date, cannot have any other traffic related

cases pending, cannot have a commercial drivers license or commercial learning permit, and must have valid driving privileges.

- 6.2 The defendant must enter a no-contest plea prior to trial.
- 6.3 For this rule, “moving violation” means any violation of vehicle laws, including traffic crimes, that the driver of a vehicle commits while the vehicle is in motion.
- 6.4 The diversion program will consist of a court-ordered driver safety course and paying a court fee within 90 days of signing the agreement.
- 6.5 Failure to meet the requirements of the diversion program will result in a conviction and assessment of the presumptive fine.
- 6.6 Nothing in this rule limits the Court’s authority to allow or disallow diversion in any case.

7. ADDITIONAL COURT ADMINISTRATOR AUTHORITY

- 7.0 In addition to the authority granted to the Violations Bureau, the Court administrator or their designee may close a file upon receipt of proof of the defendant’s death.
- 7.1 Close a file in which more than twenty years have passed since the last action, and neither the court, a collections agency, nor an assignee has been able to locate the defendant or collect the judgment.
- 7.2 Close a file on a parking ticket case without a registered owner attached after five years with no response.

Fine reduction schedule

General Violations			
CLASSIFICATION	Presumptive Fine	Over three years since last conviction	Over a year but less than 3 years since last conviction
INDIVIDUAL			
Class D – Basic	\$115.00	\$ 89	\$99
Traffic Special Zone	\$225.00	\$175	\$195
Class C – Basic	\$165.00	\$125	\$145
Traffic Special Zone	\$325.00	\$250	\$290
Class B – Basic	\$265.00	\$200	\$235
Traffic Special Zone	\$525.00	See judge	See judge
Class A – Basic	See judge		
Traffic Special Zone			\
Special Traffic Violations			
	Presumptive Fine	1 ST	2 nd
Speeding 100 mph or greater	See judge	No reduction	
Helmet Violations 814.485, 814.486, 814.534, 814.536, 814.600	\$25	\$	\$
TMC violations			
	Presumptive Fine	1 st	2 nd
Chapter 10.32 – Misc Violations	\$265	\$200	\$226
7.60 – Abandoned Vehicle	\$265	\$200	\$226
10.32.235 – Jaywalking	\$115	\$89	\$99
10.28 – Parking	\$53	\$40	\$45