



Karen Brisbin
Justice Of The Peace

CLACKAMAS COUNTY JUSTICE COURT

11750 SE 82ND AVE SUITE D | HAPPY VALLEY, OR 97086

October 13, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

A Resolution Appointing Justices of the Peace Pro Tempore for the
Clackamas County Justice of the Peace District

Purpose/ Outcome	Approval of the Resolution Appointing Justices of the Peace Pro Tempore will appoint pro tempore judges to ensure that the Justice Court can continue to hold court during those periods of time when Justice of the Peace Brisbin is temporarily absent or otherwise unable to hold court.
Dollar Amount and Fiscal Impact	Pro Tempore judges are paid at an hourly rate of \$47.22, plus .54 cents per mile for travel to and from the court building.
Funding Source	Justice Court Budget
Duration	1 year
Previous Board Action/ Review	Annual appointment per ORS 51.260
Strategic Plan Alignment	Provide continuity of judicial service to the public
Contact Person	Laura Anderson, Accounting Specialist III 503-794-3816
Contract Number	N/A

BACKGROUND: When Justice of the Peace Brisbin is temporarily absent or otherwise unable to hold court, justices of the peace pro tempore ensure that the Justice Court can continue to hold court. Pro tempore judges adjudicate violation or civil cases set for first appearance/ arraignment or contest hearing/ trial. The individual recommended for appointment is a Clackamas County attorney in good standing with the Oregon State Bar and meets the eligibility requirements set by Oregon Revised Statutes.

The Resolution has been reviewed and approved by County Counsel.

RECOMMENDATION: Staff recommends approval of this Resolution appointing two Clackamas County attorneys to serve as justice of the peace pro tempore during the next year.

Respectfully submitted,

Karen Brisbin
Justice of the Peace

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

A RESOLUTION APPOINTING A
JUSTICE OF THE PEACE PRO
TEMPORE FOR THE CLACKAMAS
COUNTY JUSTICE OF THE PEACE
DISTRICT



Resolution No.

WHEREAS, The Clackamas County Justice of the Peace District (the Justice Court) was created by the Board of County Commissioners (BCC) in February 2009, and Justice of the Peace Karen Brisbin was subsequently appointed by the Governor and has been elected to serve a six (6) year term; and

WHEREAS, Pursuant to ORS 51,260(2), the BCC may appoint a justice of the peace pro tempore to ensure that the Justice Court can continue to hold court during those periods of time when Judge Brisbin is temporarily absent or otherwise unable to hold court; and

WHEREAS, Kristen S. David and Roxanne R. Scott are eligible to serve as a justice of the peace pro tempore being a citizen of the United States, a resident of Oregon for at least three years, and has maintained a residence or principal office in Clackamas County for at least one year immediately prior to appointment; and

WHEREAS, The BCC, upon the recommendation of Judge Brisbin, finds it is in the public interest to appoint Kristen S. David and Roxanne R. Scott, to serve as a justice of the peace pro tempore in Clackamas County; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board of County Commissioners appoints Kristen S. David and Roxanne R. Scott, to serve as a justice of the peace pro tempore for the Clackamas County Justice of the Peace District. Kristen S. David and Roxanne R. Scott shall have the authority to preside over court proceedings as is necessary during times when Judge Brisbin is temporarily absent or otherwise unable to hold court.

IT IS FURTHER RESOLVED, that the appointment of Kristen S. David and Roxanne R. Scott shall be for a term not to exceed one year from the date of this resolution. The appointment, however, is subject to termination in the sole discretion of the BCC at any time prior to the expiration of the term.

Dated this 13th day of October, 2016

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

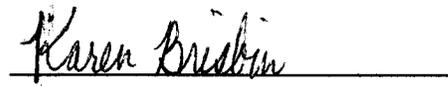
STATE OF OREGON
JUDICIAL OATH OF OFFICE

STATE OF OREGON)
)ss.
COUNTY OF CLACKAMAS)

I, Roxanne R. Scott, do solemnly swear or affirm that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully, honestly, and impartially discharge the duties of a pro tempore judge of the Clackamas County Justice of the Peace District, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been appointed.


Roxanne R. Scott

Subscribed and sworn before me this 8th day of September, 2016.


Karen Brisbin
Justice of the Peace
Clackamas County

UNDERTAKING FOR
JUSTICE OF THE PEACE PRO TEM

Whereas Roxanne R. Scott has been duly appointed justice of the peace pro tem in and for the Clackamas County Justice of the Peace District on the 23rd day of

June, 2016, we, Paula Hull-Torres and Scott Haynes,

hereby undertake that if Roxanne R. Scott shall not faithfully pay over according to law all moneys that shall come into his hands by virtue of such office, then we, or either of us, will pay to the State of Oregon the sum of \$2,500.

Dated this 23rd day of June, 2016.

Paula Hull-Torres
Surety #1

Scott Haynes
Surety #2

Approved on behalf of the Clackamas County Board of Commissioners by:

John Ludlow, Chair

JUSTIFICATION OF SURETY

I, Scott Haynes, being duly sworn hereby depose and say:

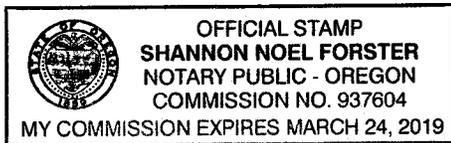
1. That I am a surety in the undertaking for Roxanne R. Scott pursuant to ORS 51.250;
2. That I am a resident of the State of Oregon, County of Clackamas;
3. That I am not a sheriff or officer of any court;
4. That I am worth the sum specified in the undertaking, exclusive of property exempt from execution, and over and above all just debts and liabilities.

Dated this 23rd day of June, 2016.

Scott Haynes
Surety

State of Oregon)
) ss.
County of Clackamas)

Subscribed and sworn to me this 23rd day of June, 2016.



Shannon Noel Forster
Notary Public

JUSTIFICATION OF SURETY

I, Paula Hull-Torres, being duly sworn hereby depose and say:

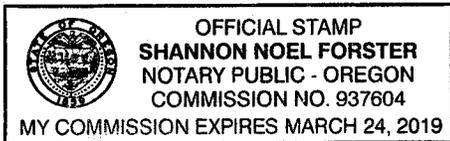
1. That I am a surety in the undertaking for Roxanne R. Scott pursuant to ORS 51.250;
2. That I am a resident of the State of Oregon, County of Clackamas;
3. That I am not a sheriff or officer of any court;
4. That I am worth the sum specified in the undertaking, exclusive of property exempt from execution, and over and above all just debts and liabilities.

Dated this 22nd day of June, 2016.

Paula Hull-Torres
Surety

State of Oregon)
) ss.
County of Clackamas)

Subscribed and sworn to me this 22nd day of June, 2016.



Shannon Noel Forster
Notary Public

STATE OF OREGON
JUDICIAL OATH OF OFFICE

STATE OF OREGON)
)ss.
COUNTY OF CLACKAMAS)

I, Kristen S. David, do solemnly swear or affirm that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully, honestly, and impartially discharge the duties of a pro tempore judge of the Clackamas County Justice of the Peace District, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been appointed.



Kristen S. David

Subscribed and sworn before me this 8th day of September, 2016.



Karen Brisbin
Justice of the Peace
Clackamas County

JUSTIFICATION OF SURETY

I, Sam Nelson, being duly sworn hereby depose and say:

1. That I am a surety in the undertaking for Kristen S. David pursuant to ORS 51.250;
2. That I am a resident of the State of Oregon, County of Clackamas;
3. That I am not a sheriff or officer of any court;
4. That I am worth the sum specified in the undertaking, exclusive of property exempt from execution, and over and above all just debts and liabilities.

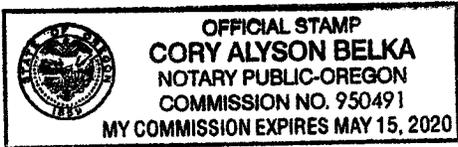
Dated this 23 day of September 2016.

[Handwritten signature of Sam Nelson]

Surety

State of Oregon)
) ss.
County of Clackamas)

Subscribed and sworn to me this 23rd day of September, 2016.



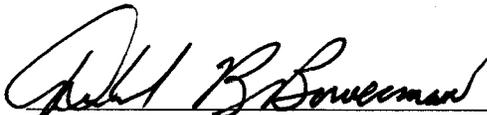
[Handwritten signature of Cory Alyson Belka]
Notary Public

CLACKAMAS COUNTY JUSTICE COURT
STATE OF OREGON
FILED
2016 SEP 26 PM 4:19

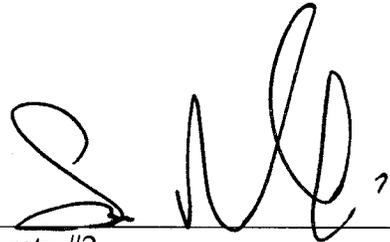
UNDERTAKING FOR
JUSTICE OF THE PEACE PRO TEM

Whereas Kristen S. David has been duly appointed justice of the peace pro tem in and for the Clackamas County Justice of the Peace District on the 8th day of September, 2016, we, Don Bowerman and Sam Nelson, hereby undertake that if Kristen S. David shall not faithfully pay over according to law all moneys that shall come into her hands by virtue of such office, then we, or either of us, will pay to the State of Oregon the sum of \$2,500.

Dated this 23rd day of September, 2016.



Surety #1



Surety #2

Approved on behalf of the Clackamas County Board of Commissioners by:

John Ludlow, Chair

