

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 102

An Ordinance relating to departmental functions, amending Ordinance No. 64, amending Ordinance No. 89, and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Policy and Purpose.

The Board of County Commissioners of Multnomah County, Oregon (hereinafter "Board") declares it to be in the interests of the people of Multnomah County and of county and judicial administration to reduce the current division of responsibility between the court administrators of the circuit and district courts for Multnomah County and the Multnomah County Department of Justice Services for providing administrative assistance and other supportive services to said courts, and, to the extent consistent with law and Multnomah County's responsibility for assuring that such assistance and services are adequately provided to the courts, to permit responsibility therefor to be assumed and discharged by the court administrators.

Section 2. Assignment of Functions.

Upon receipt by the Clerk of the Board of written notices from the presiding judges of said courts that, subject to the provisions of this ordinance, their respective court administrators are authorized to assume

responsibility for the functions described in subsection (1) of this section, the functions now performed by the Division of Court Process of the Department of Justice Services shall be assigned as follows:

(1) The Circuit and District Court Administrators shall perform the services and duties imposed by state law and county ordinances upon the court, clerk and district court clerk with reference to administration of the courts and maintenance and custody of court files and records.

(2) The Department of Administrative Services shall perform all other services and duties imposed by state law and county ordinances upon the county clerk, including, without limitation, recording; maintenance and custody of public records other than court records; and licensing.

(3) The Department of Justice Services shall perform the services and duties imposed by state law and county ordinances upon the county sheriff with reference to civil process and other services to the courts. Until such notices are received from the presiding judges, all of the foregoing functions shall continue to be performed by the Department of Justice Services and Sections 3 and 4 of this ordinance shall not take effect.

Section 3. Amendment of Ordinance No. 64.

Subject to the provisions of Section 2 of this ordinance, Ordinance No. 64 is amended as follows:

(1) Paragraph 1 of subsection C of Section 4 is repealed.

(2) Paragraph 6 of subsection C of Section 4 is amended to read:

"Provide services and perform duties required by state law and county ordinances

of the county sheriff, with reference to civil process, administration of the courts and law enforcement."

(3) Paragraph 5 of subsection C of Section 4 is amended to read:

"Perform those county services required by the judicial branch of government, including the courts and office of district attorney, except to the extent such services are performed under the auspices of other governmental officers or bodies pursuant to Ordinance No. 102 or other provisions of law."

(4) Subsection D of Section 4 is amended by adding the following paragraph 1:

"Provide services and perform duties imposed by state law and county ordinances upon the county clerk with reference to licensing, recording and custody of public records other than court files and records, and all other duties of the county clerk which are not otherwise assigned by this ordinance or other provisions of law."

Section 4. Amendment of Ordinance No. 89.

Subject to the provisions of Section 2 of this ordinance, paragraph 5 of subsection A of Section 9 of Ordinance No. 89 is amended by deleting the period at the end of said paragraph and substituting a comma therefor, and adding the following language:

"provided that employees assigned to the court administrators as a result of the transfer of functions and personnel pursuant to Ordinance No. 102, who previously enjoyed classified status or other employment rights and benefits afforded by the county in the Department of Justice Services, shall retain such status, rights and benefits in the offices of the court administrators, subject to all provisions of this ordinance and other provisions of law relating to county employees."

Section 5. County Responsibility.

Because assuring satisfactory performance of the functions assumed by the court administrators pursuant to Section 2 of this ordinance is the responsibility of Multnomah County under the Constitution and laws of the State of Oregon, the Board shall at all times remain responsible for determining that such functions are being performed in a manner it deems satisfactory and in the interests of the people of Multnomah County. The Board shall periodically review whatever matters it regards as relevant to this determination, including compliance by the court administrators with documents which were submitted to the Board in conjunction with its consideration of the adoption of this ordinance, as such documents relate to assignment and retention of county personnel and other matters, and including realization of predicted benefits set forth in such documents. If at any time the Board determines that said functions are not being performed in a satisfactory manner or in a manner which best promotes the interests of the people of Multnomah County, the Board shall by ordinance assign said functions to the Department of Justice Services or to such other county departments or offices as it may select pursuant to its authority under Section 6.30 of the Charter of Multnomah County and under Section 5 of Ordinance No. 64. Upon the enactment of any such ordinance, the court administrators shall immediately cease performance of said functions and shall assist in all necessary and appropriate manners the transfer of the functions to the departments or offices

to which they are assigned.

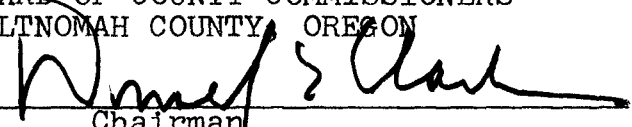
Section 6. Adoption.

This ordinance being necessary for the immediate preservation of the health, safety and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on July 1, 1975, pursuant to Section 5.50 of the Charter of Multnomah County, except as this ordinance specifically provides that all or any of its provisions shall become effective at a different time or upon the happening of any specified event or events. Upon the effective date of this ordinance or such later date as the conditions precedent to the operation of its provisions occur, the director of the Department of Justice Services and his designees shall complete all necessary plans and measures for the orderly allocation of functions in accordance with this ordinance to the end that the purposes of this ordinance may be fully implemented at the earliest possible time.

ADOPTED this 19th day of June, 1975, being the date of its 1st reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By


Chairman