

IN THE MUNICIPAL COURT OF THE CITY OF SPRINGFIELD
LANE COUNTY, OREGON

CITY OF SPRINGFIELD

GENERAL ORDER 2019 -6

Establishing a Traffic Court Violations Bureau Pursuant
to ORS 153.800

The court hereby establishes a Traffic Court Violations Bureau ("Bureau"), subject to the control and supervision of this court, which shall operate as provided in this Order:

1. The court supervisor, senior court clerk, and court clerks are hereby designated violations clerks.
2. All traffic offenses, upon defendant's election to pursue "Option 1" in the manner provided on the reverse of the citation and complaint (or any court form which may be used in its place), and parking violations may be disposed of by the Bureau **except** for the following:
 - a. Citations for driving at a speed of 100 mph or greater
 - b. Misdemeanor offenses treated as violations
 - c. Citations for traffic violations in special zones
 - d. Citations for second or subsequent Mobile Communication Device Offenses (ORS 811.507)
3. The Bureau may impose the specified fine, instead of the Presumptive Fine, as set forth in the "Violations Bureau Fine and Assessment Schedule," as follows:
 - a. Upon entry of a plea of "no contest." A written plea of "guilty" shall be construed as reflecting an intent to plead "no contest";
 - b. By conduct indicating a clear and unambiguous intent to enter a plea of "no contest," including submission of an appropriate payment by mail or online submission pursuant to "Option 1" on the citation and complaint, unless the submission is accompanied by a "not guilty" plea.
4. Payment of the Presumptive Fine constitutes consent to forfeiture of such payment by the Bureau and entry of a finding of "guilty," except when accompanied by:
 - a. A "not guilty" plea;
 - b. A request for a hearing or trial; or
 - c. A letter of explanation or mitigation.
5. The Bureau shall operate as provided in General Order 2019 – 7 with regard to "Fix-it Tickets."
6. The Bureau shall, upon request, accept all qualified defendants charged with qualifying violations into the Springfield Municipal Court Traffic Safety Education Deferred Prosecution Program. Citations for offenses participating in the Traffic Safety Education Deferred Prosecution Program shall be dismissed when the defendant successfully completes the six (6) month program. Completion includes paying the required fee in full, completing the Driver Education class and not incurring any new citations or convictions within the specified six (6) month period.
7. The Bureau shall, upon request, allow all qualified defendants charged with a first Mobile Communication Device Offense after July 1, 2018 to complete a Distracted Driver Avoidance Course (Cell Phone School) pursuant to ORS 811.507, and shall suspend the fine to be imposed upon successful completion of the course within 120 days of sentencing.
8. The Bureau shall endeavor to obtain immediate payment of fines but may, in the alternative, extend time for payment in monthly installments. The Bureau shall use discretion in allowing time for payment. The standard minimum payment amount is fifty dollars (\$50) per month. The Bureau may, in its discretion, reduce the monthly payment amount to an amount less than fifty dollars (\$50), but shall not allow payments of less than twenty-five dollars (\$25) per month.

9. The Bureau shall impose the specified fines, including mandatory state and county assessments for each violation, as set forth in the following "Violations Bureau Schedule."
10. If the defendant does not appear for arraignment or other first appearance within the time allowed, the Bureau may enter a default judgment based on the complaint pursuant to ORS 153.102(1) and impose the Presumptive Fine plus court costs for each violation.
11. The Bureau shall dispose of all fees collected as provided in ORS 153.633 and ORS 153.650.
12. Nothing in this Order is intended to limit the authority of a judge to impose a greater or lesser amount of financial obligation in an individual case where allowed by law.
13. Nothing in this Order is intended to limit the ability of the court to adopt orders or procedures requiring the personal appearance of particular defendants or by all defendants in specified categories of offenses in accordance with ORS 153.061(6).
14. The Springfield Municipal Court will assess fines as required by State Statute.
15. The Bureau may, in its discretion, require any defendant to appear in person before a judge.
16. All dispositions of violation citations under the jurisdiction of the Bureau shall be recorded on the Uniform Citation by the Violations Bureau Clerk, and shall bear the signature of the Clerk.

The following "Violations Bureau Fine and Assessment Schedule" shall apply to traffic court violations, except as otherwise ordered by the court:

VIOLATION CLASS	Presumptive Fine	No traffic convictions in previous 2 years from date of citation	One (1) traffic conviction in previous 2 years from date of citation
Class A violations	\$440	\$353	\$396
Class B violations	\$265	\$205	\$239
Class C violations	\$165	\$133	\$149
Class D violations	\$115	\$97	\$104

Any defendant seeking a fine reduction greater than that provided by this Schedule may submit such request to a judge in writing, or appear in open court.

Dated this 18th day of November, 2019.

 Susan Triem
 Presiding Municipal Judge