

1 **VIOLATIONS BUREAU**

2 IN THE MUNICIPAL COURT FOR THE CITY OF ASHLAND

3 COUNTY OF JACKSON, STATE OF OREGON

4
5 In the Matter of: Establishing of a) **Violations Bureau Order**
6 Traffic Court Violations Bureau) (ORS 153.800)
7 Pursuant to ORS 153.800.) April 01, 2021

8 The Court having determined that the efficient disposition of its responsibilities and the
9 convenience of citizens charged with violations so requires,

10
11 **IT IS HEREBY ORDERED AS FOLLOWS:**

12 **I.**

13 **Violations Bureau Established**

14 The Court hereby establishes a Traffic Court Violations Bureau (“Bureau”) subject to the
15 control and supervision of this Court, which shall operate as provided in this order and ORS
16 153.800.

17 **II.**

18 **Designation of Bureau Clerks**

19 The Ashland Municipal Court Lead Clerk is hereby designated as the Violations Clerk. The
20 Violations Clerk may designate one or more members of the court staff as Deputy Clerks for
21 the Bureau. As used herein, the term “Clerk” means the Violations Clerk and Deputy Violations
22 Clerks of the Violations Bureau.

1 **III.**

2 **Authority of Clerks**

3 A Clerk may accept written appearances; requests or waivers of trial; pleas of no contest;
4 payments of fines, bails, and assessments for all violations that are subject to the authority of the
5 Clerk. These enumerated powers are not the exclusive powers of a Clerk; a Clerk has all powers
6 necessary or convenient to conduct the business of the Violation Bureau consistent with the
7 terms and purpose of this order.

8 **IV.**

9 **Subject Matter Jurisdiction of the Bureau**

10 Subject to the terms provided herein, a Clerk may exercise authority over any violation,
11 including the following which may be referred to the Judge at the Clerk's discretion:

- 12 1. all citations issued to persons under 18 years of age, except skate board helmet offense;
- 13 2. a minor in possession of alcohol or marijuana;
- 14 3. the sale of tobacco to minor;
- 15 4. marijuana use in public;
- 16 5. a misdemeanor treated as a violation;
- 17 6. an Ashland Municipal Code violation in which a reduction is requested;
- 18 7. a violation which occurred in the Enhanced Law Enforcement Area (ELEA);
- 19 8. when the Clerk has a significant doubt regarding;
 - 20 a. the accuracy or sufficiency of a violation citation;
 - 21 b. the validity of a defendant's driver's license, proof of insurance or other relevant
 - 22 documentation; or
 - 23 c. the application of the provisions of this order to a particular situation.
- 24 9. when the Clerk determines there is a previous conviction for operating a motor vehicle
- 25 while using mobile electronic device resulting in a higher penalty (ORS 811.507).

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V.

Personal Jurisdiction of the Bureau

All persons alleged to have committed a violation within the jurisdiction of the Bureau may appear before the Bureau, regardless of the number of previous offenses the person may have committed.

VI.

Payment of Fines and Fees

All amounts of penalties paid to the Violations Bureau shall be accounted for and receipted by the Clerk in the same manner as other payments on money judgments received by the court. A defendant charged with any offense in the Ashland Municipal Court Violations Bureau may pay a fine or fee by cash, check, money order, MasterCard or Visa. Payments may be made in person, over the telephone, over the Internet, or by mail; except payment over the internet may not be made on cases in suspension, collection or those enrolled in the traffic school program. In a particular instance, the Clerk may refuse to accept one or more form or manner of payment if, in the Clerk's exercise of sound judgment, there is good cause to do so.

VII.

Bureau Procedures; Basic Options

A defendant who appears in person for arraignment on a violation that is subject to the authority of a Violations Clerk shall have the following three options regarding how to proceed on the violation. The Clerk shall inform the defendant of these options.

- 1. Plead Not Guilty and Request a Hearing.** The defendant shall sign the appropriate forms documenting the plea of not guilty and the request for a trial. The form shall require the defendant to provide a current address and phone number. If a defendant requesting a trial does not sign the paperwork or does not provide a reliable way to contact them, no trial