

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Waiving the Requirement to )  
Collect in Advance Fees for Recording Liens )  
Filed by the Columbia County Justice Court )

ORDER NO. 61-2003

WHEREAS, pursuant to ORS 52.635(1), after a judgment is docketed in a justice court, a certified copy of the judgment or a lien record abstract for the judgment may be recorded in the County Clerk Lien Record and, after being so docketed, the judgment becomes a lien upon the real property of the defendant in the county; and

WHEREAS, some of the judgments in justice court are for court fines, fees and assessments, the process provided in ORS 52.635(1) is a valuable tool for collection of such judgments; and

WHEREAS, while ORS 205.320 directs the County Clerk to collect in advance a fee prior to recording documents in the County Clerk Lien Record, there is no financial benefit to the County in requiring one County department to pay a fee to another department, and there is a significant cost in accounting for such charges; and

WHEREAS, it would make more sense financially for the County to waive the requirement to pay the recording fee in advance, and instead add the recording cost to the cost of recording a satisfaction of the lien, a result which in effect shifts the recording cost to the person against whom the judgment was entered;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The County Clerk is authorized to record certified copies of judgments or lien record abstracts for such judgments after the judgments have been docketed in the Columbia County Justice Court in the County Clerk Lien Record without collecting in advance the recording fee established by ORS 205.320.
2. Prior to recording satisfactions of the liens created by such judgments, the County Clerk shall collect, in addition to the fees required for recording the satisfactions, the additional amount owed as a result of the filing of the original certified copies of judgments or lien record abstracts for such judgments.

DATED this 17<sup>th</sup> day of September, 2003.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: 

Chair

By: 

Commissioner

Approved as to form:

By: 

Office of County Counsel

By: 

Commissioner