

Chapter 7

Records and Files of Courts

7.010

NOTES OF DECISIONS

In a county where the office of county clerk is abolished, the clerk of the circuit court and the clerk of the county court are each required to keep a judgment docket. *Dickson v. Back*, (1897) 32 Or 217; 51 P 727.

This section requires both the circuit court and county court to keep a separate judgment docket. *Western Sav. Co. v. Currey*, (1901) 39 Or 407, 65 P 360, 87 Am St Rep 660.

The entry of a judgment in a book, entitled "Judgment Lien Docket, Baker County," which does not show on its face the court in which the judgment was entered is insufficient. *Id.*

FURTHER CITATIONS: *Hutchinson v. Gorham*, (1900) 37 Or 347, 61 P 431; *State v. Stilwell*, (1924) 109 Or 643, 221 P 174; *Neal v. Haight*, (1949) 187 Or 13, 206 P2d 1197.

ATTY. GEN. OPINIONS: Procedure for recordation of birth certificates, 1948-50, p 236.

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CASE CITATIONS: *Harrington v. Snyder*, (1909) 53 Or 573, 101 P 392.

ATTY. GEN. OPINIONS: Counsel appointments in inferior courts, 1960-62, p 375.

7.030

CASE CITATIONS: *Hutchinson v. Gorham*, (1900) 37 Or 347, 61 P 431; *Summers v. Geer*, (1907) 50 Or 249, 85 P 513, 93 P 133; *Long v. Minto*, (1916) 81 Or 281, 158 P 805; *Allen v. Leavens*, (1921) 101 Or 466, 198 P 907, 199 P 595; *State v. Stilwell*, (1924) 109 Or 643, 221 P 174; *State v. Tolls*, (1938) 160 Or 317, 85 P2d 366, 119 ALR 1370; *Neal v. Haight*, (1949) 187 Or 13, 206 P2d 1197.

ATTY. GEN. OPINIONS: Counsel appointments in inferior courts, 1960-62, p 375.

7.040

NOTES OF DECISIONS

The omission to enter the names of all the judgment debtors under the proper heading in the judgment docket does not prevent the judgment from becoming a lien on the real property of those whose names are properly entered in such docket. *DeLashmutt v. Sellwood*, (1882) 10 Or 319, 324.

The judgment docket must indicate in what court the

judgment was given. *Western Sav. Co. v. Currey*, (1901) 39 Or 407, 65 P 360, 87 Am St Rep 660.

Entry of judgment was sufficient notwithstanding designation of book as a "judgment lien docket." *Budd v. Gallier*, (1907) 50 Or 42, 48, 89 P 638.

FURTHER CITATIONS: *In re Boyd*, (1877) 4 Sawy 262, Fed Cas No. 1,746; *Hutchinson v. Gorham*, (1900) 37 Or 347, 61 P 431.

7.090

ATTY. GEN. OPINIONS: Destruction of jurors' certificates and sign-in sheets, 1960-62, p 401; need for new file when defendant is held to answer, 1964-66, p 403.

7.110

ATTY. GEN. OPINIONS: Need for new file when defendant is held to answer, 1964-66, p 403.

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LAW REVIEW CITATIONS: 39 OLR 355; 6 WLJ 485-495.

7.130

NOTES OF DECISIONS

By virtue of OL 740 [ORS 192.030] a newspaper publisher had a right to examine the files in the custody of a county clerk notwithstanding this section. *Bend Publishing Co. v. Haner*, (1926) 118 Or 105, 244 P 868.

ATTY. GEN. OPINIONS: Right of persons having lawful purpose to inspect records, 1952-54, p 141; effect of ORS 192.030, 1954-56, p 207.

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NOTES OF DECISIONS

Prior to the enactment of this statute, a motion to substitute a sworn copy of an original exhibit lost or destroyed before the transcript for appeal was sent up would be denied. *Corbitt v. Bauer*, (1882) 10 Or 340.

7.211

ATTY. GEN. OPINIONS: Confidentiality of student records at higher education institutions, (1968) Vol 34, p 70.

7.240

ATTY. GEN. OPINIONS: Procedure for recordation of birth certificates, 1948-50, p 236.