



Karen Brisbin  
 Justice of the Peace  
 Clackamas County Justice Court  
 11750 SE 82nd Avenue Suite D | Happy Valley, OR 97086  
[www.clackamas.us/justice](http://www.clackamas.us/justice) Email: justicecourtinfo@clackamas.us  
 Phone: 503-794-3800  
 Fax: 503-794-3808

February 8, 2024

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
 Clackamas County

**Approval of a Board Order appointing Justice Court Pro Tem Judges For 1 Year.  
 No fiscal impact. No County General Funds are involved.**

<b>Previous Board Action/Review</b>	Approved Pro Tem Judges March 2020 Briefed at Issues February 6, 2024		
<b>Performance Clackamas</b>	Build public trust through good government		
<b>Counsel Review</b>	NO	<b>Procurement Review</b>	NO
<b>Contact Person</b>	Laura Anderson	<b>Contact Phone</b>	503-794-3816

**EXECUTIVE SUMMARY:** When Justice of the Peace Brisbin is temporarily absent or otherwise unable to hold court, justices of the peace pro tempore ensure that the Justice Court can continue to hold court. Pro tempore judges adjudicate violation or civil cases set for first appearance/arraignment or contested hearing/trial. The individual recommended for appointment is a Clackamas County attorney in good standing with the Oregon State Bar and meets the eligibility requirements set by Oregon Revised Statutes. The Resolution has been reviewed and approved by County Counsel.

**RECOMMENDATION:** Staff recommends that the Board of County Commissioners appoints Kathleen Rastetter, Kimberly Graves and Roxanne R. Scott, to serve as a justice of the peace pro tempore for the Clackamas County Justice of the Peace District. Kathleen Rastetter, Kimberly Graves and Roxanne R. Scott shall have the authority to preside over court proceedings as is necessary during times when Judge Brisbin is temporarily absent or otherwise unable to hold court.

Respectfully submitted,

Karen Brisbin  
 Justice of the Peace

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**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of APPOINTING A JUSTICE OF THE PEACE PRO TEMPORE FOR THE CLACKAMAS COUNTY JUSTICE OF THE PEACE DISTRICT



Board Order No.

*Page 1 of 1*

**Whereas**, this matter coming before the Board at this time, and it appearing that the Clackamas County Justice of the Peace District (the Justice Court) was created by the Board of County Commissioners (BCC) in February 2009, and Justice of the Peace Karen Brisbin was subsequently appointed by the Governor and has been elected to serve a six (6) year term; and

**Whereas**, Pursuant to ORS 51.260(2), the BCC may appoint a justice of the peace pro tempore to ensure that the Justice Court can continue to hold court during those periods of time when Judge Brisbin is temporarily absent or otherwise unable to hold court; and

**Whereas**, Kathleen Rastetter, Kimberly Graves, and Roxanne R. Scott are eligible to serve as a justice of the peace pro tempore, being a citizen of the United States, a resident of Oregon for at least three years, and has maintained a residence or principal office in Clackamas County for at least one year immediately prior to appointment; and;

**Whereas**, The BCC, upon the recommendation of Judge Brisbin, finds it is in the public interest to appoint Kathleen Rastetter, Kimberly Graves, and Roxanne R. Scott, to serve as a justice of the peace pro tempore in Clackamas County; and

**NOW THEREFORE, the Clackamas County Board of Commissioners do hereby order** that Kathleen Rastetter, Kimberly Graves, and Roxanne R. Scott, are appointed to serve as a justice of the peace pro tempore for the Clackamas County Justice of the Peace District. Kathleen Rastetter, Kimberly Graves, and Roxanne R. Scott shall have the authority to preside over court proceedings as is necessary during times when Judge Brisbin is temporarily absent or otherwise unable to hold court.

**IT IS FURTHER ORDERED** that the appointment of Kathleen Rastetter, Kimberly Graves, and Roxanne R. Scott shall be for a term not to exceed one year from the date of this resolution. The appointment, however, is subject to termination in the sole discretion of the BCC at any time prior to the expiration of the term.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 2024

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

UNDERTAKING FOR  
JUSTICE OF THE PEACE PRO TEM

Whereas Kathleen J. Rastetter has been duly appointed justice of the peace pro tem in and for the Clackamas County Justice of the Peace District on the 17<sup>th</sup> day of November, we, Penny L Nelsen and Eric W. Nelsen, hereby undertake that if Kathleen J. Rastetter shall not faithfully pay over according to law all moneys that shall come into his hands by virtue of such office, then we, or either of us, will pay to the State of Oregon the sum of \$2,500.

Dated this 18<sup>th</sup> day of November, 2023.

Penny L Nelsen  
Surety #1

Eric W. Nelsen  
Surety #2

Approved on behalf of the Clackamas County Board of Commissioners by:

\_\_\_\_\_  
Tootie Smith, Chair

UNDERTAKING FOR  
JUSTICE OF THE PEACE PRO TEM

Whereas Roxanne R. Scott has been duly appointed justice of the peace pro tem in and for the Clackamas County Justice of the Peace District on the 16<sup>th</sup> day of August 2023, we, Kathy Warnock and Rebecca Schaleger hereby undertake that if Roxanne R. Scott shall not faithfully pay over according to law all moneys that shall come into her hands by virtue of such office, then we, or either of us, will pay to the State of Oregon the sum of \$2,500.

Dated this 16<sup>th</sup> day of August, 2023.

Kathy Warnock  
Surety #1

[Signature]  
Surety #2

Approved on behalf of the Clackamas County Board of Commissioners by:

\_\_\_\_\_  
Tootie Smith, Chair

