



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 255

BOARD OF PAROLE AND POST-PRISON SUPERVISION

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FILING CAPTION: Amendment creates formal process for requesting continuance or cancellation of Board hearings

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RULES:

255-030-0046, 255-032-0032

AMEND: 255-030-0046

RULE TITLE: Continuance of Hearings: Cancellation of Hearings

NOTICE FILED DATE: 08/11/2025

RULE SUMMARY: Implementing formal process for requesting a continuance or cancellation of a hearing.

RULE TEXT:

- (1) Upon the request of any party or on its own motion, the Board may, for good cause, continue a hearing for a reasonable period of time. A request for a continuance by any party must be for good cause, in writing on a form provided by the Board, and at least 7 days before the hearing. The request must include the following information:
- (a) the name of the AIC;
 - (b) the date of the hearing;
 - (c) an explanation of good cause as to why the hearing should be continued;
 - (d) the signature of the party submitting the request;
 - (e) if the request is submitted by an AIC, and the AIC is represented by an attorney, the signature of both the AIC and the attorney;
 - (f) the length of time the party is requesting the hearing to be continued; and
 - (g) if an AIC requests a continuance within 7 days of the scheduled hearing, an explanation as to why the request could not be timely submitted at least 7 days before the hearing.
- (2) A request for cancellation of a hearing by any party must be for good cause, in writing on a form provided by the Board, and at least 7 days before the hearing. The request must include the following information:
- (a) the name of the AIC;
 - (b) the date of the hearing;
 - (c) an explanation of good cause as to why the hearing should be cancelled;
 - (d) the signature of the party submitting the request;
 - (e) if the request is submitted by an AIC, and the AIC is represented by an attorney, the signature of both the AIC and the attorney; and

(f) if an AIC requests a cancellation within 7 days of the scheduled hearing, an explanation as to why the request could not be timely submitted at least 7 days before the hearing.

(3) The Board has the discretion to grant or deny a request for a continuance or cancellation. A hearing may not be continued or cancelled if that action would violate any statute or rule requiring the hearing to be held.

(4) If the Board, after finding good cause and following the procedures specified in OAR 255-030-0046(2), cancels a hearing at the request of an AIC, the AIC shall not be eligible to request another hearing for 90 days from the date of the scheduled hearing.

(5) If the Board denies a request for a continuance or cancellation, the Board, in its discretion, may decide the matter that is the subject of the hearing, with or without a hearing, and with or without the participation of the AIC. The Board may consider the factors specified in OAR 255-062-0016 if the Board determines a deferral of the parole release date or deferral of the right to petition for a new hearing is appropriate.

STATUTORY/OTHER AUTHORITY: ORS 144.050, 183A.341(2)

STATUTES/OTHER IMPLEMENTED: 144.185

AMEND: 255-032-0032

RULE TITLE: Continuance of Hearings: Cancellation of Hearings

NOTICE FILED DATE: 08/11/2025

RULE SUMMARY: Implementing formal process for requesting a continuance or cancellation of a murder review hearing.

RULE TEXT:

Requests for continuances or cancellations of a murder review hearing shall be submitted and reviewed as provided in OAR 255-030-0046.

STATUTORY/OTHER AUTHORITY: ORS 144.050, 144.120, 183.341(2)

STATUTES/OTHER IMPLEMENTED: ORS 144.050