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2 IN THE CIRCUIT COURT OF STATE OF OREGON
3 FOR MARION COUNTY

4 In the Matter of)
5) 21MARPJO No. 21-13
6 Marion County Circuit Court)
7) PRESIDING JUDGE ORDER
8) **ADOPTING CJO 21-025 AND**
9) **IMPLEMENTING UPDATED**
10) **DIRECTIVES RELATING TO**
11) **COURT OPERATIONS**

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- 13 1. Out of concern for public health and preventing the spread of COVID-19, PJOs 21-06 and
- 14 21-07 required the Marion County Circuit Court and Marion County Juvenile Court to
- 15 restrict operations to greatly reduce the number of people coming into court facilities.
- 16 2. On June 25, 2021, the Governor issued Executive Order 21-15, which extended the
- 17 COVID-19 state of emergency to December 31, 2021, but otherwise rescinding the safety
- 18 protocols put in place to address the COVID-19 Pandemic. Executive Order 21-15
- 19 becomes effective not later than June 30, 2021.
- 20 3. On June 28, 2021, the Chief Justice issued CJO 21-025 updating directives related to court
- 21 operations. CJO 21-025 supersedes CJO 21-009, 21-016, and 20-045. CJO 21-025
- 22 becomes effective not later than June 30, 2021.
- 23 4. ORS 1.171(2) provides that, to facilitate exercise of administration and supervision over
- 24 the circuit court of the district consistent with applicable provisions of law, the Presiding
- 25 Judge may apportion and otherwise regulate the disposition of the judicial business of the
- 26 circuit court of the judicial district, and make rules, issue orders, and take other appropriate
- action to that exercise; and ORS 1.171(3) provides that the Presiding Judge may assign
- actions and proceedings pending before a court to other judges of the judicial district for
- hearing and disposition.

20 I HEREBY ORDER, pursuant to the foregoing authority, the Marion County Circuit Court **adopts**

21 **all terms of CJO 21-025 and implements the following updated directives relating to court**

22 **operations.** This order takes effect on June 30, 2021 and will remain in effect until further order

of the Presiding Judge.

23 1. Protective measures

- 24 a. **No person experiencing any symptoms of COVID-19 shall enter any court**
- 25 **facility** without approval from the Presiding Judge, Trial Court Administrator, or
- 26 their designee. Symptoms include.
- Fever or chills

- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

If you are experiencing any symptoms of COVID-19, please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

- b. **No person who has knowingly been exposed** (more than 15 minutes of close contact with or without a facial covering) to another person who:
- Is experiencing any symptoms of COVID-19, Has received a positive test result for COVID-19 within the last 14 days, or
 - Is awaiting the results of a COVID-19 test

shall enter any court facility without approval from the Presiding Judge, Trial Court Administrator, or their designee. If you have been exposed, please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions

- c. **Court users who seek to mitigate the risk of exposure to COVID-19 may request that protective measures be taken during any court proceeding** including but not limited to:

- Requiring the requesting individual to wear a protective face covering or, in addition to or in lieu of doing so, requiring a face shield or use a protective physical barrier.
- Requiring that particular individuals wear protective face coverings.
- Requiring or maintaining social distancing.
- Rescheduling a proceeding to a date or time when the risk of exposure to COVID-19 may be reduced; or
- Permitting or requiring that certain appearances by made or testimony given, or the proceeding be conducted, by remote means.

Requests for protective measures should be made at least three (3) judicial days prior to any scheduled proceeding to ensure the protective measures can be implemented at the time of the proceeding. To request a protective measure, please call the assigned judge’s office or 503-588-5632.

2. Mode and location of proceedings

- a. Proceedings previously scheduled under PJO 21-06 and 21-07 to be held remotely will continue to be held remotely UNLESS the court contacts the parties

1 to schedule the matter for in- person appearance or a party files a Motion for In
2 Person Hearing with the assigned judge, or Presiding Judge if no judge is
assigned, and the Motion is granted.

3 b. The court may continue to schedule proceedings for remote appearance unless a
4 party has a constitutional right to in person appearance. If the court schedules a
5 proceeding for remote hearing, all parties shall appear remotely UNLESS a party
6 files a Motion for In Person Hearing with the assigned judge, or Presiding Judge
if no judge is assigned, and the Motion is granted.

7 c. Proceedings previously scheduled under PJO 21-06 to be held at a remote
8 location utilized as a court facility will continue to be held at that remote location
UNLESS the court contacts the parties to change the location.

9 3. Effect on other Presiding Judge Orders

- 10 a. This order supersedes the following orders, which are no longer in effect:
- 11 • PJO 21-06 (Marion County Circuit Court Adopting CJO 21-009 and
Implementing Provisions)
 - 12 • 21-07 (Marion County Juvenile Court Adopting CJO 21-009 and
Implementing Provisions)
 - 13 • 21-12 (Adopting CJO 21-016 Providing Exceptions to the Required Use
of Face Coverings in the Oregon State Courts)

14 4. All provisions of the order shall continue until further order, and they may be amended
15 by further order.

16 5. This order takes effect on June 30, 2021.

17 Dated this 28th day of June 2021



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19 Tracy A. Prall, Presiding Judge
20 Marion County Circuit Court