

1
2 IN THE CIRCUIT COURT OF STATE OF OREGON
3 FOR MARION COUNTY

4 In the Matter of)
5) 20MARPJO No. 20-14
6 Marion County Circuit Court)
7) PRESIDING JUDGE ORDER
8) **ADOPTING CJO 20-016 AND**
9) **CJO 20-045 AND IMPLEMENTING**
10) **PROVISIONS THROUGH**
11) **MARCH 31, 2021**

12
13 IT IS HEREBY ORDERED the Marion County Circuit Court fully adopts the provisions
14 of CJO 20-016¹ issued May 15, 2020, and implements them as follows:

15
16 Out of concern for public health and preventing the spread of COVID-19, the Marion
17 County Circuit Court is restricting operations to greatly reduce the number of people coming into
18 court facilities.

19
20 PJO 20-14 supersedes PJO 20-08, PJO 20-08(A), PJO 20-10, and PJO20-10(A). PJO 20-
21 14 ***takes effect November 1, 2020 and remains in effect until March 31, 2021*** as long as the
22 Marion County Circuit Court is subject to Level 2 or Level 1 restrictions under CJO 20-016. If
23 the Marion County Circuit Court is subject to Level 3 restrictions or the court determines more
24 restrictions are necessary, we will notify the community and local bar and will post changes on
25 the court's website: <https://www.courts.oregon.gov/marion>.

26
27 To ensure the safety of all court users, **every person entering a court facility (including
28 remote locations utilized as a court facility) must wear a facial covering as directed in CJO
29 20-045**. Any person seeking an exemption must request and obtain the exemption prior to
30 entering any court facility. To request an exemption or to determine if you qualify, please see our
31 website or call 503-588-5105.

32
33 **No person experiencing any symptoms of COVID-19 shall enter any court facility**
34 without approval from the Presiding Judge, Trial Court Administrator, or their designee.
35 Symptoms include:

- 36 • Fever or chills
- 37 • Cough
- 38 • Shortness of breath or difficulty breathing
- 39 • Fatigue
- 40 • Muscle or body aches

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¹ The full text of the Order can be found here https://www.courts.oregon.gov/rules/ORAP/CJO%2020-016_Order-Imposing-Level-2-and-Level-3-Restrictions-on-Court-Operations.pdf

- 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.

No person who has knowingly been exposed (more than 15 minutes of close contact 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.

No person who has traveled out of the state of Oregon within the last 14 days shall enter any court facility without approval from the Presiding Judge, Trial Court Administrator, or their designee. If you have traveled out of the state of Oregon within the last 14 days, please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

Below, please find department specific information including online resources and contact information:

JURY DUTY:

- Most matters needing jurors have been rescheduled. Some matters requiring jurors, including a small number of trials and grand juries, have been deemed to be essential matters that must continue to occur even while restrictions are in place. We are working to keep the Courthouse a safe place for jurors, staff, and visitors.
- If you have been summoned for **Jury Duty**, please call the number on your juror summons after 5:00 p.m. the day before you are summoned to report to find out if you need to appear for service. If you are in a “high risk” group as defined by the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>) or are currently experiencing symptoms of COVID-19, please contact the jury office at MAR.Jury@ojd.state.or.us, the preferred contact method, or by telephone at 503-588-5371.
- If you have further questions about jury duty, please check our web site at: <https://www.courts.oregon.gov/courts/marion/jury/Pages/jury-schedule.aspx>

GRAND JURY:

- If you have been summoned for **Grand Jury**, please report as instructed. If you are in a “high risk” group as defined by the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>) or are currently experiencing

1 symptoms of COVID-19, please contact the jury office at MAR.Jury@ojd.state.or.us, the
2 preferred contact method, or by telephone at 503-588-5371.

- 3 • Witnesses for Grand Jury shall testify by remote means if reasonably feasible.
- 4 • If you have further questions about jury duty, please check our web site at:
5 <https://www.courts.oregon.gov/courts/marion/jury/Pages/jury-schedule.aspx>

6 **CRIMINAL:**

- 7 • **Trials**

- 8 ○ The court will hold **in-custody jury trials** and **bench trials** (including trials on
9 contempt charges) as scheduled unless the Presiding Judge determines there is
10 good cause to postpone a particular trial. All in-custody trials will occur in-
11 person in the Courthouse with the assigned judge.
- 12 ○ All **out-of-custody jury trials:**
 - 13 ■ Currently scheduled November 1, 2020 – March 31, 2021, will be
14 canceled and the case will be scheduled for a mandatory settlement
15 conference to be held the week of January 11, 2021 at The Grand Theatre
16 Ballroom. Following the settlement conference, out-of-custody jury trials
17 *may* be scheduled at The Grand Theatre Ballroom between February 16
18 and March 19, 2021.
 - 19 ■ New jury trials may be scheduled on or after April 1, 2021.
 - 20 ■ A party must file a Motion for In-Person Hearing with the Presiding Judge
21 if they wish to proceed in-person in the Courthouse prior to April 1, 2021.
- 22 ○ All **out-of-custody bench trials** (including trials on contempt charges):
 - 23 ■ Currently scheduled November 1, 2020 – March 31, 2021, will be
24 canceled and scheduled for a status conference at any time or rescheduled
25 for a bench trial on or after April 1, 2021, **UNLESS** the parties agree to
26 proceed as scheduled by remote means.
 - If the parties agree to proceed as scheduled by remote means, the
bench trial will proceed unless the Presiding Judge determines
there is good cause to postpone a particular bench trial.
 - All bench trials will occur by remote means with the assigned
judge.
 - New bench trials may be scheduled with the assigned judge in the normal
course prior to April 1, 2021, only if the parties agree to proceed by
remote means, if not, the case will be scheduled for a status conference at
any time or scheduled for a bench trial to be held on or after April 1, 2021.
 - A party must file a Motion for In-Person Hearing with the Presiding Judge
if they wish to proceed in-person in the Courthouse prior to April 1, 2021.
- If the Marion County Circuit Court is subject to Level 3 restrictions under CJO
20-016, all out-of-custody jury and bench trials will be postponed to a date on or
after April 1, 2021.

1 • **Status Conferences and Pretrial Hearings**

- 2 ○ The court will continue to conduct status conferences and pretrial hearings as
3 scheduled on all criminal cases. Such proceedings shall be conducted by remote
4 means. Defense attorneys shall ensure that defendants sign a written
5 acknowledgement of the next court date and return the acknowledgement to the
6 court within 14 days.

7 • **Hearings**

8 ○ **In-custody**

- 9 ■ Including arraignments, probation violation hearings, pleas/sentencings,
10 probable cause hearings, release hearings, substitution hearings, and
11 motions will proceed as scheduled in-person or by remote means.
12 ■ In-custody hearings may be heard at the annex or in the Courthouse with
13 the assigned judge.

14 ○ **Out-of-custody**

- 15 ■ **Arraignments** for defendants *cited to appear* at the Criminal Court Annex
16 will occur in-person at the Criminal Court Annex as directed by the
17 citation. Out-of-custody arraignments for defendants *with a release*
18 *agreement to appear* at the Criminal Court Annex will occur by remote
19 means or in-person as directed by the release agreement.
20 ■ **Rule 7 hearing** will occur in-person or by remote means as directed by
21 the court.
22 ■ **Hearings motions** currently set November 1, 2020 – March 31, 2021 shall
23 proceed as scheduled by remote means with the assigned judge.
24 ➤ A party must file a Motion for In-Person Hearing with the
25 Presiding Judge if they wish for a hearing on a Motion to proceed
26 in-person prior to April 1, 2021.
27 ■ **Change of plea/sentencing** shall be by remote means on the 4B Docket
28 **UNLESS** one of issues listed below exist, then in-person appearance will
29 be allowed at the annex (if 30 minutes or less) or with the assigned judge
30 in the Courthouse:
31 ➤ Interpreter needed
32 ➤ Prison time anticipated
33 ➤ Non-stipulated and more than 30 minutes needed (only with
34 assigned judge in the Courthouse)
35 ➤ Multiple witness/victim statements
36 ➤ Defendant has significant developmental delays or MH issues
37 ➤ Security issues
38 ➤ Diversion entry
39 ➤ PV hearings where prison is sought as a sanction if revoked
40 ➤ Others as approved by the Presiding Judge

1 • **Settlement Conferences**

- 2 ○ On **in-custody** criminal cases, may be scheduled and may proceed as previously
3 scheduled with the selected judge in-person or by remote means.
4 ○ On **out-of-custody** cases, may be scheduled and may proceed as previously
5 scheduled with the selected judge by remote means **UNLESS** the PJ approves the
6 matter to proceed in-person the week before the scheduled date.
7 • If you have questions about arraignments and other matters occurring at the Criminal
8 Court Annex, please call 503-588-8489.
9 • If you have further questions about trials at The Grand Theatre, the 4B Docket, or related
10 calendaring, please call 503-588-5030.
11 • If you have further questions about criminal calendaring, please contact the assigned
12 judge's office.

9 **CIVIL:**

10 • **Trials**

- 11 ○ All **civil jury trials** scheduled November 1, 2020 – March 31, 2021, will be
12 postponed and the case will be scheduled for a status conference at any time or a
13 trial to be held on or after April 1, 2021. New civil jury trials may be scheduled at
14 this time.
15 ○ As long as the Marion County Circuit Court is subject to Level 2 restrictions
16 under CJO 20-016, **civil bench trials**:
17 ■ Currently set November 1, 2020 – March 31, 2021 shall **proceed as**
18 **scheduled** with the assigned judge by remote means,
19 ■ New bench trials may be scheduled prior to March 31, 2021 with the
20 assigned judge to proceed by remote means.
21 ■ A party must file a Motion for In-Person Hearing with the Presiding Judge
22 if they wish to proceed in-person.
23 ○ If the Marion County Circuit Court is subject to Level 3 restrictions under CJO
24 20-016, all Civil bench trials will be postponed to a date on or after April 1, 2021.

19 • **Status Conferences and Pretrial Hearings**

- 20 ○ The court will continue to conduct status conferences and pretrial hearings. Such
21 proceedings shall be conducted by remote means.

21 • **Hearings on Civil Motions**

- 22 ○ Currently set November 1, 2020 – March 31, 2021 shall **proceed as scheduled**
23 with the assigned judge by remote means.
24 ○ Hearings on new civil motions may be scheduled prior to April 1, 2021 with the
25 assigned judge to proceed by remote means.
26 ○ A party must file a Motion for In-Person Hearing with the Presiding Judge if they
wish to for a hearing to proceed in-person prior to April 1, 2021.

1 • **Settlement Conferences**

- 2 ○ May be scheduled and may proceed as previously scheduled with the selected
3 judge by remote means **UNLESS** the Presiding Judge approves the matter to
4 proceed in-person the week before the scheduled date.

- 5 • If you have further questions about civil calendaring, please contact the assigned judge's
6 office.

7 **CIVIL COMMITMENT PROCEEDINGS:**

- 8 • All civil commitment proceedings shall proceed as scheduled and shall be scheduled in
9 accordance with the court's regular scheduling procedures to be heard by remote means
10 on the Miscellaneous Docket.
11 • A party must file a Motion for In-Person Hearing with the Presiding Judge if they wish
12 for a hearing to proceed in-person prior to April 1, 2021.
13 • If you have further questions about the Miscellaneous Docket, please call 503-588-5135

14 **FAMILY LAW PROCEEDINGS:**

- 15 • **Hearings on Petitions and Motions** (including but not limited to petitions for divorce,
16 custody, or support and motions to modify, for immediate danger orders, to enforce
17 parenting time, for status quo orders, or for temporary orders):
18 ○ Currently set November 1, 2020 – March 31, 2021 shall **proceed as scheduled**
19 with the assigned judge by remote means.
20 ○ Hearings on new motions may be scheduled prior to April 1, 2021 with the
21 assigned judge to proceed by remote means.
22 ○ A party must file a Motion for In-Person Hearing with the Presiding Judge if they
23 wish for a hearing on a petition or motion to proceed in-person prior to April 1,
24 2021.
25 • **Motions for Immediate Danger Orders**
26 ○ Will be accepted at the accounting window Monday-Thursday before 11:00 and
Fridays before 2:00 p.m. Motions filed after the deadline will be heard the
following judicial day.
○ Family Law Facilitators will be available to assist with forms.
○ Hearings will be conducted by phone on the day of the filing or the next judicial
day if the Motion is filed after the filing deadline. Court staff will contact the
filing party, and the opposing party if post-judgment, to set up the telephone
hearing.
• Presiding Judge Order 20-16 addresses information for parents sharing custody or
parenting time of children attending Salem-Keizer schools during the COVID-19
pandemic.
• **Status Conferences**
○ The court will continue to conduct status conferences. Such proceedings shall be
conducted by phone.

- 1 • **Settlement Conferences**
 - 2 ○ May be scheduled and may proceed as previously scheduled with the selected
 - 3 judge by remote means **UNLESS** the Presiding Judge approves the matter to
 - 4 proceed in-person the week before the scheduled date.
- 5 • **Mediation** (in child custody cases)
 - 6 ○ May continue at the direction of the appointed mediator. Mediation shall be
 - 7 conducted by remote means.
- 8 • **Support enforcement (SED)** matters will be conducted by remote means. Parties will
- 9 be sent a notice with the date, time, and call-in information for the hearing. The court
- 10 will make arrangements for in-custody respondents to appear by remote means.
- 11 • If you have further questions about general Family Law matters, please call 503-373-
- 12 4349.
- 13 • If you have further questions about domestic relations calendaring, please contact the
- 14 assigned judge's office.

15 **JUVENILE:**

- 16 • Presiding Judge Order 20-15 addresses matters that will be heard by the Marion County
- 17 Juvenile Court including the downtown juvenile judges.
- 18 • If you have further questions about Juvenile matters, please call 503-566-2974.

19 **LANDLORD TENANT:**

- 20 • Please see section 4 of Chief Justice Order 20-016 (a link to the full text is available on
- 21 page 1 of this Order) for further information regarding forcible entry and detainer
- 22 proceedings.
- 23 • Any hearings allowed to proceed under section 4 of Chief Justice Order 20-016 shall
- 24 proceed by remote means.
- 25 • A party must file a Motion for In-Person Hearing with the Presiding Judge if they wish
- 26 for a hearing to proceed in-person prior to April 1, 2021.
- If you have further questions about Landlord Tenant matters, please call 503-588-5105.

• **PROBATE:**

- Probate Staff are available during business hours. Please inquire at the Information or
- Accounting Window.
- Temporary guardianships and temporary conservatorships will be heard in-person or by
- remote means if scheduled through the Probate Department.
- All hearings on motions shall proceed by remote means.
- If you have further questions about Probate matters, please call 503-588-5141.

• **PROTECTIVE PROCEEDINGS:**

- Protective Order applications, motions, and renewals (Family Abuse Prevention Act,
- Elderly Person and Persons with Disabilities Prevention Act, Sexual Abuse Protection
- Orders, Extreme Risk Protection Orders, and Stalking Orders) will be accepted at the
- accounting window before 11:00 a.m. each day. Petitions filed after the deadline will be
- heard the following judicial day.

- 1 • Family Law Facilitators will be available to assist with forms.
- 2 • Hearings will be conducted by phone at 1:30 each judicial day by remote means. The applicant/petitioner will be called at the time of the hearing.
- 3 • Contested hearings will be scheduled and parties will be sent notice with the date, time, and call-in information for the hearing by remote means.
- 4 • The court will continue to conduct in-custody violation of restraining orders (VRO) hearings in-person or by remote means.
- 5 • If you have further questions about Protective Proceedings, please call 503-373-4349.

6 **RECORDS:**

- 7 • The Records Department is closed for in-person matters. To request copies online please see our online request form and instructions pleas at the following link:
8 <https://www.courts.oregon.gov/courts/marion/records/Pages/file-copies.aspx>

9 **SMALL CLAIMS:**

- 10 • Small claims hearings and trials scheduled through March 31, 2021, will be postponed and may be rescheduled to be held on or after April 1, 2021.
- 11 • If you have further questions about Small Claims cases, please call 503-588-5105.

12 **SPECIALTY COURTS:**

- 13 • Marion County Specialty Court proceedings are necessary for the health and wellbeing of the participants and for the safety of the community. Therefore, the following specialty courts will continue to operate by remote means UNLESS a specific hearing is allowed to proceed in-person by the Presiding Judge:
 - 14 ○ Adult Drug Court
 - 15 ○ Veterans Court
 - 16 ○ Mental Health Court
 - 17 ○ Fostering Attachment Treatment Court (FATC)
 - 18 ○ STAR Court
- 19 • If you have further questions about Adult Drug Court, Veterans Court, or Mental Health Court, please call 503-584-7741.
- 20 • If you have further questions about FATC or STAR Court, please call 503-584-4831.

21 **TRAFFIC:**

- 22 • **Traffic first appearances** are being handled by phone, online or by mail. **On or before** the date you are directed to appear on your citation, you must enter a plea:
 - 23 ○ If you wish to plea “Not Guilty”:
 - 24 ■ Call 503-588-8489 option 6, or
 - 25 ■ Mail in your response requesting a trial.
 - 26 ○ If you wish to plea “No Contest”:
 - Call 1-888-564-2828, or
 - Enter your “No Contest” plea on-line ONLY IF you are paying in full at:
<https://www.courts.oregon.gov/services/online/Pages/epay.aspx>
 - Mail your payment to the address on your citation.
- **Traffic trials** through March 31, 2021 may proceed by remote means if adequate staffing and facilities are available.

- Individuals can make payments online at <https://www.courts.oregon.gov/services/online/Pages/epay.aspx>
- If you have further questions about Traffic cases, please call 503-588-8489.

OTHER COURT PROCEEDINGS:

- All other court proceedings not addressed above shall proceed **if approved** by the Presiding Judge. The Presiding judge will determine the mode of the hearing.

EXHIBITS:

- Documentary exhibits (documents, photos, charts) shall be submitted electronically through Oregon eCourt (attorneys) or by email to court staff (*pro se* parties). If you need to make other arrangements, please contact the assigned judge's staff.
- Non-documentary exhibits (audio/video) shall be submitted as directed by the assigned judge.

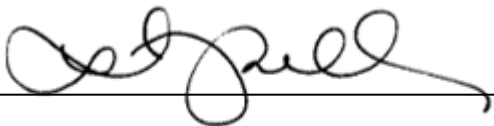
PUBLIC ACCESS:

- Open courtrooms – Currently, all proceedings are being held in open courtrooms within the Courthouse. Even if the hearing is by remote means, the hearing is on the record in open court. Information about where a particular hearing or trial can be observed or heard is available at the Information Window or by calling 503-588-5105.
- Remote access – If a trial or hearing can be accessed remotely, that information will be available on our website or by calling 503-588-5105

PAYMENTS/COLLECTIONS:

- The Accounting Department is open.
- We are accepting payments at the accounting window and on-line.
- Oregon Judicial Department is not referring any new cases to collections at this time.
- Oregon Judicial Department asked debt collectors for delinquent accounts to discontinue any new garnishment actions and provide grace periods and leniency to debtors.
- Individuals can continue to make payments online at <https://www.courts.oregon.gov/services/online/Pages/epay.aspx>
- Payments can also be made by calling 1-888-564-2828. This line is for payments only.
- If you have further questions about payments/collections, please call 503-588-5601.

Dated this 30th day of October 2020



Circuit Court Judge Tracy A. Prall