

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR MULTNOMAH COUNTY

In the Matter of the	)	PRESIDING JUDGE ORDER
Courthouse Closure and	)	
Service Limits Because of	)	ORDER CLOSING THE MULNOMAH COUNTY
Emergency Conditions on	)	COURTHOUSE BECAUSE OF EMERGENCY; TO
December 9, 10 and until 12	)	EXTEND THE STATUTE OF LIMITATIONS FOR
PM on December 11, 2013	)	ACTIONS WHICH MUST BE FILED IN THE
	)	COURTHOUSE AND THE TIME OF FILING DOCUMENTS
	)	TO THE NEXT COURT DAY AS OF DECEMBER 11; AND,
	)	FINDING GOOD CAUSE FOR EXTENDING THE TIME
	)	FOR ARRIGNMENT ON PROBABLE CAUSE ARRESTS
	)	AND DETENTION BY 36 HOURS AND EXTENDING 60
	)	DAYS TO BEGIN TRIAL

I issue this ORDER because of the following emergency condition(s) and service disruption(s) and the related findings:

The Court finds:

On Sunday, December 8, 2013, all electrical power was lost in the Multnomah County Courthouse, and the Portland Building. These buildings continued to be without electrical power and the Office of the District Attorney was without access to the Offices computer network server until 6:00 AM on December 11, 2013.

On Sunday December 8, 2013 through Tuesday December 10, the temperature in downtown Portland was below freezing and the buildings affected by the loss of electrical power where without heat and electricity except for limited emergency generator power, and such limited power was insufficient for the conduct of circuit court business, including the empanelling of jurors for trials.

The impact of this loss of electrical power was closing the filing office for circuit court actions prosecuted in the Multnomah County Courthouse and the removal from the Office of the District Attorney of the ability to issue the necessary District Attorney Information for arraignment on probable cause arrests which occurred between 4 AM Friday, December 6 and 4 AM on December 10.

The inability to prepare the necessary District Attorney Information for each charge for which a defendant was booked into jail on a probable cause arrest is good cause for extending the time for the arraignment of such individuals by another 36 hours.

During this emergency the Justice Center, the Juvenile Justice Complex, and the East County Courthouse remained in full operation and were alternate filing facilities for hand delivered documents, all mailed documents or documents left at the courthouse were held to be filed in the Multnomah County Courthouse on the first full or partial judicial day on the restoration of electrical power to the Multnomah County Courthouse.

Pursuant to Chief Justice Order 08-071 (attached), I order as follows:

The Multnomah County Courthouse is closed from 8 AM December 9 to 12PM on December 11, 2013.

The closing of the Multnomah County Courthouse makes December 9 and December 10, 2013, days that are to be counted as days on which the court is closed as provided by ORS 174.120 (2) (c) for actions prosecuted by filing documents in the Multnomah County Courthouse.

The District Attorney's loss of access to the necessary information technology to generate charging instruments for arraignments on December 9 and 10 constitutes good cause for extending the date of such arraignment by 36 additional hours, and

The inability to provide jurors for a trial on the days the courthouse was closed, constitutes good cause for the extension of the time to try the case under the provisions of ORS 136.295 (4) (b) (C) by an additional 60 days in State v. Hector Villegas, case no. 1308-33606.

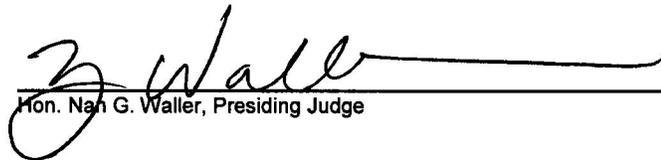
The court will work with the State Court Administrator to advise the following people and authorities as soon as possible:

- Chief Justice of the Oregon Supreme Court
- State Court Administrator
- State and local authorities
- Oregon State Bar and local bar association
- State and local news media

This order takes effect immediately.

DATED this 11th day of December 2013, nunc pro tunc December 9, 2013.

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Hon. Nan G. Waller, Presiding Judge



3. When a state court closes in full or in part by limiting services or hours or relocates under this Order, the court shall advise the following people and authorities about the closure or relocation as soon as possible in a way that the presiding judge or designee determines will give sufficient notice of the court's status:

- Chief Justice of the Oregon Supreme Court or designee
- State Court Administrator or designee
- State and local justice system authorities
- Oregon State Bar and local bar association
- State and local news media

The court must also post a notice on public doors of the court's facility(ies) when the court can do so without endangering court personnel.

If the court requests help or is unable to advise those people and authorities, the State Court Administrator will help the court advise those people and authorities.

4. The Chief Justice or Chief Justice's designee may close a state court completely or close it in part until the court can safely reopen safely for the public, court personnel, and officers of the court when the Chief Justice, State Court Administrator, or designee

- a) receives a request from the court, or
- b) after learning of hazards or emergency conditions that threaten a court's safe operation, is unable to communicate readily with the court by telephone, fax, or email.

The Chief Justice or designee who is a judge must memorialize that decision in a written order that recites the reasons for and extent of the closure. The written order may be issued nunc pro tunc.

5. With as much advance notice as possible, a court that has closed or relocated under this Order must notify the people and entities listed in paragraph 3 when the court will reopen.

This order takes effect immediately.

DATED this 26<sup>th</sup> day of November, 2008.

  
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Paul J. De Muniz  
Chief Justice