



October 16, 2020  
**(SENT BY EMAIL)**

MEMORANDUM

TO: Presiding Judges  
Trial Court Administrators

FROM: Martha L. Walters  
Chief Justice

RE: Chief Justice Order Extending Statutory Time Periods and Time Requirements in  
DUII Diversions

This memo follows up on discussion at our Presiding Judges meeting on October 9, 2020, and our Presiding Judges/Trial Court Administrators meeting on October 13, 2020, regarding a new Chief Justice Order that extends – and also authorizes Presiding Judges to extend – certain time periods that apply in DUII diversions.

On June 30, 2020, new legislation became effective that authorized me to extend certain statutory time periods and time requirements, or delegate that authority to the Presiding Judge of a court, during the COVID-19 state of emergency and for 60 days thereafter. Or Laws 2020, ch 12, §§ 6(1) and (5). As we continue to refine our operations in response to that state of emergency, it came to my attention that extending certain time periods in DUII diversions would be helpful to court operations.

Therefore, today, I signed [CJO 20-041](#), which does the following:

- Extends the time set out in ORS 813.210(1)(a) to file a DUII diversion petition, such that a defendant otherwise eligible under ORS 813.215 is eligible for diversion during the COVID-19 state of emergency and continuing until 60 days thereafter;
- Provides that a defendant who has executed a DUII diversion agreement may apply for an extension at any time, ORS 813.225(1), before the period ends and authorizes the Presiding Judge to consider an application, on good cause, filed after the period ends; and
- Authorizes the Presiding Judge to extend the diversion as necessary, ORS 813.225(5), to allow the defendant sufficient time for completion.

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Thank you, as always, for your good and diligent work on behalf of all who come to our courts.

MLW:jm/20eMLW042jm

cc: Nancy Cozine  
Phil Lemman  
Kimberly Dailey  
Dave Factor  
Aja Holland  
Scott Kaplan  
Lisa Norris-Lampe  
Erin Pettigrew