

Lane County Circuit Court COVID-Delta Operations **08/31/2021**

This plan will be updated by the court as needed to address the changing environment and availability of technology. **All Changes effective 08/31/2021 unless otherwise noted. Updates Highlighted**

**In any matter a change of mode of proceeding can be requested by motion. See PJO 2021-07 addressing requests for change of mode for a proceeding.

Proceeding	Case or Hearing Type	COVID Delta Operations Plan	Details
35 Day Call	In custody	Remote	Remote
35 Day Call	Out of custody	Remote	Remote Scheduling to remain at 60 days until further notice. Advance postponement requests are required by 5:00 p.m. on the day prior to the proceeding. COVID Case management forms obsoleted.
Adoptions	All hearings (non-Serbu)	In person Remote	
Arraignments	In custody Aid and Assist uncontested	Remote via Video When quarantined via Telephone	Remote

Proceeding	Case or Hearing Type	COVID Delta Operations Plan	Details
Arraignments	Out of custody	<p>In-person</p> <p>In person with social distancing</p> <p>Remote for counsel</p>	<p>Counsel to appear in person effective 7/1/2021.</p> <p>All arraignment to be scheduled at 8:30 a.m. effective 7/1/2021. Cases currently set at 9:00 and 9:30 to be left at those times.</p> <p>Restore add on docket. Cut off time for add on cases is 8:50 a.m.</p> <p>Out of county counsel can request remote appearance prior to the date of the proceeding. Such Requests should be directed to the arraignment judge.</p> <p>Defendant in person (one defendant in the courtroom at a time, monitored masked and social distanced in the lobby).</p> <p>Counsel may appear by telephone or in person – for telephone appearance counsel MUST notify chambers of attorney and phone number by 3pm the day before.</p> <p>35 day call will be set 60 days after the arraignment.</p> <p>No in person “add on” docket permitted. Such requests shall be in writing.</p> <p>Effective 9/20/2021 -Revert to COVID ops plan scheduling process:</p> <p>Procedure: 3 groups of 9 scheduled 30 minutes apart beginning at 8:30 a.m. Pretrial Services to schedule and verify those on Release Agreements. All others should endeavor to contact the verifier’s office prior to the date of arraignments. If not approved for Counsel by that date, to contact Verifier’s office on day of appearance after the appearance – either via phone or in person at the direction of the judge presiding over the proceeding.</p> <p>8:30 Citation Appearances (9) 9:00 Release Agreement Appearances (9) 9:30 Letter Appearances. (9)</p>

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Civil Commitments	All	Remote via video or in person at the discretion of the judge presiding over the proceeding	The chief criminal judge will work with treatment facilities regarding the mode of proceedings due to continuing COVID restrictions in many hospital settings.
Civil Oral Motions Monday Dkt	Oral Motion Hearings	Remote via video through 7/18/2021 In person effective 7/19/2021 Remote	Requests for remote appearance will be decided by the civil motions judge. Remote hearings via video conferencing or telephone. UTCrs requiring request for telephonic hearing are waived.
Criminal Motions	Second Look Hearings Habeas Corpus	Remote via video through 7/18/2021 In person effective 7/19/2021 Remote	See Exhibits CJO 21-009 and PJO 2021-01.
Criminal Motions	Oral Including Contested Expungements	Remote	Remote

Proceeding	Case or Hearing Type	COVID Delta Operations Plan	Details
Criminal Motions	In Custody and Out of custody Non-Oral Includes Uncontested Expungements	On pleadings	
Criminal Petitions	Driver Rights Restoration Gun Rights Restoration Relief from Sex Offender Registration DNA Petitions	Remote	Remote
Domestic Relations Status Conferences (DRSC Docket)	Tuesday Monday and Tuesday status hearings – Family law cases	Remote	In person available the third Monday of each month for parties without access to technology. All remote

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DUI Diversion (assigned at trial call)	Hearings	Remote	
Ex parte	Immediate Danger Order of Assistance	Subject to SLR 2.501 In person social distancing	
Ex parte	All other family law ex parte matters (see above) Protective Order Dismissals	Subject to SLR 2.501 eFile/counter file through 8/15/2021 In person effective 8/16/2021 Remote	Attorneys to eFile. Self-represented litigants may eFile, mail, or file at clerk's office.
Ex parte	Civil case matters	Subject to SLR 2.501 Remote	Attorneys to eFile. Self-represented litigants may eFile, mail, or file at clerk's office.

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Identity Cases Change of Name and Sex	Adult name and sex change cases Minor name and sex change cases	Adult: On pleadings Minor: Paper or eFiled petitions to be set for remote video hearings 30 days from the date of filing for ruling on the GAL and judgment.	No in person appearance at ex parte.
Juvenile	All proceedings	See juvenile plan document	COVID Operations plan will continue.
Landlord Tenant (FED)	First appearance hearings	In person social distancing	Attorneys must notify the court in advance of the proceeding if they wish to appear remotely.
Landlord Tenant (FED)	Trials	In person with social distancing – limit 1 per day	8:30 with LT Judge. Attorneys must notify the court in advance of the proceeding if they wish to appear remotely.
OSH/SB 24 Hearings	All	Remote	Remote
Presiding Judge Matters	All	Via pleadings	
Probate Case Management	Temporary Guardianship or Conservatorship	Remote	Remote

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Probate Case Management	Other non-trial probate matters	Remote	Remote
Probation Violations Monday Dkt	In custody	Remote at 8:30 a.m.	Remote
Probation Violations Monday Dkt	Out of custody	<p>Remote via video through 8/1/2021</p> <p>In person effective 8/2/2021</p> <p>Note: docket at 10:00 a.m.</p> <p>Remote</p>	Out of custody to remain at 10:00 a.m.
Protective Orders (Assigned at Trial Call)	New Applications	<p>Remote via video through 7/18/2021</p> <p>In person effective 7/19/2021</p> <p>Remote</p>	Dismissals also remote
Release Hearings	In and out of custody	Remote	<p>In Custody</p> <p>Remote</p> <p>Out of custody:</p> <p>Remote</p>
Sentencing and COP	In custody	Remote	Remote

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Sentencing and COP	Out of custody	Remote via video through 09/30/2021 In person effective 10/1/2021	
Sentencing and COP HARRIS HALL	Out of custody	Discontinued effective 10/1/2021	In person proceedings. Future location and date TBD.
Settlement Conferences	Settlement Conferences	Remote	Remote
Show Cause Monday Dkt	All Proceedings	Out of custody: Remote via video through 8/1/2021 In person effective 8/2/2021 If any party is in custody, remote via video Remote	

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Small Claims Monday Dkt	Mediation ----- Trials	Mediation remains remote. Unmediated cases to be set for trial 2 weeks out. ----- Remote via video through 7/25/2021 In person effective 7/26/2021 Remote	bring exhibits to the trial Mediators will instruct parties that a trial will be in person 2 weeks and they must file exhibits with the clerk's office at least 2 days prior to the proceeding.
Traffic	Traffic violation first appearances	Online Violations Bureau, ePay, or in person violations bureau. In person referral to traffic judge on VB ineligibility effective 7/12/2021	Cases not appropriate for Violations Bureau determination to be handled via letter to judge.
Traffic	Violation trials	Remote via video through 8/1/2021 In person effective 8/2/2021 Remote	Exhibits to be filed with the clerk's office at least 2 days prior to the proceeding.
Treatment Court Dockets	All hearings	Remote via video	Remote

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Trial Call	Call at 9:30 Tuesday - Friday	Remote via video through 7/19/2021 In person effective 7/20/2021 Remote	
Trial Call	Criminal and Civil jury trials	In person	Priority given to cases with statutory or constitutional timelines.
Trial Call	Civil Jury Trials		Postpone until after 11/1/2021
Trial Call	Criminal and Civil Bench Trials	Remote via video through 7/19/2021 In person effective 7/20/2021 Remote	
Trial Call	Family Law Trials	Remote via video through 7/19/2021 In person effective 7/20/2021 Remote	
Trial Call	Immediate Danger Hearings More than 2 hours.	Remote via video through 7/19/2021 In person effective 7/20/2021 Remote	

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Trial Call	Termination Trials	Remote via video through 7/19/2021 In-person effective 7/20/2021 Remote	
Trial Call - Assignment	Protective Order Cases New applications and hearings more than 2 hours	Remote via video through 7/19/2021 In-person effective 7/20/2021 Remote	
Trial Call	Criminal Contested Fitness to Proceed Hearings	Remote	Remote
Trial Call - Assignment	Diversion docket hearings	Remote via video through 7/15/2021 In-person effective 7/16/2021 Remote	
Waiver of No Contact	Criminal Non-Oral	Via pleadings	