

## Lane County Circuit Court Covid-19 JUVENILE Operations Plan – 7/2/2020

Pursuant to Chief Justice Order 20-016, PJO 2020-04 and PJO 20-06, this plan restricts court proceedings and operations. This plan will be in operation through at least 6/30/2020 and will be updated by the Court as necessary.

To seek a change to the way the proceeding is to be conducted, parties shall follow the procedure in PJO 2020-04(4) (for main courthouse proceedings) and PJO 20-06 (2) (for juvenile courthouse proceedings).

Proceeding	Case or Hearing Type	CJO 20-016 category and paragraph	Operations Plan
<b>Juvenile Delinquency</b>	Adjudication  In custody	Trials  2.b.(1)-(4)	Remote proceedings
<b>Juvenile Delinquency</b>	In-custody initial appearances  Detention review  Waiver hearings under ORS 419C.349	Essential Proceedings  Category 2  3.b.(e)(D)(i) and (ii)	Remote proceedings
<b>Juvenile Delinquency</b>	Out of Custody Proceedings	Other Court Proceedings 6.a. 5.a	Requests for hearings for out of custody delinquency matters shall be by motion pursuant to CJO 20-016 (8)(a) and PJO (amended) 20-04 (9). The presiding judge delegates authority to rule upon such motions, under the standards listed, to the juvenile judge assigned to the case. If allowed, the hearing shall be conducted remotely.
<b>Juvenile Dependency</b>	Protective Custody Applications	Essential Proceedings  Category 2 3.b.(3)(C) (i)-(v)	Remote proceedings  Protective Custody Order applications shall be by motion

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<b>Juvenile Dependency</b>	Shelter hearings	Essential Proceedings  Category 2 3.b.(3)(C) (i)-(v)	Shelter hearings: <ol style="list-style-type: none"> <li>1. Original Hearings are to be held remotely except that an attorney may appear in person if their prospective client is expected to appear in person.</li> <li>2. Subsequent Shelter Hearings, including contested hearings to request or object to a change of placement, shall be set by motion and shall be remotely conducted.</li> </ol>
<b>Juvenile Dependency</b>	Jurisdiction and disposition hearings  Hearing on objection to placement	Essential Proceedings  Category 2 3.b.(3)(C) (i)-(v)	Remote proceedings  Jurisdictional hearings will be heard remotely by the juvenile court at the time that they are currently set.
<b>Juvenile Dependency</b>	Hearing on Motion to Dismiss	Essential Proceedings  Category 2 3.b.(3)(C) (i)-(v)	Requests for hearings on Motions to Dismiss shall be by motion. If all parties do not agree to the dismissal, the court may set a remote hearing depending on the cause outlined in the motion and balancing health and safety.  UTCR 5.100 will apply to these motions.
<b>Juvenile Dependency</b>	Permanency hearings  And all other category 3 proceedings not specifically listed	Essential Proceedings  Category 3  3.c.(3)(D)(i)-(iv)	Category 3 Essential Proceedings shall be scheduled in accordance with the Juvenile Department’s scheduling policy and after consideration of the Juvenile Department’s ability to operate with minimal staffing, the safety of court staff and the public, and any constitutional or statutory mandates for timely hearings.  Remote proceedings or paper plan as outlined below:  Any party may file a Motion for Judicial Determination Regarding Reasonable or Active Efforts or a Permanency Plan Based on Paper Submission with: <ol style="list-style-type: none"> <li>1. Supporting exhibits, including court report;</li> <li>2. Certificate under UTCR 11.100 indicating whether there are any objections to the proposed judicial determination document;</li> <li>3. Certificate of service;</li> <li>4. Specific Findings the Party is asking the Court to Make;</li> </ol>

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			<p>If there are no objections, the court can consider whether to sign the judicial determination document.</p> <p>Any party opposing the finding, may file a formal objection not later than 14 days from the date of service of the motion and include:</p> <ol style="list-style-type: none"> <li>1. Supporting exhibits and a waiver of the right to a hearing, or</li> <li>2. Supporting exhibits and a request for a remote hearing.</li> </ol>
<b>Juvenile Dependency</b>	Hearing on motion by parent for visitation/parenting time	Essential Proceedings  Category 3  3.c.(3)(D)(i)-(iv)	<p>Requests for hearings on Motions for Visitation shall be by motion.</p> <p>If all parties do not agree to the visitation change, the court may set a remote hearing depending on the cause outlined in the motion and balancing health and safety. UTCR 5.100 will apply to these motions.</p>
<b>Juvenile Termination</b>	Trials	Essential Proceedings  Category 3  3.c.(3)(D)(i)	<p>Remain on Trial Docket</p> <p>Juvenile judge will determine if cases are settled or can otherwise be resolved remotely or will postpone until after July 31, 2020.</p> <p>Remote settlements to be placed on the record by the juvenile court judge and the case removed from the trial docket.</p> <p>After July 31, 2020, trials and defaults shall be assigned by the presiding judge from the trial call docket and shall be conducted remotely.</p> <p>Party may make motion to the presiding judge for trials to be heard prior to July 31, 2020 due to exceptional circumstance CJO 20-016(8.a.).</p>

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<b>Juvenile Termination</b>	Original Hearings  Fact Findings	Other Court Proceedings 6.a. 5.a	Remote Proceedings  Original Hearings: <ol style="list-style-type: none"> <li>1. May be set on the 8:30 a.m. Original Hearing docket;</li> <li>2. No more than two (2) TPR Petitions may be set for a single day;</li> <li>3. If a parent appears, the Juvenile Department will appoint attorneys for the parties and set a trial date on the 9:30 trial docket at least seven (7) months in the future.</li> <li>4. If a parent fails to appear, the Juvenile Department will note the non-appearance and continue the hearing for a date of the 9:30 trial docket within the next seven (7) days.</li> </ol>