

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

4 In the Matter of)
5) 20MARPJO No. 20-10(A)
6 Marion County Circuit Court) **AMENDED**
7) PRESIDING JUDGE ORDER
8) **REQUIRING FACE COVERINGS**
9)
10)

11 On May 14, 2020, Governor Brown approved Phase One reopening for some parts of the state,
12 easing certain restrictions on Oregonians in relation to the COVID-19 state of emergency. On
13 May 15, 2020, Chief Justice Walters issued Chief Justice Order (CJO) No. 20-016, which imposed
14 "Level 2" and "Level 3" restrictions on court operations effective June 1, 2020. Paragraph 10 of
15 CJO No. 20-016 addresses the use of protective face coverings when entering a courthouse. On
16 June 19, 2020, the Governor issued face covering requirements for indoor public spaces in
17 counties that have entered Phase 2 of reopening, including Marion County, effective June 24,
18 2020. Therefore, pursuant to the authority described in CJO No. 20-016 (10),

19 IT IS HEREBY ORDERED:

- 20 1. Definitions.
- 21 a. "Courthouse" means the common areas open to the public, courtrooms, and work
22 areas for court personnel in the Marion County Courthouse, the Juvenile Court,
23 the Court Annex, and any other facility utilized by the Marion County Circuit
24 Court for court business or proceedings.
- 25 b. "Protective face covering" means a covering of the nose and mouth to protect
26 against spreading the COVID-19 virus, as recommended by the Centers for
Disease Control.
2. All persons entering the Courthouse are required to wear a protective face covering while
in the Courthouse except for children under five (5) years of age and as provided in
paragraphs 3 through 8 below.
3. A judge may remove a protective face covering while presiding over a trial or other
proceeding in a courtroom, while in chambers, and when moving about non-public areas
of the Courthouse if at least 6 feet distancing can be maintained.
4. A judge presiding over a trial or other proceeding may authorize any person participating
in the trial or other proceeding to remove the protective face covering as the judge deems
appropriate during the trial or proceeding.
5. A judge presiding over a jury trial should authorize a criminal defendant to decline to wear
a protective face covering for all or any portion of the trial unless good cause is stated on
the record.

- 1 6. Court employees and personnel working in an area with no more than six (6) other
2 individuals present and where at least 6 feet distancing may be maintained may remove a
3 protective face covering while working in that area. Court employees and personnel must
4 use a protective face covering whenever more than six (6) other individuals are present in
5 the area or 6 feet distancing is not possible to maintain.
- 6 7. Court employees may remove protective face coverings when interacting with the public
7 if a physical barrier separates the court employee from the public and the conditions in
8 paragraph 6 are met.
- 9 8. Court employees and personnel may remove a protective face covering when moving
10 about non-public areas of the Courthouse if at least 6 feet distancing may be maintained.
- 11 9. Any person seeking to enter the Courthouse without using a protective face covering
12 because of disability, respiratory or other health-related issues, or otherwise for good
13 cause can request an exemption from the Presiding Judge, Deputy Presiding Judge, or
14 Trial Court Administrator.
- 15 a. Exemption Request Forms are available on our web-site or at the security desk.
16 b. Exemption Request Forms may be presented to the Presiding Judge, Deputy
17 Presiding Judge, or Trial Court Administrator via email at:
18 MAR.ExemptionRequests@ojd.state.or.us or by presentation to designated court
19 staff at the entry.
20 c. Persons requesting such an exemption should seek exemption before coming to
21 the Courthouse.
- 22 10. The Court will provide protective face coverings and information about how to use them
23 as needed and as available resources allow.
- 24 11. This ORDER is based on the information concerning the risks and spread of the COVID-
25 19 virus currently available to the Court. This order may be revised as further information
26 becomes available. This ORDER is effective on June 24, 2020 and will remain in effect
until revised or vacated by order of this Court.

Dated this 27st day of July 2020



Circuit Court Judge Tracy A. Prall