

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

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4 In the Matter of

5 Marion County Circuit Court

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) 24MARPJO No. 24-09
)
) **AMENDED** PRESIDING JUDGE
) ORDER ADOPTING CJO 23-028
) AND IMPLEMENTING UPDATED
) DIRECTIVES RELATING TO COURT
) OPERATIONS
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10 On August 30, 2023, Chief Justice Flynn issued Chief Justice Order 23-028 Permitting Remote Proceedings in Oregon state courts.

11 ORS 1.171(2) provides that, to facilitate exercise of administration and supervision over
12 the circuit court of the district consistent with applicable provisions of law, the Presiding Judge
13 may apportion and otherwise regulate the disposition of the judicial business of the circuit court
14 of the judicial district, and make rules, issue orders, and take other appropriate action to that
15 exercise; and ORS 1.171(3) provides that the Presiding Judge may assign actions and
16 proceedings pending before a court to other judges of the judicial district for hearing and
disposition; and ORS 1.171(4) provides that a Presiding Judge may delegate the exercise of any
of the administrative powers of the Presiding Judge to another judge of the court or to the Trial
Court Administrator.

17 IT IS HEREBY ORDERED the Marion County Circuit Court fully adopts provisions of
18 CJO 23-028 and implements the following updated directives relating to court operations:

19 1. Protective measures:

- 20 a. Marion County Circuit Court lifted the social distancing requirement on
21 November 29, 2021. **Court users are encouraged to continue to socially
distance themselves as space is available.**
- 22 b. No person who has **tested positive for COVID-19** shall enter any court facility
23 **until fever free and symptoms improve for 24 hours** without approval from the
24 Presiding Judge, Trial Court Administrator, or their designee. Symptoms include:
25 • Fever or chills
26 • Cough
 • Shortness of breath or difficulty breathing
 • Fatigue
 • Muscle or body aches

- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

If you have tested positive for COVID-19 and are still experiencing fever and consistent symptoms, please ***stay home*** and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

2. Mode and location of proceedings

a. **JURY DUTY:**

- If you have been summoned for **Jury Duty**, please call the number on your juror summons after 5:00 p.m. the day before you are summoned to report to find out if you need to appear for service. If you are in a “high risk” group as defined by the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>) or are currently experiencing symptoms of COVID-19, please contact the jury office at MAR.Jury@ojd.state.or.us, the preferred contact method, or by telephone at 503-588-5371.
- If you have further questions about jury duty, please check our web site at: <https://www.courts.oregon.gov/courts/marion/jury>

b. **GRAND JURY:**

- If you have been summoned for **Grand Jury**, please report as instructed. If you are in a “high risk” group as defined by the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>) or are currently experiencing symptoms of COVID-19, please contact the jury office at MAR.Jury@ojd.state.or.us, the preferred contact method, or by telephone at 503-588-5371.
- Witnesses for Grand Jury shall testify in-person if reasonably feasible.
- If you have further questions about jury duty, please check our web site at: <https://www.courts.oregon.gov/courts/marion/jury>

c. **CRIMINAL:**

- Except as detailed below, all criminal proceedings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means.
- **Status Conferences and Pretrial Hearings** may be conducted in-person or by remote means.
- **Settlement Conferences:**
 - **In-custody** criminal cases may proceed in-person with the selected judge at the Courthouse or Criminal Court Annex unless the defendant

1 is being held in a DOC facility or an out of county jail, then by remote
2 means.

- 3 ○ **Out-of-custody** cases may proceed in-person or by remote means with
4 the selected judge at the Courthouse or other designated court facility.

- 5 • If you have questions about arraignments and other matters occurring at the
6 Criminal Court Annex, please call 503-588-8489.
- 7 • If you have further questions about settlement conferences or trials scheduled
8 at a remote court facility or related calendaring, please call 503-588-5030.
- 9 • If you have further questions about criminal calendaring, please contact the
10 assigned judge's office.

11 d. **CIVIL (Excluding Post-Conviction and Habeas):**

- 12 • **Civil jury trials and bench trials** shall be conducted in-person with the
13 assigned judge. The assigned judge may allow portions of the trial to be
14 conducted by remote means.
- 15 • **Status Conferences and Pretrial Hearings** may be conducted in-person or
16 by remote means.
- 17 • **Hearings on Motions** may proceed in-person or by remote means as
18 determined by the assigned judge.
- 19 • **Settlement Conferences** may proceed in-person or by remote means with the
20 selected judge at the Courthouse or other designated court facility.
- 21 • If you have further questions about civil calendaring, please contact the
22 assigned judge's office.

23 e. **CIVIL COMMITMENT PROCEEDINGS:**

- 24 • All civil commitment hearings shall be heard by remote means unless
25 personal service has not been accomplished prior to the time set for the
26 hearing, then the allegedly mentally ill person shall appear in-person.
- If you have further questions about Civil Commitment proceedings, please
call 503-588-5135.

f. **EXPUNGEMENTS:**

- **Hearings on expungements** shall be conducted in-person unless the judge
assigned to the case or presiding over the hearing allows a participant to
appear by remote means.
- If you have further questions about Expungement cases, please call 503-588-
5105.

g. **FAMILY LAW PROCEEDINGS:**

- **Hearings on Petitions and Motions** (including but not limited to petitions for
divorce, custody, or support and motions to modify, for immediate danger
orders, to enforce parenting time, for status quo orders, or for temporary

orders) may proceed in-person or by remote means as determined by the assigned judge.

- **Motions for Immediate Danger Orders**

- Family Law Facilitators will be available in-person to assist with forms.
- Motions will be accepted at the accounting window Monday-Friday before 3:30 p.m.
 - Motions filed prior to the deadline shall be scheduled for an in-person hearing on the day of filing.
 - Motions filed after the deadline may be scheduled for an in-person hearing the next judicial day.

- **Status Conferences**

- The court will conduct status conferences and pretrial hearings as scheduled on all family law cases. Such proceedings may be conducted in-person or by remote means.

- **Settlement Conferences**

- May proceed in-person or by remote means with the selected judge at the Courthouse or other designated court facility.

- **Mediation Orientation**

- Mediation Orientation for parents in child custody cases shall be conducted in-person unless approved by the Mediation Orientation Coordinator.

- **Mediation (in child custody cases)**

- Mediation may be conducted in-person or by remote means at the discretion of the mediator.

- **Support enforcement (SED)** matters shall be conducted in-person unless the judge presiding over the hearing allows a participant to appear by remote means. The court will make arrangements for in-custody respondents to appear in-person or by remote means.

- If you have further questions about general Family Law matters, please call 503-373-4349.

- If you have further questions about domestic relations calendaring, please contact the assigned judge's office.

h. **HABEAS:**

- Hearings and trials shall be conducted by remote means.
- If you have further questions about Habeas cases, please call the assigned judge's office.

1 i. **JUVENILE:**

- 2 • **Dependency** proceedings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means.
- 3 • **Termination of Parental Rights (TPR)** proceedings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means.
- 4 • **Delinquency** proceedings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means.
- 5 • If you have further questions about Juvenile matters, please call 503-566-2974.

8 j. **LANDLORD TENANT:**

- 9 • Forcible Entry and Detainer (FED) first appearances shall be conducted in-person unless the judge presiding over the hearing allows a participant to appear by remote means. An attorney may appear by remote means if they give notice to the court by 5:00 pm the last judicial day before the hearing. Please call 503-588-5135 to make arrangements for remote appearance.
- 10 • Mediation on FED cases shall be conducted in-person unless the judge allows a participant to appear by remote means.
- 11 • Trials on FED cases shall be conducted in-person. The judge presiding over the trial may allow parties, attorneys, and witnesses to appear by remote means at the discretion of the judge presiding over the trial.
- 12 • If you have further questions about Landlord Tenant matters, please call 503-588-5105.

16 k. **POST-CONVICTION:**

- 17 • Status conferences, hearings, and trials shall be conducted by remote means unless otherwise ordered by the judge presiding over the proceeding.
- 18 • If you have further questions about Post-Conviction cases, please call the assigned judge.

19 l. **PROBATE:**

- 20 • Probate Staff are available during business hours. Please inquire at the Information or Accounting Window.
- 21 • Temporary guardianships and temporary conservatorships may be heard in-person or by remote means if scheduled through the Probate Department.
- 22 • All hearings on motions may proceed in-person. The judge presiding over the hearing may allow parties, attorneys, and witnesses to appear by remote means upon request.
- 23 • If you have further questions about Probate matters, please call 503-588-5141.

25 m. **PROTECTIVE PROCEEDINGS:**

- 26 • Family Law Facilitators will be available in-person to assist with forms.

- Protective Order applications, motions, and renewals (Family Abuse Prevention Act, Elderly Person and Persons with Disabilities Prevention Act, Sexual Abuse Protection Orders, Extreme Risk Protection Orders, and Stalking Orders) will be accepted at the accounting window each day:
 - Petitions filed by 11:00 a.m. shall be scheduled for an in-person hearing at 1:30 on the day of filing.
 - Petitions filed after 11:00 a.m. shall be scheduled for an in-person hearing at 1:30 the next judicial day.
- Initial ex-parte hearings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means.
- Contested hearings shall be conducted in-person unless the judge assigned to the case or presiding over the hearing allows a participant to appear by remote means. In-custody parties shall appear by remote means. Court staff will make arrangements for the appearance.
- If you have further questions about Protective Proceedings, please call 503-373-4349.

n. **RECORDS:**

- The Records Department will be open for in-person matters.
- To request copies online, please see our online request form and instructions pleas at the following link:
<https://www.courts.oregon.gov/courts/marion/records/Pages/Records-Request.aspx>
- If you have further questions about Records, please call 503-588-5105.

o. **SMALL CLAIMS:**

- Small claims hearings and trials shall be conducted in-person. The judge presiding over the hearing may allow parties and witnesses to appear by remote means upon request.
- If you have further questions about Small Claims cases, please call 503-588-5105.

p. **SPECIALTY COURTS:**

- Marion County Specialty Court proceedings shall be conducted in-person or by remote means as determined by the judge presiding over:
 - Adult Drug Court
 - Veterans Court
 - Community Restoration
 - Mental Health Court
 - Fostering Attachment Treatment Court (FATC)
 - STAR Court
- If you have further questions about Adult Drug Court, Veterans Court, or Mental Health Court, please call 503-584-7741.
- If you have further questions about FATC or STAR Court, please call 503-584-4831.

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2 q. **TRAFFIC:**

- 3 • **Traffic first appearances** are being handled by phone, online or by mail. **On**
4 **or before** the date you are directed to appear on your citation, you must enter
5 a plea:
6 ○ If you wish to plea “Not Guilty”:
7 ▪ Call 503-588-8489 option 6, or
8 ▪ Mail in your response requesting a trial.
9 ○ If you wish to plea “No Contest”:
10 ▪ Call 1-888-564-2828, or
11 ▪ Enter your “No Contest” plea on-line ONLY IF you are paying in
12 full at:
13 <https://www.courts.oregon.gov/services/online/Pages/epay.aspx>
14 ▪ Mail your payment to the address on your citation.
15 • **Traffic trials** shall be conducted in-person. The judge presiding over the trial
16 may allow parties and witnesses to appear by remote means upon request.
17 • Individuals can make payments online at
18 <https://www.courts.oregon.gov/services/online/Pages/epay.aspx>
19 • If you have further questions about Traffic cases, please call 503-588-8489.

12 r. **OTHER COURT PROCEEDINGS:**

- 13 • All other court proceedings not specifically addressed above shall be conducted
14 in-person unless the judge assigned to the case or presiding over the hearing
15 allows a participant to appear by remote means.

15 s. **PUBLIC ACCESS:**

- 16 • Open courtrooms – Currently, all proceedings are being held in open
17 courtrooms within the Courthouse. Even if the hearing is by remote means,
18 the hearing is on the record in open court. Information about where a
19 particular hearing or trial can be observed or heard is available at the
20 Information Window or by calling 503-588-5105.
21 • Remote access – If a trial or hearing can be accessed remotely, that
22 information will be available on our website or by calling 503-588-5105.

20 t. **PAYMENTS/COLLECTIONS:**

- 21 • The Accounting Department is open.
22 • We are accepting payments at the accounting window and on-line.
23 • Oregon Judicial Department is not referring any new cases to collections at
24 this time.
25 • Oregon Judicial Department asked debt collectors for delinquent accounts to
26 discontinue any new garnishment actions and provide grace periods and
leniency to debtors.
• Individuals can continue to make payments online at
<https://www.courts.oregon.gov/services/online/Pages/epay.aspx>

- Payments can also be made by calling 1-888-564-2828. This line is for payments only.
- If you have further questions about payments/collections, please call 503-588-5601.

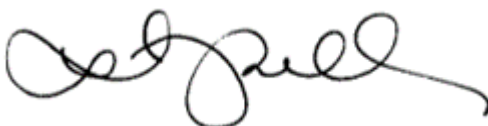
3. Effect on other Presiding Judge Orders:

- Supersedes PJO 22-02.
- Supersedes PJO 23-16.

4. All provision of this order shall continue until further order, and they may be amended by further order.

5. This order takes effect on March 11, 2024.

Dated this 11st day of March 2024.



Tracy A. Prall
Presiding Judge, Marion County Circuit Court