

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

FILED
21 DEC 15 PM 8:22
4TH JUDICIAL DIST.

In the Matter of Protective Measures) PRESIDING JUDGE FILE NO. 2101-00000
During the COVID-19 Pandemic)
) ORDER RE COVID SYMPTOMS OR EXPOSURES
)

On March 8, 2020, Oregon Governor Kate Brown issued an emergency declaration relating to the spread of the COVID-19 virus. On June 25, 2021, Governor Brown issued Executive Order 21-15, which extended the COVID-19 state of emergency to December 31, 2021.

During the state of emergency, Oregon Chief Justice Martha Walters has issued many Chief Justice Orders (CJOs) relating to court operations. As Presiding Judge of this judicial district, I have issued many Presiding Judge Orders (PJOs) relating to court operations during the COVID-19 state of emergency.

On September 7, 2021, Chief Justice Walters issued CJO 21-035, which re-imposed social distancing requirements for all court proceedings and court facilities in Oregon. On September 10, 2021, partly in response to CJO 21-035, I issued a PJO requiring the use of remote jury selection procedures in all civil and criminal cases. On November 15, 2021, Chief Justice Walters issued CJO 21-050, which generally lifted the social distancing requirements for courtrooms and court facilities statewide effective November 29, 2021, while authorizing the Presiding Judge in any judicial district continue to require social distancing as a protective measure in court facilities within the district through January 2, 2022. On November 16, 2021, I issued a PJO requiring social distancing in all court facilities in this district through January 2, 2022. Beginning January 3, 2022, social distancing will no longer be required in this district, and in-person jury selection will resume for certain cases. This will substantially increase the number of people entering court facilities in this district.

During recent weeks, the court has been notified of people infected with COVID-19 who were present at a court facility. Many court employees have been quarantined after having contact with someone who tested positive for COVID-19. Quarantines due to exposures and potential exposures to COVID-19 make it difficult to fully conduct court proceedings. Nationwide, the number of “breakthrough” cases—infected fully-vaccinated people—has continued to increase, and the recent discovery of the highly-contagious omicron variant of the

COVID-19 virus further increases the risk of infection. The Centers for Disease Control (CDC) and Oregon Health Authority recommend that people experiencing symptoms associated with COVID-19 or who have been exposed to others who have tested positive for COVID-19 should stay home and avoid contact with others. The court has consistently recommended that judges, court staff, and others experiencing symptoms or who have been potentially exposed to COVID-19 refrain from entering court facilities.

Under the circumstances, I have concluded that memorializing those recommendations in a PJO could provide clarity and additional protection for judges, court staff, lawyers, and members of the public who enter the courthouse.

Accordingly, it is hereby ORDERED as follows:

1. No person experiencing any symptoms of COVID-19 infection may enter any court facility without prior approval from the Presiding Judge, Trial Court Administrator (TCA), or their designee. Symptoms may include:
 - Fever or chills
 - Cough
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache
 - Recent loss of sense of taste or smell
 - Sore throat
 - Congestion or runny nose
 - Nausea or vomiting
 - Diarrhea

2. No person who has been exposed to anyone known to be experiencing COVID-19 symptoms, who has tested positive for COVID-19 within the past 10 days, or who is awaiting the results of a COVID-19 test after exposure to someone infected with COVID-19 (hereafter referred to as a “potentially infected” person) shall enter any court facility without prior approval from the Presiding Judge, TCA, or their designee. A person is “exposed” to a potentially infected person within the meaning of this PJO if the person has spent 15 minutes or longer within 6 feet of the potentially infected person, regardless of whether protective face coverings were used.

3. The Presiding Judge, TCA or designee may allow a person covered by paragraphs 1 or 2 above to enter a court facility for court business only if the person provides proof that

the person has tested negative for COVID-19 after being asymptomatic for at least 24 hours.

This order takes effect immediately and shall remain in effect until extended, modified or terminated by further order of this court.

DATED: December 14th, 2021



Stephen W. Bushong
Presiding Judge, Multnomah County Circuit Court