

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

In the Matter of Implementing)	PRESIDING JUDGE ORDER NO. <u>2001-00000</u>
CJO 20-016 in Civil Proceedings)	
)	ORDER RE CIVIL PROCEEDINGS UNDER LEVEL 2
)	RESTRICTIONS
)	

On March 27, 2020, Oregon Supreme Court Justice Martha Walters issued Amended Chief Justice Order 20-006 continuing the Level 3 restrictions originally imposed by Chief Justice Order on March 16, 2020. On April 10, 2020, I issued Presiding Judge Order No. 2001-00000 RE Civil Proceedings During COVID-19 Pandemic (COVID-19 PJO-Civil) consistent with the Level 3 restrictions on court operations imposed by the earlier Chief Justice Orders. On May 15, 2020, Chief Justice Walters issued Chief Justice Order No. 20-016 (CJO 20-016), which lifted Level 3 restrictions on court operations and imposed Level 2 restrictions for judicial districts in counties approved for "Phase 1" reopening by Oregon Governor Kate Brown after the Governor's declaration of a state of emergency due to the COVID-19 pandemic. Governor Brown has deferred action for at least 1 week on Multnomah County's plan for "Phase 1" reopening on June 12, 2020. As a result, this judicial district will begin operating under Level 2 restrictions one business day after the Governor approves Multnomah County's reopening plan. The court is scheduled to move into the new Multnomah County Courthouse beginning on July 15, 2020, with the first day of proceedings in the new courthouse scheduled on July 20, 2020.

The Level 2 restrictions imposed under CJO 20-016 are designed to allow courts to offer additional court services than provided under Level 3 restrictions while continuing to minimize the spread of the COVID-19 virus and the health risks to court personnel, litigants, representatives, and others who come to courthouses. Among other things, the Level 2 restrictions require social distancing for all people entering the courthouse, including jurors.

Because of the space required to conduct a jury trial while complying with social distancing requirements, the court will only be able to conduct a limited number of jury trials while social distancing requirements are in effect. Most of those trials will be criminal trials, which are subject to statutory and constitutional speedy trial requirements. As a result, further delay in scheduling most civil jury trials will be unavoidable. Some additional civil proceedings postponed under Level 3 restrictions may be conducted under Level 2 restrictions, as described below.

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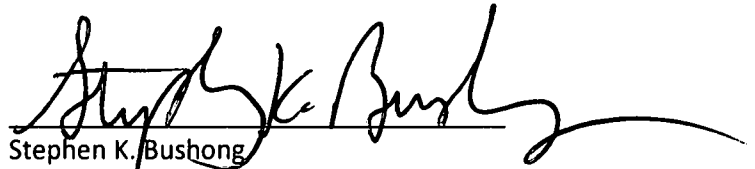
Accordingly, for the reasons stated above, I hereby ORDER as follows:

1. Trial Readiness Conferences (TRCs) in civil cases will be postponed to a date after August 1, 2020.

2. Contested motion hearings in civil cases resumed June 1, 2020, and will continue to be held via remote means, as described in CJO 20-016.
3. A Show Cause hearing or a *prima facie* hearing in a civil case may be conducted beginning June 15, 2020, if the hearing can be conducted via remote means and complying with social distancing requirements as specified in CJO 20-016.
4. Civil proceedings—other than those specifically authorized by the COVID-19 PJO-Civil and this order will continue to be postponed until after July 20, 2020, even if those proceedings might be allowed under Level 2 restrictions and CJO 20-016. This delay is necessary due to the combination of a number of factors, including the need to conduct jury trials in certain criminal cases while maintaining social distancing; recent budget reductions resulting in significant staff furloughs; the need to eliminate the backlog of civil motion hearings postponed during Level 3 restrictions; and the staff and resources needed to move into the new courthouse.
5. Except as otherwise provided in this Order, the provisions in the COVID-19 PJO-Civil remain in effect.

This order takes effect one business day after Multnomah County's Phase 1 reopening plan is approved, and shall remain in effect until July 15, 2020, unless amended by further order or terminated by this court.

DATED this 12th day of June, 2020.


Stephen K. Bushong
Presiding Judge
Multnomah County Circuit Court