

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE 20<sup>TH</sup> JUDICIAL DISTRICT, WASHINGTON COUNTY

In the Matter of "Level 2/Phase 1 )  
Restrictions on Washington County ) PRESIDING JUDGE ORDER NO. 291-CV  
Circuit Court Operations in response )  
to the spread of COVID-19 Corona Virus ) ORDER RE: Specific Level 2 Reopening  
)

On May 14, 2020, Governor Brown approved a Phase One reopening of some part of the state, easing restrictions on Oregonians in relation to the COVID-19 state of emergency. On May 15, 2020, Chief Justice Walters issues Chief Justice Order (CJO) No 20-016, which imposed "Level 2" and "Level 3" restrictions on court operations effective June 1, 2020.

Pursuant to CJO No. 20-016, once a county is approved for Phase One, the court of that county shall be operating under the eased restrictions of "Level 2". On June 1, 2020, Governor Brown approve Phase One reopening for Washington County.

STATUTORY AUTHORITY:

1. ORS 1.002 provides that the Chief Justice of the Oregon Supreme Court is the administrative head of the judicial department of government in this state; shall exercise administrative authority and supervision over the courts of this state consistent with applicable provisions of law and the Oregon Rules of Civil Procedure; and, to facilitate exercise of that administrative authority and supervision, may make rules and issue orders as appropriate or take any other action appropriate to perform the functions of the office of Chief Justice.
2. ORS 1.002(8) provides that the presiding judge of each judicial district of this state are the administrative heads of their respective courts. They are responsible and accountable to the Chief Justice of the Supreme Court in the exercise of their administrative authority and supervision over their respective courts.
3. ORS 1.002(9) provides that the Chief Justice may delegate the exercise of any powers specified in ORS 1.002 to the Presiding Judge of a court.

I HEREBY ORDER, pursuant to that authority, that the following specific "Level 2" restrictions on court operations in Washington County take effect on June 1, 2020. This order remains in effect until further order.

1. Jury Trials:
  - a. All out of custody criminal jury trials and all civil jury trials scheduled to begin earlier than September 1 are postponed through September 1, 2020.
    1. Trials will be reset based upon the age of the case;
    2. Trials will be reset when the Governor has eased restrictions on gatherings to permit at least 50 people in one location; and
    3. The court has sufficient staff to hold the trial; and
    4. Social distancing can be maintained in the courtroom and throughout all court-controlled areas of the courthouse.

2. Bench Trials:
  - a. In any case, a bench trial may be held if the following conditions are met:
    1. Both parties contact the court and request a bench trial;
    2. Trials will be set based upon the age of the case;
    3. The court has sufficient staff to hold the trial; and
    4. Social distancing can be maintained in the courthouse and throughout the court-controlled areas of the courthouse.
  
3. Remote Hearings in Criminal Matters:
  1. Attorney may appear remotely, no motion need be filed, however the attorney must contact the court and provide contact information.
  2. Defendants may appear remotely if a motion is filed and granted prior to the court appearance, except that:
    - a. Out of Custody Criminal Arraignments may be held remotely provided that the defendant has received a copy of the charging instrument and the written waiver of rights in criminal matters.

Dated this 16<sup>th</sup> day of June, 2020.



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Beth L. Roberts, Presiding Judge  
Washington County Circuit Court