

For Immediate Release
May 15, 2020

Contact: Todd Sprague, Oregon Judicial Department
todd.sprague@ojd.state.or.us, 503-986-5524

Oregon Chief Justice authorizes expanded court activities in re-opening counties, orders three court closure days to address budget reductions

(Salem, Ore.) Oregon Chief Justice Martha L. Walters today issued an order relaxing court operating restrictions in counties that have received permission from Governor Brown to begin phased reopening. Courts in counties not yet approved for reopening will retain [current restrictions](#) that have been in place since March.

“Courts have remained open during this emergency but operating under strict limitations,” Walters said. “Safety remains a paramount concern, but now some courts may be able to hold more hearings by remote means and decide more cases as Oregon begins to re-open.”

The Chief Justice instituted restrictions and modifications to support health and safety during the COVID-19 pandemic by reducing in-person visits to courthouses and requiring precautions – including social distancing and enhanced cleaning – for continued in-person activities. Some changes in the new Chief Justice Order will take effect June 1. Others will begin July 1.

Even under Level 3 restrictions, courts have continued to provide essential services, including protective orders and hearings; criminal proceedings involving people in custody with a legal right to a speedy trial; habeas corpus hearings; civil commitment hearings; some child welfare proceedings; and appointing temporary guardians and conservators for people unable to make their own decisions. Many of these activities have been occurring by phone or videoconference, not in the courthouse.

Under today’s order, all courts must continue to use social distancing and conduct trials necessary to comply with speedy trial requirements and for juveniles held in detention, as well as the criminal, protective order, civil commitment, child welfare, and other proceedings defined as Category 1 and 2 essential proceedings. All courts in Phase One counties, if staffing is available and social distancing requirements are met, now may hold civil temporary restraining order hearings and additional family law and child welfare hearings defined as Category 3 essential proceedings, as well as hearing motions that do not require witness testimony.

Starting June 1 in counties where the Governor has authorized Phase One reopening status, courts also may conduct bench trials (no jury) and other proceedings -- including for civil temporary restraining orders and additional family law and child welfare hearings -- with social distancing and if sufficient staff are available. Jury trials not currently permitted, as well as landlord-tenant cases, will remain restricted.

Counties not in Phase One will remain on current restrictions.

After July 1, and in counties where the Governor has authorized gatherings of at least 50 persons, courts may conduct jury trials in all civil and criminal cases, and may conduct trials in landlord-tenant cases as well, if statewide or local moratoria have been lifted. These proceedings also depend on maintaining social distancing requirements and sufficient staff being available.

Under today's order, any jury trial must be held in the courthouse or another suitable physical location. The Presiding Judge of the court may require that certain persons wear masks in the courtroom and must encourage their use where court operations are conducted.

The COVID-19 pandemic also is expected to sharply reduce state government revenues. In anticipation of budget reductions and to generate savings while case filings are at reduced levels, Chief Justice Walters will order that courts close on three Fridays – May 29, June 26, and July 17. Staff will be on unpaid furloughs during those closure days. The number of cases filed in circuit courts has dropped by half since March, but backlogs are growing due to current operating restrictions and courts expect a surge in case filings and court hearings later this year in collections, landlord-tenant, family law, and other cases.

A copy of Chief Justice Order 20-016 and complete listings of essential proceedings are available at <https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>. See the Governor's [county status chart](#) for current reopening status.

###

The Oregon Judicial Department (OJD) includes the Oregon Supreme Court, Court of Appeals, Tax Court, circuit courts in every Oregon county, and the Office of the State Court Administrator. The Department is committed to protecting rights and democracy by maintaining a strong, fair, and impartial court system. For more information, visit www.courts.oregon.gov.