

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

In the matter of the Lincoln County)
Courtthouse and the COVID-19 Virus)

PRESIDING JUDGE ORDER

As a matter of protecting public health and trying to contain the spread of COVID-19, the Lincoln County Circuit Court is implementing the following changes to the normal operation of the Court:

Commencing March 16, 2020, the following docket changes will be implemented:

1. All civil jury trials, out-of-custody misdemeanor trials, and out-of-custody, non-person felony trials are being continued on the Court's own motion. All of those trials will be re-set to dates on or after May 1, 2020. Given the re-scheduling of these cases, all attorneys of record in these cases and all litigants are excused from appearing in Court on the dates currently scheduled for **trial** [only]. **Trial Status** appearances are governed by paragraph 4 below.
2. Traffic court trials scheduled to occur prior to May 1, 2020 will be re-set to dates after May 1, 2020.
3. Small Claims hearings and trials scheduled to occur prior to May 1, 2020 will be re-set to dates after May 1, 2020.
4. Attorneys handling **Trial Status** hearings may appear by phone. Their clients are required to either appear in person in Court as scheduled **OR** be present in their attorney's office at the time of the scheduled hearing [so that the Court may confirm that the client is still actively working with their attorney on their case]. The preceding does not apply if the Court has, in writing, excused a client from a specific appearance. Failure to appear in person in Court or at the attorney's office will result in an FTA warrant.

Here's the trick on attorney phone appearances: Do **NOT** call us; we will call you. Our phone could not keep 15-20 attorneys on hold as we run through the docket one case at a time. Thus, we will call you one at a time. Any attorney who wants to appear by phone must be available, and not leave the office, before we call. This process may take longer than normal, so please be patient. We will not forget

someone. If you fear that has happened, please e-mail us so that we will be alerted to your concern.

5. All other cases will continue to be scheduled for the dates currently assigned or as customarily scheduled pursuant to the Lincoln County Supplemental Local Rules.
6. The Family Law facilitator will not be holding meetings, in person, with parties in domestic relations cases until at least May 1, 2020. If parties are unable to complete the forms over the phone, they will have to wait until at least May 1, 2020 for in-person assistance.
7. The Family Law facilitator will still help parties, by phone, regarding protective orders and immediate danger issues. Those parties will be expected to confer with the facilitator by phone, rather than in person. That is, the Petitioner needs to call 541-265-4236 from the hallway outside the T.C.A. office and be connected to the facilitator in the office.
8. If an attorney is ill, do NOT attend court in person. Even a plea and sentencing could be done remotely. If you are too ill to represent your client effectively, ask the Court for a postponement of the plea.
9. If a client reports being ill to an attorney, the attorney should ask the Court for a continuance of whatever kind of hearing is on the docket. If a continuance were granted and the client were to fail to appear at the rescheduled hearing in a criminal case, a bench warrant will be issued. Attorneys are not permitted to excuse a client from any Court hearing; approval by the Judge is required.
10. The Sheriff's office is also implementing health-protective measures related to booking and to who is admitted into the jail. Book and releases following arraignments will occur at locations specified by Lt. Russell and/or Sheriff Landers.
11. If an attorney is over 60, if that person has an illness makes him/her more vulnerable to the COVID, is pregnant, or has other individualized health concerns, contact the Judge assigned to the case for accommodations related to the Court appearance.

This Order is likely to be supplemented and/or amended as we learn how to cope with this pandemic. This is just a rudimentary start to the crisis.

IT IS FURTHER ORDERED that a copy of this Order shall be provided to the Chief Justice of the Supreme Court.

Dated this 15th day of March, 2020.


THOMAS O. BRANFORD
Circuit Judge

cc: Chief Justice Walters
Nancy Cozine
Judge Bachart
Judge Benjamin
Judge Buckley
Jonathan Cable
Sheriff Landers
Lt. Jamie Russell
Wayne Belmont, County Counsel
Sally Bovett
Guy Greco