

IN THE SUPREME COURT OF THE STATE OF OREGON

In the Matter of Supreme Court) Chief Justice Order 20-011
Procedural Changes in Response)
to COVID-19)

ORDER VACATING SCHEDULED ORAL ARGUMENTS IN THE SUPREME COURT AND ESTABLISHING PROCEDURES FOR RESCHEDULING ARGUMENT OR SUBMITTING CASE ON BRIEFS

Effective immediately, I am making the following changes to Supreme Court procedures to help slow the spread of the COVID-19 virus and to minimize any health risks to our communities, while meeting our courts’ obligations to the public.

PURSUANT TO

- ORS 1.002(1)(a), authorizing the Chief Justice to make rules and issue orders consistent with the exercise of supervision over the courts of this state; and
- ORS 2.115(6), authorizing the Chief Justice to issue orders on procedural matters in the Supreme Court;

I HEREBY ORDER AS FOLLOWS:

1. Listed Oral Arguments Vacated; Options to Reschedule or Submit on Briefs

Only in an exceptional case will the court decide to hold an argument before September 2020. The oral argument settings for the following cases are hereby vacated:

- *Karl Clinton Culbertson v. BPPPS*, S066714 (scheduled for argument May 1, 2020, at 9:00 am);
- *State v. Frank Marvin Phillips, Jr.*, S067088 (scheduled for argument May 4, 2020, at 9:00 am);
- *Beau Mathis v. St. Helens Auto Center, Inc.*, S067064 (scheduled for argument May 4, 2020, at 9:00 am);
- *State v. Allison Chapman*, S067066 (scheduled for argument May 4, 2020, at 1:30 pm);
- *Annunziata Gould v. Deschutes Co.*, S067074 (scheduled for argument May 4, 2020, at 1:30 pm);
- *City of Damascus v. State of Oregon*, S066939 (scheduled for argument May 5, 2020, at 9:00 am);
- *In re: Neil Patrick Halttunen*, S067161 (scheduled for argument May 5, 2020, at 9:00 am);

- *State v. Gerardo Morales*, S067225 (scheduled for argument June 16, 2020, at 9:00 am);
- *Katrina Omes v. PCC Structural, Inc.*, S067165 (scheduled for argument June 16, 2020, at 9:00 am); and
- *Bank of New York Mellon v. Zahid Sulejmanagic*, S067155 (scheduled for argument June 18, 2020, at 9:00 am).

Parties to those cases will be contacted by the Appellate Court Records Section and offered the option either:

- i. to have the argument reset for a later date, no earlier than September of 2020; or
- ii. to have the case submitted on briefs with the understanding that
 - (a) the court will entertain motions to file limited supplemental briefing if needed to address a matter in the briefs that would have been addressed at oral argument; and
 - (b) when necessary, the court will order the parties to prepare supplemental memoranda addressing questions that the court has concerning the case.

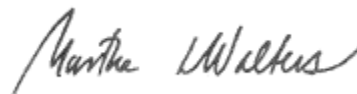
If all parties to a case do not agree to submission on the briefs, the court will reset oral argument for a date no earlier than September of 2020.

2. *Unaffected Oral Arguments.*

The oral argument in *Jennifer James v. State of Oregon*, S066933, remains scheduled for June 16, 2020, at 1:30 pm. The parties will be contacted regarding procedures for that argument that are consistent with Amended Chief Justice Order 20-006 (entered March 27, 2020).

This order does not affect any other arguments not specifically identified.

Dated this 31st day of March, 2020.



Martha L. Walters, Chief Justice