

IN THE SUPREME COURT OF THE STATE OF OREGON  
IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of the	)	CHIEF JUSTICE ORDER
Criteria and Procedures	)	No. 21-022
for Webcasting	)	
Oral Arguments	)	CHIEF JUDGE ORDER
	)	No. 21-01
	)	
	)	JOINT ORDER APPROVING CRITERIA
	)	AND PROCEDURES FOR
	)	WEBCASTING ORAL ARGUMENTS

Pursuant to ORS 1.002 (providing that the Chief Justice of the Oregon Supreme Court shall exercise administrative authority and supervision over the courts of this state consistent with applicable provisions of law; 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) and ORS 2.550(3) (providing that the Chief Judge, "to facilitate exercise of administrative authority and supervision over the court and consistent with applicable provisions of law, may make rules, issue orders and take other action appropriate to that exercise"), WE HEREBY ORDER that the Oregon Appellate Courts shall webcast oral arguments subject to the following provisions:

- (1) For purposes of this order,
  - (a) "In person" refers to an oral argument to be conducted with the parties appearing in person, in either a courtroom or an alternative physical location being used as a courtroom;
  - (b) "Remote means" refers to an oral argument conducted by video conference with the parties and justices or judges appearing remotely; and
  - (c) "Webcast" means the streaming of live broadcasts over the internet.
- (2) Barring technical difficulties, and except as provided in paragraph (3), the court will webcast oral arguments conducted in person or by remote means and will provide internet access to archived versions of those arguments via a link on the Oregon Judicial Department website. The access provided to electronic recordings of oral arguments under this order is in addition to, and does not supplant, other means of access that may exist. Oral arguments conducted in person outside the Oregon Supreme Court courtroom or other location designated as the principal location for the sitting of the Court of Appeals ordinarily will not be webcast.

- (3) Oral arguments before the Oregon Appellate Courts will not be webcast in the following instances:
- (a) Cases designated as confidential or sealed, including but not limited to, the following case types:
    - (i) Adoption;
    - (ii) Juvenile; and
    - (iii) Civil Commitment; and
  - (b) Cases types designated as subject to the federal Violence Against Women's Act (VAWA), including, but not limited to, the following:
    - (i) Family Abuse Prevention Act (FAPA);
    - (ii) Elderly Persons and Persons with Disabilities Abuse Prevention Act (EPPDAPA);
    - (iii) Sexual Abuse Protective Order (SAPO);
    - (iv) Contempt of Court relating to Violation of Restraining Order; and
    - (v) Stalking Protective Order, including Violation of Stalking Protective Order.
- (4) In addition to the types of cases set out above in paragraph (3), the court may determine on its own motion, or on motion of a party or other interested person, that a particular oral argument should be exempt from webcasting. The following procedures apply to a motion for exemption from webcasting:
- (a) A party or other interested person may move the court for an order that an oral argument should be exempt from webcasting. The motion must be filed at least 14 days before the scheduled date of the oral argument and served on all parties. The motion must state the scheduled date and time of the oral argument, explain the circumstances that support the request for exemption, and must contain a statement addressing whether opposing counsel objects to, concurs in, or has no position regarding the motion. If the moving party has not been able to ascertain opposing counsel's position on the motion, then the motion must so state.
  - (b) Any party or other interested person may file a response to the motion. The response must be filed at least seven days before the scheduled date of the oral argument and served on the movant and all parties.

- (c) The court may, for good cause shown, shorten the time for filing a motion or response.

This order supersedes Chief Justice Order 11-008 (Order Adopting Criteria and Procedures for Webcasting Oral Arguments in the Oregon Supreme Court), issued on April 4, 2011, and paragraph 3 of Chief Judge Order 20-03 (Fifth Amended) (Criteria and Procedures for Webcasting Oral Arguments Conducted by Video Conference), issued on May 26, 2021. This joint order takes effect immediately and will continue until further order.

Dated this 23<sup>rd</sup> day of June 2021.



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Martha L. Walters  
Chief Justice



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James C. Egan  
Chief Judge