

STATE COURT CLOSURES AND POSTPONMENTS DURING COVID-19 EMERGENCY

State courts in Oregon are currently operating under the Chief Justice's Orders, the new one goes into effect on June 1, 2020 and will remain in place until further order. As conditions change, restrictions may be changed, so please check back for updates, the current Order is here: www.courts.oregon.gov/courts/Pages/coronavirus.aspx

Due to the current circumstances, Oregon state courts have significantly limited trials, hearings, and court operations. Most state courts are open with limited staffing only for the most critical needs. However, the new order allows for eased restrictions on courts in districts that have moved to Phase One reopening. Each county has reduced the services in slightly different ways and you should contact your local court for further information. **Municipal, justice, and tribal courts are NOT covered by these changes.** If you have a case in municipal, justice, or tribal court you should contact that court for information.

Below is a summary of the statewide changes. We will update this information regularly, but things are moving fast and you may also want to check the courts directly at: <https://www.courts.oregon.gov/Pages/default.aspx>.

Court Scheduling: It is critical that the court have your correct and current phone number and mailing address, because the courts will be sending out notices telling people when the trials and hearings are rescheduled. You also may be able to get scheduling and other basic information from the state courts online at: <https://www.courts.oregon.gov/services/online/Pages/records-calendars.aspx>

Jury Service: Potential jurors who are: in higher risk categories; who are experiencing symptoms of fever or respiratory illness; or who are recently returned from a trip are not automatically excused but should contact the court to reschedule their jury service. People who are considered to be in higher risk categories include:

- *People 65 and older;

- *People with high-risk conditions including lung disease, asthma, severe obesity, or heart conditions;

- *People who have underlying medical conditions including diabetes, renal failure, liver disease, kidney disease, or metabolic disorders;

- *People with weakened immune systems from pregnancy, cancer treatment, smoking, bone marrow or organ transplant, immune deficiencies, poorly controlled HIV or AIDS, and long-term use of corticosteroids; or

Statutes of Limitations and Deadlines: Nothing in the Court's or the Governor's orders changes any statute of limitations or any other statutory or judicial deadlines.

DISTRICTS THAT HAVE BEEN APPROVED FOR PHASE 1 LIMITED REOPENING

In counties that have been approved by the state to enter Phase 1 reopening,

Courts are still restricted, but will be scheduling more hearings and trials starting June 1, 2020. Courts will only be scheduling hearings and trials if they have enough staff and social distancing can be maintained.

Protective Orders: All courts are still doing protective orders, including restraining orders; temporary guardianships; temporary conservatorships; and hearings on contested protective orders (including exceptional circumstances hearings). However, many courts have changed what time they are holding the first appearances in protective cases. If a hearing is requested it should be scheduled as usual, but it may be in the courthouse or by telephone or video conference. Please check with your court to find out the correct time and procedure before you go to the courthouse.

Evictions: There are many changes and limitations on evictions (FEDs) due to both the Governor's orders and the changes to court processes. These changes are discussed separately, please go back to the index at www.oregonlawhelp.org. Courts will still allow FED complaints to be filed, but all first appearances will be postponed until after July 1, 2020. All trials scheduled to begin before July 1 are postponed.

Family Law: New family law cases are being accepted, and should be scheduled as usual. Parents are encouraged to follow existing court orders as closely as possible and to not discuss complications due to the current circumstances in front of the children. Hearings are being set quickly in emergency cases.

Small Claims: These matters will be postponed in most cases, often for several months.

Trials and Hearings: Courts are still hearing a few criminal trials, civil commitment hearings, and treatment court proceedings. If you have a court appointed lawyer you should check with them. Hearings and bench trials (no jury) may be scheduled for any date chosen by the Judge, if the court has enough staff and social distancing can be maintained. However, most jury trials scheduled to begin before July 1, 2020 may be postponed. A jury trial may be scheduled on or after July 1 if the court has enough staff and can maintain social distancing.

Juvenile Matters: Many, but not all, juvenile matters will be postponed or handled with new procedures. If you have a court appointed lawyer you should check with them. All courts must continue to conduct juvenile delinquency adjudications for in-custody juveniles. Protective Custody Order applications; shelter hearings; delinquency in-custody initial appearances; 10-day and 28/56-day detention hearing for in-custody youth; and waiver hearings will be held as scheduled.

DISTRICTS THAT ARE NOT CURRENTLY REOPENING

In counties that have NOT Moved to Phase 1 reopening, the courts have more restrictions. Each district will have its own rules and these are changing regularly so please check with your court for the specifics in your county.

Protective Orders: All courts are still doing protective orders, including restraining orders, temporary guardianships, temporary conservatorships, and hearings on contested protective orders (including exceptional circumstances hearings). These proceedings should be scheduled according to your district's policy and will be held either in the courthouse or by remote means. Please check with your court.

Evictions: All courts will allow an eviction complaint to be filed, but most first appearances will be automatically postponed until after July 1, 2020. Most eviction trials scheduled to begin before July 1 are postponed. For an eviction trial to be scheduled before July 1, the district **MUST** have moved to Phase 1 reopening or the presiding judge must make an exception to the general rule. **If your eviction is based on a 24 hour notice, it's possible that a first appearance may be scheduled in your case.**

Family Law: You can file new cases, which should be scheduled based on your district's policy. Courts are making various arrangements for urgent cases, including help to obtain custody of a child held in violation of a custody order; expedited parenting time; protective orders; status quo orders; and immediate danger motions. Parents are encouraged to follow existing court orders as closely as possible and to not discuss complications due to the current circumstances in front of the children.

Small Claims: These matters will generally be postponed, often for several months.

Other Trials and Hearings: Courts are still doing some criminal trials, civil commitment hearings, and treatment court proceedings. All courts must conduct trials that are necessary to ensure rights to a speedy trial if the judge approves. Otherwise, most trials shall not begin earlier than July 1, 2020. Hearings should be scheduled according to the policy developed by the Presiding Judge of that district. Proceedings may be scheduled before July 1 if permitted by the policy, so please check with your court.

Juvenile Matters: Courts must conduct delinquency cases for juveniles in custody. Protective Custody Order applications; shelter hearings; delinquency in-custody initial appearances; 10-day and 28/56-day detention hearing for in-custody youth; and waiver hearings will be held as scheduled. Hearings on motions for visitation/parenting time as well as permanency hearings will be held according to the policy of your district.

Court Services: The court will continue to provide essential services (receiving court filings and payments; issuing notices, orders, and judgments; signing stipulated orders and judgments in family law cases, maintaining the court's register of actions or case register; and additional services deemed essential) when it can do so. No in-person meetings of more than five people may be held unless authorized by the judge.