

Martha L. Walters
Chief Justice



1163 State Street
Salem, OR 97301-2563
Phone: 503.986.5668
Fax: 503.986.5730
Oregon Relay Service: 711
Martha.L.Walters@ojd.state.or.us

OREGON SUPREME COURT

March 9, 2022
(SENT BY EMAIL)

Members of the Oregon State Bar

RE: COVID-19-Related Updates in the Courts

Dear Bar Members:

As you know, Governor Brown has announced several upcoming executive actions in relation to the COVID-19 state of emergency and statewide indoor mask requirements, prompting yet another turning point in the COVID-19 pandemic. I am writing to tell you about some court-related updates, following the Governor's announcements.

First, effective March 12, protective face coverings will not be required in state court facilities, with only limited exceptions, pursuant to [Chief Justice Order \(CJO\) 22-002](#) (issued today). Exceptions include court proceedings conducted in correctional settings; Presiding Judge Orders (PJOs) based on a Presiding Judge determination that protective face coverings are required to align with a local mandate or to prevent against the spread of COVID-19 or increased hospitalizations; or as a reasonable protective measure in proceedings or other particular circumstances. Because many of you work in Multnomah County, I want you to be aware that Presiding Judge Matarazzo plans to enter a PJO that requires wearing protective face coverings.

Second, although social distancing is no longer in effect in the courts as a statewide matter, Presiding Judges may continue to issue PJOs requiring social distancing in court facilities through June 30, 2022, and social distancing may be directed or required as a reasonable protective measure in proceedings or other particular circumstances.

Third, my longstanding directive – currently set out in [CJO 21-025](#) – that circuit court proceedings may be conducted in person or by remote means, as determined by the Presiding Judge and with an exception based on constitutional requirements, remains in effect. In the coming year, we will continue to analyze the benefits and detriments of remote proceedings and how best to serve the public. As will be discussed in an upcoming Bar Bulletin article, I will need your help in that effort.

Finally, several statutory timeline extensions based on the declared COVID-19 state of emergency also remain in effect – some extended pursuant to Chief Justice authority, some that may be extended by Presiding Judges, and one that the legislature automatically extended. As

Members of the Oregon State Bar
Page 2
March 9, 2022

you undoubtedly know, the Governor has announced that she will lift the state of emergency as of April 1, 2022. Most of the statutory timeline extensions continue for 60 days after the declaration of the state of emergency is no longer in effect – those include extensions relating to first appearances and trials in Forcible Entry and Detainer proceedings (FEDs); speedy trials; Presiding Judge postponement of first appearance dates on criminal citations; DUII diversion eligibility and extension of diversion period; and Oregon Tax Court appeals. One additional extension – for law enforcement-entered first appearance dates on citations – continues for 90 days after the declaration is no longer in effect. Chief Justice Orders pertaining to many of those topics, as well as CJO 22-002 and CJO 21-025, are available on OJD's website at <https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>.

I thank you for your ongoing partnership, as we all continue to navigate changing pandemic circumstances together.

Sincerely,

A handwritten signature in black ink that reads "Martha Walters". The signature is written in a cursive, flowing style.

Martha L. Walters
Chief Justice

MLW:jm/22eMLW012jm