

1 IN THE CIRCUIT COURT OF STATE OF OREGON
2 FOR MARION COUNTY

3 In the Matter of)
4) 21MARPJO No. 21-07
5 Marion County Juvenile Court)
6) PRESIDING JUDGE ORDER
7) **ADOPTING CJO 21-009 AND**
8) **IMPLEMENTING PROVISIONS**
9)

10 IT IS HEREBY ORDERED the Marion County Juvenile Court fully adopts the
11 applicable provisions of CJO 21-009¹ issued March 11, 2021, and implements them as follows:

12 Out of concern for public health and preventing the spread of COVID-19, the Marion
13 County Juvenile Court is restricting operations to greatly reduce the number of people coming
14 into court facilities.

15 PJO 21-07 supersedes PJO 20-09, PJO 20-09(A) and PJO 20-15. PJO 21-07 ***takes effect***
16 ***April 1, 2021 and remains in effect until further order of this court.*** If at any time the court
17 determines more restrictions are necessary, we will notify the community and local bar and will
18 post changes on the court’s website: <https://www.courts.oregon.gov/marion>.

19 To ensure the safety of all court users, **every person entering a court facility**
20 **(including remote locations utilized as a court facility) must wear a facial covering as**
21 **directed in CJO 20-045.** Any person seeking an exemption must request and obtain the
22 exemption prior to entering any court facility. To request an exemption or to determine if you
23 qualify, please see our website or call 503-588-5105.

24 **No person experiencing any symptoms of COVID-19 shall enter any court facility**
25 without approval from the Presiding Judge, Trial Court Administrator, or their designee.
26 Symptoms include:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell

24 ¹ The full text of CJO 21-009 can be found here:
25 <https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>

- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

If you are experiencing any symptoms of COVID-19 please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

No person who has knowingly been exposed (more than 15 minutes of close contact with or without a facial covering) to another person who:

- Is experiencing any symptoms of COVID-19,
- Has received a positive test result for COVID-19 within the last 14 days, or
- Is awaiting the results of a COVID-19 test

shall enter any court facility without approval from the Presiding Judge, Trial Court Administrator, or their designee. If you have been exposed, please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

No person who has traveled outside the state of Oregon within the last 10 days or who has hosted a person in their home who has traveled from outside the state of Oregon within the last 10 days shall enter any court facility without approval from the Presiding Judge, Trial Court Administrator, or their designee. If you have traveled out of the state of Oregon within the last 10 days or have hosted a person in your home who has traveled from outside the state of Oregon within the last 10 days, please *stay home* and contact the court at 503-588-5632 or the lawyer requesting your appearance for further instructions.

Below, please find specific information for each proceeding type including mode of appearance and contact information:

DELINQUENCY CASES:

- **Hearings**

- **In-custody initial appearances** will proceed in-person in accordance with the court's regular scheduling procedures.
- The following **in-custody** hearings will proceed by remote means in accordance with the court's regular scheduling procedures:
 - Prelim after initial appearance
 - Probation violation hearings
 - Admit/deny and disposition hearings
 - 10-day detention review hearings
 - 28/56-day detention duration hearings
 - Waiver hearings under ORS 419.349
 - Settlement conferences

A party must file a Motion for In-Person Hearing with the Presiding Juvenile Court Judge at least 14 days prior to the hearing date, or must make an oral motion at the time the hearing is scheduled if less than 14 days between the

1 scheduling and the hearing date, if they wish to proceed in-person on any of the
2 above hearings.

- 3 ○ **Out-of-custody initial appearances** for youth cited or directed to appear or with
4 a release agreement to appear at the Juvenile Court, will proceed in-person at the
5 Juvenile Court as directed by the letter, citation, or release agreement.
- 6 ○ **Out-of-custody admit/deny and disposition hearings** shall be scheduled in
7 accordance with the court's regular scheduling procedures and will proceed by
8 remote means **UNLESS** one of issues listed below exist, then an in-person
9 appearance at Juvenile Court may be allowed (no formal Motion is necessary, a
10 request shall be emailed to court staff for approval by the Presiding Juvenile
11 Court Judge):
 - 12 ▪ Interpreter is needed in-person to facilitate simultaneous translation
 - 13 ▪ Detention or OYA time anticipated
 - 14 ▪ Non-stipulated and more than 30 minutes needed
 - 15 ▪ Multiple witness/victims
 - 16 ▪ Youth has significant developmental delays or MH issues
 - 17 ▪ Security issues
 - 18 ▪ Others as approved by the Presiding Juvenile Court Judge

- 19 ● **Status/Pretrial Conferences**

- 20 ○ The court will continue to conduct status conferences and pretrial hearings as
21 scheduled on all delinquency cases. Such proceedings shall be conducted by
22 remote means.

- 23 ● **Adjudications**

- 24 ○ **In-custody** adjudications may occur in-person or by remote means at the
25 discretion of the Presiding Juvenile Court Judge. The Presiding Juvenile Court
26 Judge may schedule an adjudication for any date that the Presiding Juvenile
27 Court Judge deems appropriate.
- 28 ○ **Out-of-custody** adjudications scheduled on or after April 1, 2021 shall proceed
29 by remote means. A party must file a Motion for In-Person Hearing with the
30 Presiding Juvenile Court Judge at least 14 days prior to the hearing date if they
31 wish to proceed in-person for the adjudication.

- 32 ● If you have questions about Delinquency matters, please call 503-566-2974.

33 **SPECIALTY COURTS:**

- 34 ● Marion County Specialty Court proceedings are necessary for the health and wellbeing
35 of the participants and for the safety of the community. Therefore, the following
36 specialty courts will continue to operate by remote means **UNLESS** a specific hearing is
37 allowed to proceed in-person by the Presiding Juvenile Court Judge:
 - 38 ○ Fostering Attachment Treatment Court (FATC)
 - 39 ○ STAR Court
- 40 ● If you have further questions about FATC or STAR Court, please call 503-584-4831.

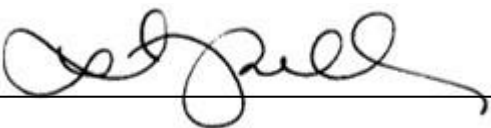
1 **DEPENDENCY CASES:**

- 2
- 3 ○ The following hearings will proceed as scheduled by remote means:
 - 4 ○ Protective custody order applications
 - 5 ○ Shelter Hearings
 - 6 ○ Jurisdiction and Disposition hearings and trials
 - 7 ○ Hearings on a parent’s objection to the child’s continued placement in substitute care
 - 8 ○ Hearings on motions to dismiss
 - 9 ○ Permanency hearings
 - 10 ○ Hearings on motions by parents for visitation/parenting time
 - 11 ○ Settlement conferences with admissions by one or both parents
 - 12 ○ 4-month review hearings
 - 13 • All of the above proceedings will be scheduled in accordance with the court’s regular scheduling procedures and will be heard by remote means.
 - 14 • A party must file a Motion for In-Person Hearing with the Presiding Juvenile Court Judge if they wish to proceed in-person at the Juvenile Court facility or with the Presiding Judge if they wish to proceed in-person in the downtown courthouse. Motions for In-Person Hearing shall be filed at least 14 days prior to the hearing date or within 14 days of the hearing date for good cause.
 - 15 • If you have questions about Dependency matters, please call 503-566-2974.

16 **TERMINATION OF PARENTAL RIGHTS CASES:**

- 17 • **Preliminary hearings** will proceed by remote means. Preliminary hearings will be scheduled with the parties following the permanency hearing and call-in number will be provided on the Order to Appear.
- 18 • The following proceedings will be scheduled in accordance with the court’s regular scheduling procedures and will be heard at the downtown courthouse by remote means:
 - 19 ○ **TPR Settlement Conference**
 - 20 ○ **TPR Pretrial Conferences**
 - 21 ○ **TPR Trials**
- 22 • A party must file a Motion for In-Person Hearing with the Presiding Judge if they wish to proceed in-person at the downtown courthouse. Such motions shall be filed at least 14 days prior to the scheduled hearing or within 14 days of the hearing date for good cause.
- 23 • **Trials Without Parent (TWOP)**
 - 24 ○ If a parent fails to appear for a preliminary hearing and DOJ can demonstrate that the parent has been properly served, then the court will conduct a TWOP.
 - 25 ○ If a parent fails to appear as ordered at a TPR settlement conference, pretrial, or trial, and DOJ can demonstrate:
 - 26 ■ The parent has been properly served, AND
 - The parent has not been involved in the case, then, the court will conduct a TWOP.

27 Dated this 23rd day of March 2021



Tracy A. Prall, Presiding Circuit Court Judge