

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR MULTNOMAH COUNTY

20 DEC 17 PM 3:18
FILED

In the Matter of Implementing) PRESIDING JUDGE ORDER NO. 20DR00000
CJO 20-047)
)
) SECOND CORRECTED ORDER
) RE FAMILY & PROBATE PROCEEDINGS
)

Verified Correct Copy of Original 12/17/2020

On March 27, 2020, Oregon Supreme Court Justice Martha Walters issued Amended Chief Justice Order 20-006 continuing the Level 3 restrictions originally imposed by Chief Justice Order on March 16, 2020. On April 10, 2020, I issued Presiding Judge Order No. 20DR00000 RE: Family Law and Juvenile Proceedings During COVID-19 Pandemic consistent with the Level 3 restrictions on court operations imposed by the earlier Chief Justice Orders. On May 15, 2020, Chief Justice Walters issued Chief Justice Order No. 20-016 (CJO 20-016), which lifted Level 3 restrictions on court operations and imposed Level 2 restrictions for judicial districts in counties approved for "Phase 1" reopening by Oregon Governor Kate Brown after the Governor's declaration of a state of emergency due to the COVID-19 pandemic. Governor Brown approved Multnomah County's plan for "Phase 1" reopening effective June 12, 2020. As a result, this judicial district operated under Level 2 restrictions beginning June 15, 2020.

On November 13, 2020, the Governor announced a two-week "pause" (four-weeks for Multnomah County) which imposed additional restrictions on Oregonians due to the COVID-19 pandemic.

On November 18, 2020, the Chief Justice issued Chief Justice Order No. 20-047 which imposed restrictions on court operations during the statewide "pause". On November 18, 2020, Multnomah County issued a PJO to implement CJO 20-047. It was anticipated that that PJO would be in effect through December 17, 2020.

The PJO dated November 18, 2020, shall no longer be in effect on December 21, 2020. CJO No. 20-047 continues to be in effect.

Accordingly, I hereby ORDER as follows:

All Family Law and Probate proceedings shall be held remotely by WebEx Meetings (audio) except as permitted below.

Any participant who wishes to appear in-person shall file a motion requesting in person appearance and shall state a reason why an exception should be made to the requirement of remote appearance. The Chief Family Law Judge will determine whether personal appearance will be allowed, unless the case is retained by another judge.

A party seeking to schedule a proceeding not allowed under this Order, may file a Motion, electronically, with notice to all parties, to have the matter heard and shall set forth the urgency and necessity of that matter being heard while these restrictions are in place. The Chief Family Law Judge will determine whether the proceeding will be held, unless the case is retained by another judge.

The following proceedings shall be held under current restrictions, taking into account staff and judicial availability and the safety and health of all participants.

FAMILY LAW

1. Hearings on protective order applications, motions, renewals.
 - a. Protective Order applications will be heard daily at 1:15 by one of the two judges assigned to this docket while these restrictions are in effect.
2. Contested Restraining Order Hearings.
 - a. Contested Restraining Order Hearings: While these restrictions are in effect, there will be two hearing dockets every day and two judges are available each day for these hearings. The Clerk's Office will send out notices with the date, time, and call-in information for the hearing.
 - b. Contested restraining order hearings which would ordinarily be on Trial Assignment because of the anticipated length of the hearings will continue to be set on the Trial Assignment docket.
3. Immediate Danger Motions and hearings.
 - a. Immediate Danger Motions shall be heard by two ex parte judges at 1:30 each day. Contested hearings on ID orders will be heard by the judge who signs the ID order and will be set on that judge's docket. ID motions in retained cases shall be presented to that retained judge. Parties must schedule those hearings directly with the retained judge.
4. Applications for Orders of Assistance.
 - a. Applications for Orders of Assistance shall be heard by the two ex parte judges at 1:30 each day.
5. All ex parte matters must be submitted to the Family Law department or by email to the Judicial Assistant of the ex parte judge by noon of the appearance day.
6. Extreme Risk Protection Orders.
7. Enforcement of Parenting Time Motions.
 - a. Enforcement of Parenting Time Motions will be heard, but a remedy of modification will not be heard until after January 4, 2021.
8. Motions and Orders to Show Cause for Modification of Support may be filed. Hearing dates will be set.
9. Trial Assignment will be held.
10. Motions for Special Sets may be filed electronically and will be routed to the Chief Family Law Judge.
11. Stipulated Orders and Judgments may be submitted.
12. Adoptions will be processed and signed.
13. Motions and requests for appointment of counsel for minor children shall be directed to the Chief Family Law Judge or the retained judge, if there is one.
14. Trials on Petitions, Motions for Modification, Motions to Compel, Contested Motions for Custody Evaluations and form of judgment hearings shall resume after January 1, 2021. Trials set on an individual judge's calendar will be rescheduled by that judge to a date after January 1, 2021. Pre-trial conferences and JSCs may be set.
15. Pre and Post Judgment Status Quo Orders.
16. Motions and Hearings for Temporary Relief.
17. In-custody VRO trials.
18. In-custody SED contempt trials.

19. Appeal of Administrative Support Orders.
20. Contempt motions may be filed. Hearing dates will not be set.

PROBATE

1. Temporary Guardianships and Conservatorships
2. Emergency Protection Orders.
3. Motions for Expedited hearing on Indefinite guardianships and conservatorships shall filed electronically, with notice to all parties. These motions will be decided by the Chief Probate Judge or his designee.
4. All other probate matters beginning January 4, 2021.

This order takes effect December 21, 2020 and shall remain in effect until amended or terminated by further order of this court.

DATED this 17th day of December 2020.



Stephen K. Bushong
Presiding Judge
Multnomah County Circuit Court