

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

In the Matter of Remote)	Presiding Judge Order No. 343
Appearance)	(Corrected)
)	ORDER PERMITTING REMOTE
)	APPEARANCE IN CERTAIN MATTERS &
)	REMOVING ALL COVID RESTRICTIONS &
)	PROTOCOLS

1. Pursuant to Chief Justice Order No. 23-028, the following presiding judge orders issued as precautionary measures due to the Covid-19 pandemic and the precautions therein are no longer necessary or required and are hereby superseded by this order and no longer in effect:
 - a. PJO -281CV
 - b. PJO 283CV-A
 - c. PJO 283CV-B
 - d. PJO-284CV
 - e. PJO-286CV
 - f. PJO 291CV
 - g. PJO 292CV
 - h. PJO 300CV
 - i. 301CV
 - j. PJO 305CV
 - k. Corrected PJO 315CV
 - l. PJO-317CV
 - m. PJO-318CV

Further, to the extent these orders rescinded or superseded prior Covid "CV" orders this order does not serve to revive those orders, but instead supersedes them all.

2. Unless otherwise specified in paragraph 3 below, all court appearances shall be held in person and any request to allow remote appearance shall be made by motion pursuant to ORS 45.400.
3. Pursuant to Chief Justice Order No. 23-028, which authorizes and encourages the Presiding Judge to allow certain circuit court proceedings to be held remotely, the following types of hearings may be held remotely without the need to file a motion pursuant to ORS 45.400, so long as the attorney or party provides advance notice to the court and includes full contact information for the party appearing remotely:
 - a. Juvenile proceedings per attached Exhibit 1.

- b. Initial protective order applications for Family Abuse Prevention Act (FAPA), Elderly Persons and Persons with Disabilities Abuse Prevention Act (EPPDAPA), Sexual Abuse Prevention Act (SAPA), Stalking Protective Orders (SPO), Extreme Risk Protection Orders (ERPO).
 - c. Treatment Courts.
 - d. Civil Case Assignment
 - e. Landlord Tenant
 - f. Fitness to Proceed / Aid and Assist hearings.
 - g. Civil commitment hearings.
 - h. Contested Family Abuse Prevention Act (FAPA) hearings:
 - i. Petitioners only on contested Family Abuse Prevention Act hearings may be allowed to appear remotely for their contested hearing only if they are appearing at the Washington County Family Justice Center or Family Peace Center and provide advance notice to the Court pursuant to paragraph 5 below.
 - ii. Respondents in contested Family Abuse Prevention Act (FAPA) hearings must appear in person at the Washington County Circuit Court or submit a motion pursuant to ORS 45.400 for remote appearance. These motions shall be submitted electronically on an expedited basis to the judge assigned to the case or in the case of matters assigned to a *Pro Tem* judge, to the Chief Family Law Judge.
 - i. Exceptions to this list may be allowed by the judge assigned to the case. Whether an exception is allowed and the manner in which it may be allowed, shall be at the discretion of that judge.
4. Notwithstanding any other provision of this order, if the constitution requires an in-person appearance or proceeding, then the appearance or proceeding must be conducted in-person. If a party contends that a remote appearance or proceeding conducted remotely results in a violation of the party's rights, then the party may file a motion seeking an order that the appearance or proceeding be conducted in person. This paragraph applies to any crime victim who contends that an order results in a violation of the victim's constitutional rights.
5. Providing Notice to the Court: For matters designated as not requiring a motion for remote appearance, parties shall provide notice in such manner as the court-provided guidelines require.
6. Electronic Exhibits: Electronic exhibits being submitted for remote hearings shall comply with the court-provided guidelines for the type of hearing for which they are being submitted.

IT IS SO ORDERED.

DATED this 15th day of February, 2024


Circuit Court Judge, Rebecca Guptill

Rebecca D. Guptill
Presiding Judge

EXHIBIT 1 – JUVENILE PROCEEDINGS

Dependency / TPR cases:

Hearing type

Appearance type

Shelter	Hybrid- In person for all attorneys, parents, and anyone offering testimony. All others may appear via Webex.
Settlement Conference/Pre-trial	Hybrid- In person for all attorneys, parents, and anyone offering testimony. All others may appear via Webex.
CJ Trial	All attorneys, parents, or parties intending to offer argument to appear in person. Witnesses to appear in person. All others may appear via Webex.
Review/Permanency	Optional in person or via Webex.
Contested Permanency	All attorneys, parents, or parties intending to offer argument to appear in person. Witnesses to appear in person. All others may appear via Webex.
TPR First Appearance	Hybrid- In person for all attorneys, parents, and anyone offering testimony. All others may appear via Webex.
TPR- PTC / BISC	Hybrid- In person for all attorneys, parents, and anyone offering testimony. All others may appear via Webex.
TPR Trial	All parties to appear in person. Witnesses to appear in person.
Guardianship reviews	In person.

Attorney to be in person if client is in person. If it is unknown if client will be in person, then attorney to appear in person.

Delinquency cases

Youth in Custody:

Hearing type

Appearance type

Pre-Lim/Detention reviews/Pre-trial/Admission/PV	Youth to appear via Webex. Juvenile Court Counselor and attorneys to appear in person. All others may appear via
--	--

	Webex.* If making admissions, signed paperwork required in Court.
Disposition	Youth, Juvenile Court Counselor, and attorneys to appear in person. All others may appear via Webex.*
CJ Trial	Youth, Juvenile Court Counselor, attorneys, and witnesses to appear in person. All others may appear via Webex.*

Attorney to be in person is youth is in person.

Youth **Out** of Custody:

Hearing type

Appearance type

Pre-Lim/Pre-trial/Admission/Disposition/PV	Youth, Juvenile Court Counselor, and attorneys to appear in person. All others may appear via Webex.*
CJ Trial	Youth, Juvenile Court Counselor, attorneys, and witnesses to appear in person. All others may appear via Webex.*

Hearing type

Appearance type

Waiver	Youth, Juvenile Court Counselor, and attorneys to appear in person. All others may appear via Webex.*
Reviews	Webex upon request.
Restitution	If contested, Youth, Juvenile Court Counselor, attorneys, and witnesses to appear in person. All others may appear via Webex.* If stipulated, then all may appear via Webex. If youth is in an OYA program, youth may appear via Webex.

*Victim Services is required in person if the victim is in person. If the victim does not appear or appears via Webex, then Victim Services may appear in person or via Webex.

Emancipations – In person.

Expunctions – Optional in person or Webex for all parties.

At this time, Webex sessions will continue to be generated for all hearings.

Exceptions to formally requested by written motion.