

IN THE MUNICIPAL COURT FOR THE CITY OF SCAPPOOSE  
COLUMBIA COUNTY, STATE OF OREGON

IN THE MATTER OF RESTRICTIONS	)	PRESIDING JUDGE ORDER RE:
ON COURT OPERATIONS IN	)	Protective Face Coverings and
RESPONSE to COVID-19	)	Other Safety Precautions
	)	in Court Facilities
	)	
	)	
	)	

On May 14, 2020, Governor Kate Brown approved a Phase One reopening in select parts of the state, easing restrictions on Oregonians in relation to the COVID-19 state of emergency. On May 15, 2020, Chief Justice Martha Walters issued Chief Justice Order (CJO) No 20-016, which imposed Level 2 and Level 3 restrictions on state court operations effective June 1, 2020.

On June 19, 2020, Governor Brown announced a requirement that face coverings be worn while in some public indoor spaces in several Oregon counties. On June 29, 2020, Governor Brown announced the requirement that face coverings be worn while in some public indoor spaces extends to all of Oregon, not just specific counties, effective July 1, 2020. On September 1, 2020, Governor Brown extended the state of emergency and related restrictions to November 3, 2020.

On August 10, 2020, the City of Scappoose adopted Resolution No. 20-18 declaring a continuing emergency and continuing closure of government buildings to the general public and other restrictions.

On September 8, 2020, the City of Scappoose adopted Resolution No. 20-19 requiring any member of the public entering a public building be subject to temperature testing.

The goal of all Oregon courts is to meet our obligations to the public while minimizing health risks for judges, staff, litigants, and members of the public who come into our court facilities and offices.

Given those considerations and the ongoing thinking of those in the public health community, this order is issued.

Pursuant to CJO No 20-016, Resolutions No. 20-18 and No 20-19, and this court's inherent authority to order the use of protective face coverings, physical distancing, temperature testing and other reasonable precautions against infection and to maintain order and decorum,

I hereby ORDER as follows:

1. Except for witnesses while testifying, children under five (5) years of age, or as specifically ordered by the court, all persons entering or remaining in the courtroom/Scappoose City Council Chambers and any other adjoining portion of the building open to the public are required to wear a protective face covering.
2. *"Protective face covering"* means a covering of the nose and mouth designed to protect against spreading the COVID-19 virus, as recommended by the Centers for Disease Control.
3. A judge presiding over a trial or other proceeding in a courtroom may, in the judge's sole discretion, decline to wear a protective face covering for all or any portion of the trial or proceeding.
4. A judge presiding over a trial or other proceeding in a courtroom may authorize any person participating in the trial or proceeding to temporarily remove the protective face covering to facilitate communication as the judge deems appropriate.
5. Court employees working in an area with no more than six (6) other persons are present and where at least 6 feet distancing may be maintained may be authorized to temporarily remove a protective face covering while working in that area. The employee must use the protective face covering whenever 6 feet distancing is not possible to maintain or when more than six (6) others are present in the area.
6. Any person seeking to enter the Courthouse without using a protective face covering because of disability, respiratory or other health-related issues, or otherwise for good cause, may request an exemption from the Presiding Judge. Persons requesting such an exemption should contact the clerk before entering the building.
7. The Court will provide protective face coverings and information about how to use them as needed and as available resources allow.
8. Any person seeking to enter the Courthouse must subject to routine temperature testing by a court or law enforcement employee.

9. Any person who has a temperature reading in excess of 99.9 degrees or exhibits other visible symptoms of Covid 19, including but not limited to coughing, shortness of breath or difficulty breathing, sore throat, congestion or runny nose, may not enter the building without specific permission of the court.

10. The court delegates authority to the clerk to grant set overs, in the clerk's discretion, for any person who declines to wear a mask, declines to submit to temperature testing, who exhibits any symptoms of any infectious disease, or who requests a set over for any health related issue. Persons requesting such an exemption should contact the clerk before entering the building. Any request declined by the clerk may be referred to the judge for final determination.

11. This ORDER is based on the information concerning the risks and spread of the COVID-19 virus currently available to the Court. This order may be revised without notice as further information becomes available. This ORDER is effective on September 16, 2020 and will remain in effect until revised or vacated by order of this Court.

DATED: September 16, 2020



STEVEN A. TODD

PRESIDING JUDGE, SCAPPOOSE MUNICIPAL COURT