

In the Matter of Certain Closures of	)	CHIEF JUSTICE ORDER
All Courts and Offices of the Oregon	)	No. 11-033
Judicial Department to Address	)	
Shortfalls in Funding	)	ORDER DIRECTING CERTAIN CLOSURES
	)	OF ALL COURTS AND OFFICES OF THE
	)	OREGON JUDICIAL DEPARTMENT TO
	)	ADDRESS SHORTFALLS IN FUNDING

In order to address a portion of the severe shortfalls in funding for the Oregon Judicial Department during the 2011-13 biennium, it is necessary to include certain statewide court closure days. For the purpose of activating the extension of time limitations available under ORCP 10 A and ORS 174.120, I ORDER the following pursuant to my authority under ORS 1.002 and 1.060(3):

The following nine calendar dates are designated as Oregon Judicial Department mandatory state court closure dates. To facilitate state service coordination on open days, and to provide advance notice and lessen public confusion, the dates selected for state court closure coincide with the dates designated by the Governor for state government closures in the executive branch beginning with November 2011. These dates are:

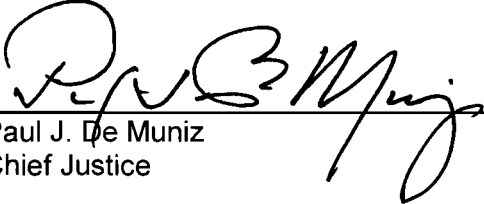
<u>2011</u>	<u>2012</u>	<u>2013</u>
Friday, Nov. 25, 2011	Friday, March 23, 2012	Friday, January 18, 2013
	Friday, May 25, 2012	Friday, April 19, 2013
	Friday, August 17, 2012	Friday, May 24, 2013
	Friday, October 19, 2012	
	Friday, November 23, 2012	

Closure dates are applicable to activities, judges, and personnel of the Oregon Judicial Department as follows:

1. All courts and offices (appellate courts, Tax Court, circuit courts, and Office of the State Court Administrator) of the Oregon Judicial Department are closed for public business on the nine designated state closure dates.
2. All SLR 1.151 and Presiding Judge Orders that implement specific hours of operation on these dates in conflict with this order are superseded for those dates during the duration of this order. The portions of those rules and orders that do not conflict with this order remain in effect.

3. This order does not limit the regular work hours, work days, or judicial activities of state court judges in state court positions. This order does limit the type of judicial work they do on the dates of official court closures to activities in the attached Judge protocols that:
  - do not require public court proceedings,
  - do not require the making of a record to which the public is entitled to be present, and
  - do not require the presence of operational court staff to perform.
4. Each presiding judge or administrative authority must provide appropriate notice of this closure to the constituency of that court or office.
5. This order takes effect immediately.

DATED this 31<sup>st</sup> day of August, 2011.

  
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Paul J. De Muniz  
Chief Justice

CJO 11-033 and  
JUDGE PROTOCOLS FOR OJD MANDATORY COURT CLOSURE DAYS  
During the 2011-13 Biennium

Under CJO 11-033, a mandatory court closure day is defined as a closure of all court operations (as distinguished from facilities) and the absence of scheduled court proceedings to which the public would have a right to attend or require the presence of court staff.

Subject to the decision of the Presiding Judge, during a mandatory court closure day, judicial officers may be present within a judicial facility provided court or OJD staff assistance or support is not required. The following are examples of judicial activities that would be permitted under this order on site on a closure day:

- Judicial Chambers Work
  - i.e., preparing for hearings, legal research, writing opinions, advance work on jury instructions, professional reading, reviewing mail pleas, judgments, orders, warrants
- Judges Only Meetings
  - when called by Presiding Judge
  - not require staff support nor involve external people or security
- Emergency Judicial Orders (on-call "duty" judge assignments)
  - i.e., search warrants, etc. should continue to follow "after-hour" protocols (these can also take place off site as often do now)

*The following are examples of judicial activities that are permitted in areas outside judicial facilities under the Order of the Chief Justice and subject to the decision of the Presiding Judge:*

- Weddings
  - provided the statutory fee is paid when the court is open
- Judicial Education/Meetings
  - attendance at meetings or events hosted by non-OJD entities
  - Court Management/Improvement projects
- Judicial Outreach/Speaking Engagements
  - for schools, law firms, professional organizations, community groups
- Judicial Settlement Conferences (where appropriate to hold offsite)
  - exception: parties who are in-custody
  - exception: must **not** be required by law to be court-recorded proceeding or open to public

The Chief Justice may create further judge protocols or address exceptions to the protocols as the circumstances require.

Dated this 31<sup>st</sup> day of August, 2011.

  
Paul J. De Muniz  
Chief Justice