In the Matter of Required Scheduling of Habeas Corpus Hearings During Level 3 Restrictions on Court Operations	))))))))	CHIEF JUSTICE ORDER No. 20-012 ORDER REQUIRING SCHEDULING OF HABEAS CORPUS HEARINGS DURING "LEVEL 3" RESTRICTIONS ON COURT OPERATIONS

I HEREBY FIND:

1. ORS 1.002 provides that the Chief Justice of the Oregon Supreme Court is the administrative head of the judicial department of government in this state; shall exercise administrative authority and supervision over the courts of this state consistent with applicable provisions of law and the Oregon Rules of Civil Procedure; and, to facilitate exercise of that administrative authority and supervision, may make rules and issue orders as appropriate or take any other action appropriate to perform the functions of the office of Chief Justice.

2. On March 27, 2020, I issued Amended Chief Justice Order 20-006, which imposed amended Level 3 restrictions on operations due to the spread of the COVID-19 virus and Governor Kate Brown's declaration of an emergency on March 8, 2020, and her issuance of Executive Order 20-12, which requires Oregonians to stay at home or at their place of residence to the maximum extent possible.

I HEREBY ORDER, pursuant to the authority described above:

1. This order supplements Amended Chief Justice Order 20-006, concerning habeas corpus proceedings.

2. Any hearing on a petition for writ of habeas corpus held under ORS 34.370, or any trial held on such a petition, is an essential proceeding and:

   (a) Shall be scheduled and held in accordance with statutory timelines, and shall not be postponed beyond those timelines, unless, when authorized by statute, on motion of a party or agreement of the parties;

   (b) May be scheduled to begin on a date before June 1, 2020; and

   (c) Shall be conducted by remote means if reasonably feasible and permitted by law.

3. This order takes effect immediately.

Dated this 7th day of April, 2020.

Martha L. Walters
Chief Justice