

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE 22ND JUDICIAL DISTRICT
CROOK & JEFFERSON COUNTIES

IN THE MATTER OF EXTENDING TIME) PRESIDING JUDGE ORDER
PERIODS AND TIME REQUIREMENTS) 2020-14
IN CERTAIN CRIMINAL PROCEEDINGS)

IT APPEARING TO THE COURT that:

1. On March 8, 2020, Governor Kate Brown signed Executive Order 20-03, which declared a state of emergency because of the threat that the COVID-19 coronavirus posed to public health and safety. On March 23, 2020, Governor Brown signed Executive Order 20-12, which ordered Oregonians to "Stay Home, Save Lives;" and

2. For the reasons given by Governor Brown in declaring a COVID-19 state of emergency in Executive Order 20-03, and for the reasons given in Executive Order 20-12, I find that good cause exists to extend certain time periods and time requirements in criminal cases, actions, and proceedings as defined in ORS 131.005(6) and (7) as provided below.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. This order applies to the criminal cases, actions, and proceedings described below, during the COVID-19 state of emergency and continuing for 60 days after the termination of the state of emergency.

2. The time periods and time requirements described below are extended in the manner provided, but not for longer than the periods set out below.

A. Restitution, ORS 137.106

- (a) This subparagraph applies to cases in which sentencing occurred before the effective date of this order, but not longer than 90 days before the effective date of this order.
- (b) The COVID-19 state of emergency constitutes the existence of good cause, and the District Attorney may present evidence of the nature and amount of damages at any time after sentencing, but not later than 90 days after termination of the COVID-19 state of emergency.

B. Driving Under the Influence of Intoxicants (DUII), eligibility for diversion agreement, ORS 813.210, and extension of diversion period, ORS 813.225(1)

- (a) A defendant who was eligible for diversion on March 8, 2020, is eligible for diversion until 60 days after termination of the COVID-19 state of emergency, provided that the defendant is otherwise eligible under ORS 813.215. The COVID-19 state of emergency constitutes existence of good cause for extension of the period of eligibility, and such a defendant need not file a motion for extension of the period of eligibility.
- (b) A defendant who has executed a DUII diversion agreement may apply for an order extending the diversion period by filing an application to extend the diversion period at any time prior to the end of diversion. The court may also consider an application filed after the end of the diversion period good cause to extend diversion, if the diversion period expired during state of emergency, to allow a defendant sufficient time to complete the conditions of the diversion agreement.

DATED this 17th day of April, 2020.



Annette C. Hillman, Presiding Judge
22nd Judicial District