

Martha L. Walters  
Chief Justice



1163 State Street  
Salem, OR 97301-2563  
Phone: 503.986.5668  
Fax: 503.986.5730  
Oregon Relay Service: 711  
Martha.L.Walters@ojd.state.or.us

## OREGON SUPREME COURT

May 26, 2021  
**(SENT BY EMAIL)**

Members of the Oregon State Bar

Dear Bar Members:

We have all received the good news that many Oregonians have been vaccinated and that our state is starting to re-open. As a result, I have issued a new Chief Justice Order (CJO) to begin to relax the requirement that all judges, staff, and court users wear protective face coverings. However, we are continuing to impose requirements that we think are necessary to keep people safe, including requiring participants in court proceedings to wear protective face coverings unless they have permission from a judge to remove them and allowing participants to request that a judge require that protective face coverings be worn.

I issued the new CJO – CJO 21-016 – after consulting with our Chief Marshal and other court leaders. It provides an exception to the protective face covering requirement for judges and court staff who show proof of fully vaccinated status to their Administrative Authority. Before granting approval for an exception, an Administrative Authority must both request and review proof of fully vaccinated status. The exception in CJO 21-016 does not apply to those who are working in an adult or juvenile correctional facility; or who are in a public area of a court facility, unless the Presiding Judge has designated the area as one where protective face coverings are not required for fully vaccinated judges and staff. If you see a judge or staff member without a protective face covering, you can be assured that that individual has been approved for an exception.

CJO 21-016 also includes an exception to the requirement that those who enter our court facilities wear protective face coverings. The order allows a judge who is presiding in a proceeding to decide whether to permit fully vaccinated individuals to remove their protective face coverings during the proceeding. The judge presiding in the proceeding may opt to permit the removal of protective face coverings after requesting and reviewing proof of fully vaccinated status. If, however, any participant requests that protective face coverings be worn, the judge must grant that request and require all participants to wear protective face coverings, subject to the narrow exceptions or exemptions set out in my earlier order on protective face coverings, CJO 20-045. A judge presiding in a proceeding also may opt to require all participants, including the judge and staff, to wear protective face coverings during a proceeding.

CJO 21-016 follows guidance from both the Centers for Disease Control and Prevention and the Oregon Health Authority (OHA). It became effective on May 25, 2021, and is being distributed to you with this letter.

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CJO 21-016 is not the only change that courts will make as more Oregonians become vaccinated. Right now, under CJO 21-016, social distancing requirements remain in place. As more Oregonians become vaccinated, however, and as we receive new guidance from the OHA, we will ease those requirements and make additional changes. Even so, we do not want to automatically “snap back” to pre-COVID times or make any changes in haste. Instead, we want to move forward thoughtfully and with your needs, your clients’ needs, and the needs of the public in mind. We will consider all that we have learned during the pandemic, including what we have learned about providing services by remote means, and will keep you informed of our plans. We will need your advice and patience in that endeavor.

I know that, in the past 14-15 months, I have sent one CJO after another, with barely a break in the action. Thank you for hanging with me on that roller coaster ride. There will be more changes to come, but, happily, we are moving in a positive direction. As always, please send questions or concerns to [OJD.CJOFeedback@ojd.state.or.us](mailto:OJD.CJOFeedback@ojd.state.or.us). Onward!

Sincerely,



Martha L. Walters  
Chief Justice

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Attachment