

## LAW UPDATES



## Chief Justice Orders in Response to COVID-19

### **CJO 20-027 (7-21-20): Extending Statutory Time Periods and Time Requirement in Certain Tax Appeals**

In CJO 20-027, Chief Justice Walters ordered that, in the Oregon Tax Court, for any time period or time requirement limiting the period for commencing appeals, all time periods and time requirements are extended during the COVID-19 state of emergency and continuing for 60 days after the declaration of that state of emergency or any extension is no longer in effect.

The Chief Justice further ordered that, in the Oregon Tax Court, after the initiation of any case, action, or proceeding, to any extent not already authorized, for statutory time periods and time requirements that apply post-case-initiation, the tax court judge

may extend any such period or requirement that applies during the COVID-19 state of emergency and continuing for 60 days after the declaration of that state of emergency or any extension is no longer in effect, including by holding cases in abeyance. The tax court judge may order such an extension as to any category of case, action, or proceeding, or any particular case, action, or proceeding.

If the tax court judge extends a statutory time period or time requirement under this order, a party to the case, action, or proceeding may file a motion requesting that the tax court judge impose a reasonable time period or time requirement in lieu of the extension. After the parties have had an opportunity to be heard, the tax court judge may impose a reasonable time period or time requirement, upon a determination of a need to

proceed, imminent harm, or other good cause. The reasonable amount of time shall not be less than the time period or time requirement imposed by statute or Tax Court Rule as determined without regard to this order.

This order takes effect immediately. The authority granted by this order terminates 60 days after the declaration of the COVID-19 state of emergency or any extension is no longer in effect, or on further Chief Justice order, whichever occurs first.

### **CJO 20-028 (7-21-20): Directing or Permitting Appearances at Arraignments by Remote Means**

In CJO 20-028, Chief Justice Walters ordered, notwithstanding ORS 131.045(2) and (3), ORS 135.030(3), and ORS 135.360(3), a presiding judge may direct or permit any arraignment or category of arraignment to be conducted by remote means. The authority granted in this order includes the authority to direct the manner of remote means for any arraignment or category of arraignment, e.g., telephone, video, or any other form of simultaneous electronic transmission within the meaning of ORS 131.045(1)(c).

This order takes effect immediately. The authority granted by this order terminates 90 days after the declaration of the COVID-19 state of emergency or any extension is no longer in effect, or on further Chief Justice order, whichever occurs first. ■

*To view the CJOs, visit <https://www.courts.oregon.gov/courts/Pages/coronavirus.aspx>.*