

**IN THE MUNICIPAL COURT FOR THE CITY OF KLAMATH FALLS
COUNTY OF KLAMATH, STATE OF OREGON
ORDER 20-002**

IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY)
MARCH 31, 2020)

WHEREAS, The Governor of the State of Oregon has declared a public health emergency throughout the state in response to the spread of the coronavirus - COVID-19.

WHEREAS, The Centers for Disease Control and Prevention and other public health authorities have advised the taking of precautions to reduce the possibility of exposure to the virus and slow the spread of the disease.

WHEREAS, The Chief Justice of the Supreme Court of the State of Oregon has provided guidance to many courts limiting in person court appearances.

As the duly appointed presiding judge of the Klamath Falls Municipal Court and by the authority granted to me under the Oregon Constitution, the Oregon Revised Statutes, the Charter and Municipal Code of the City of Klamath Falls:

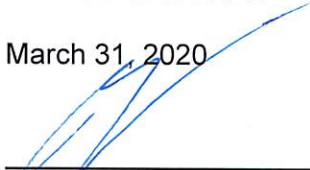
NOW THEREFORE, in order to protect public health, and in order to reduce the size of public gatherings and reduce unnecessary travel, the Klamath Falls Municipal Court hereby issues the following order effective immediately:

1. The Klamath Falls Municipal Court will remain open for business, by telephone, written communication and fax only.
2. Except as described in below, all events in the Klamath Falls Municipal Court, scheduled to occur after April 1, 2020 shall be either conducted via telephonic and/or video means or postponed to a future date to be set by the court, including, but not limited to, all City Code, traffic, parking appearances, including arraignments, status appearances or resets and all trials. Defendants cited to appear on a violation shall appear as set forth in Paragraph 5, below.
3. All criminal arraignments shall be postponed until further notice.
4. The Violations Bureau is hereby authorized to take pleas on violation matters telephonically, provided they receive sufficient assurances that the caller matches the identity of the person cited.
5. All persons cited to appear must appear in one of the three methods described in this Paragraph. A defendant may 1) submit a written plea, provided to the Court by mail, or in a reasonably secure drop box placed in lobby of the Klamath Falls City Hall at the time set for arraignment, and waive an in person appearance, 2) appear telephonically by contacting the Violations Bureau by telephone at 541 883-5311, prior to the time for appearance contained in their summons/complaint/citation, or 3) appear telephonically in front of the Judge at the appointed time by contacting the Court prior to the time set for the appearance and receiving a call in number to allow the matter to be heard by the Judge to receive a plea, issue a sentence and/or take other steps necessary for the just administration of the matter.

6. Trials will be set for violation matters, including, but not limited to traffic, parking and city code violations. Trials will proceed telephonically, unless either party objects. In the event of the objection, the Court will decide to either conduct the trial as scheduled, postpone to another date, or allow the trial to be conducted in person, provided that all parties and participants can participate in a manner that allows for appropriate social distancing of 6 feet minimum, and after sufficient assurances to the Court of the existence of sufficient safeguards.
7. In the event a criminal Defendant has a constitutional right to be timely arraigned, the Klamath County Jail shall release said Defendants on her/his own recognizance with a future date to appear in Court on the first Wednesday of the month following the date of release, at 9 am, for a status appearance
8. In the event any party believes it is unlawfully deprived of any right by the limitations set forth within this order, a written request may be made to the presiding judge and served upon any adverse party, which shall be considered as soon as reasonably practicable.
9. Judges may conduct court proceedings by telephone or video conferencing where practicable.
10. The time period of any continuations entered pursuant to this Order shall be considered "good cause" under any statutory speedy trial issues, subject to any limitations under the United States Constitution and Oregon Constitution, as the Court finds that the ends of justice are best served for all by taking action to protect the health and welfare of all participants, and that this action is necessary and outweighs the interests of the parties and the public in a speedy trial.
11. All Defendants required to perform traffic school shall have an automatic extension of sixty days to complete the course. In addition to the in person traffic school program to which the Defendant was ordered by the Court, a Defendant may perform online traffic school, with the qualification that the Defendant shall be responsible for providing the Court with written certification from the online traffic school provider of satisfactory completion of the Course with the period of the 60 day extension. A Defendant wishing to perform online traffic school must contact the court to receive information regarding accepted online traffic school programs.
12. Deliveries of documents for filing shall continue to be received clerks by fax or by mail.
13. Court staff will be available by telephone, fax, and written communication.
14. The public and our justice system partners are encouraged to continue utilizing Court services while following all applicable public health guidelines. Any person who exhibits symptoms of Covid-19, or who falls in a high-risk group for the illness, may request a telephonic appearance
15. The Court may postpone any proceeding on its own motion.
16. This order shall supersede the Order of this Court issued on March 17, 2020. This order shall remain in effect until modified or vacated.

IT IS SO ORDERED

March 31, 2020



Nathan Ratliff, Presiding Judge
Municipal Court of the City of Klamath Falls