

IN THE JUSTICE COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

In the Matter of Resetting)	General Order
)	
Dismissal Dates)	2020-01

THIS MATTER having come before the Court on its own Motion upon review of the status of landlord/tenant cases resolved by Stipulated Agreement pursuant to ORS 105.145 and ORS 105.146 with dismissal dates set by the Court between April 1 and July 1, 2020; the Court finding that dismissal dates in the reviewed cases are set 30 days past the last action agreed upon by the parties and there are cases set to be dismissed by the Court between April 1 and July 1, 2020; the Court finding that on March 8, 2020, the Governor declared an emergency under ORS 401.165 et seq due to the public health threat of the COVID-19 pandemic; the Governor issued Executive Order 20-11 on March 22, 2020 prohibiting law enforcement from serving, delivering or acting on any notice, order or writ of termination of tenancy relating to residential evictions for nonpayment under ORS 105.105 through ORS 105.168 for 90 days; the County closed county buildings and the court facility for public hearings on March 23, 2020; the Governor issued Executive Order 20-13 on April 1, 2020, ordering a 90 day moratorium on residential and non-residential evictions prohibiting Oregon landlords from taking any action, judicial or otherwise, relating to residential and non-residential evictions for nonpayment pursuant to or arising under ORS 105.105 through ORS 105.168 and reaffirming Executive Order 20-11 prohibiting law enforcement action; the Court finding that if the dismissal of the case occurs between April 1 and July 1, 2020, the parties agreement will lose its legal effect due to the fact that neither party will be able to seek judicial action to enforce the Stipulated Agreement and Order; the Court finding that Oregon law sets a 12 month dismissal date for cases resolved with a Stipulated Agreement/Order pursuant to ORS 105.146 (3); the Court finding that ORCP 71 C recognizes the inherent power of a court to modify a judgment within a reasonable time; the Court finding that based on the current state of emergency created by the COVID-19 pandemic, the County closure of the court facility for public hearings, and the Governor's Executive Order

20-13 in effect from April 1 through July 1, 2020, extraordinary circumstances exist that allow the Court to amend its original order; and being fully advised in the premises,

IT IS HEREBY ORDERED that landlord/tenant cases resolved by Stipulated Agreement pursuant to ORS 105.145 and ORS 105.146 that set court ordered dismissal dates between April 1 and July 1, 2020, will be reset to a new dismissal date that is 12 months following entry of the Stipulated Agreement Order. Dismissal dates may be extended or amended by further order.

IT IS SO ORDERED this 13th day of April, 2020. NUNC PRO TUNC April 1, 2020.



Karen Brisbin
Justice of the Peace