

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 0
Yeas:	Cowan, Gelser, Gilliam, Kotek, Maurer, Olson, Tomei
Nays:	0
Exc.:	0
Prepared By:	Andy Smith, Administrator
Meeting Dates:	2/14, 2/26, 3/12

WHAT THE MEASURE DOES: Requires Department of Human Services (DHS) to maintain protective supervision of ward of state reunited with parent after out-of-home placement for period of six months, subject thereafter to discretion of the court.

ISSUES DISCUSSED:

- Reasons why DHS should have legal custody after reunification
- Role and discretion of court
- Impact on families
- Current practices for court's review of custody
- Who should have burden of proof to show DHS custody should end

EFFECT OF COMMITTEE AMENDMENT: Requires DHS to retain custody of the ward of the state for six months after reunification. Requires DHS to file report with the court detailing recommended timetable for dismissal of DHS custody and description of DHS services which should be continued after termination of custody. Directs court to issue findings about why DHS's custody should be continued after six months and to submit an expected timetable for dismissal of custody.

BACKGROUND: Oregon statute does not currently specify a time period when the legal jurisdiction of DHS should end in cases where a child is reunited with his/her parents after spending time in foster care. The measure establishes an initial six month post-reunification period, which can be extended by the court.

Many children in Oregon are reunited with their families after leaving foster care (approximately 64 percent). Proponents assert that this change will likely increase the number of parents obtaining full legal custody of their children after foster care and decrease the number of children under the legal authority of the court and temporarily committed to DHS.