

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass the A-Engrossed Measure
Vote:	3 - 0 - 2
Yeas:	Beyer, Prozanski, Burdick
Nays:	0
Exc.:	Kruse, Walker
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	5/30

WHAT THE MEASURE DOES: Requires a public or private agency having guardianship or legal custody of a child or ward pursuant to court order to file with the court a report when the child has been placed for a period of six consecutive months in the physical custody of a parent or other person who was appointed guardian prior to placement of the child in the legal custody of the department. Requires the Department of Human Services (DHS) to include in the report: (1) A recommended timetable for dismissal of the department's legal custody; and (2) A description of the services that the department will provide to the ward to eliminate the need for the department to continue legal custody. Requires the court to hold a hearing no later than six months after receipt of the report. Requires the court to make findings, if the court decides to keep the child under the legal custody of DHS. Requires that the findings specifically state: (1) Why it is necessary and in the best interests of the child to continue the child in the legal custody of the department; and (2) The expected timetable for dismissal of the department's legal custody.

ISSUES DISCUSSED:

- Impact on families
- Need to end DHS legal custody

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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 or 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.