

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Beyer, Kruse, Prozanski, Walker, Burdick
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	2/20

WHAT THE MEASURE DOES: Creates an ombudsman for families and caregivers of children who are subject to the jurisdiction of the juvenile court. Requires the Governor, subject to Senate confirmation, to appoint the ombudsman. Establishes the duties of the ombudsman: (1) Review complaints concerning the treatment of parents, grandparents or other relatives of a child or caregivers of a child under the jurisdiction of the juvenile court; (2) Report to the Governor at least once each year on such matters as the department's treatment of families and caregivers; and, (3) Report biennially to interim legislative committees on judicial matters. Allows the ombudsman to review DHS records and interview DHS employees. Allows the ombudsman to make recommendations concerning, among other things, additional training or discipline for an employee. Requires the ombudsman to be a member of the Oregon State Bar with a minimum of five years of experience in the practice of law with two of those years in the area of juvenile dependency law. Requires DHS to pay the ombudsman at a rate comparable to the salary paid an attorney employed at the Department of Justice with comparable experience.

ISSUES DISCUSSED:

- Need for someone to review complaints concerning the removal of children from the family
- Ombudsman should be in the Governor's office

EFFECT OF COMMITTEE AMENDMENT: Moves the ombudsman from DHS to the Governor's Office.

BACKGROUND: A court may take jurisdiction of a person under the age of 18 if the child's welfare is being endangered or if the child has been neglected, abandoned or subjected to abuse. If the child is removed from the home, the court usually awards custody to the Children, Adults and Families (CAF) Division of the Department of Human Services. If the child is removed from the home, the court usually awards custody to CAF.

Families, both immediate and extended, are often traumatized when the state removes children from the home because of allegations of abuse and neglect. These actions almost always generate complaints against government agencies.