

Senate Bill 288

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes individual with mental illness who is committed to Department of Human Services to be represented by specified persons in contested case hearing with respect to potentially unusual or hazardous treatment.

A BILL FOR AN ACT

1
2 Relating to representation of individual with mental illness committed to custody of Department of
3 Human Services; amending ORS 183.458.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 183.458 is amended to read:

6 183.458. (1) Notwithstanding any other provision of law, in any contested case hearing before a
7 state agency involving child support, [or] public assistance as defined in ORS 411.010[,] **or the right**
8 **to be free from potentially unusual or hazardous treatment procedures under ORS 426.385**
9 **(3)**, a party may be represented by any of the following persons:

10 (a) An authorized representative who is an employee of a nonprofit legal services program that
11 receives funding pursuant to ORS 9.572. The authorized representative must be supervised by an
12 attorney also employed by a legal services program.

13 (b) An authorized representative who is an employee of the system described in ORS 192.517 (1).
14 The authorized representative must be supervised by an attorney also employed by the system.

15 (2) In any contested case hearing before a state agency involving child support, a party may be
16 represented by a law student who is:

17 (a) Handling the child support matter as part of a law school clinical program in which the
18 student is enrolled; and

19 (b) Supervised by an attorney employed by the program.

20 (3) A person authorized to represent a party under this section may present evidence in the
21 proceeding, examine and cross-examine witnesses and present factual and legal arguments in the
22 proceeding.
23

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.