

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 5 - 0 - 0

Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 5/15, 5/22

WHAT THE MEASURE DOES: Requires the Department of Human Services to provide to all parties in a dependency matter the case plan or the modification of the case plan for a child before a court on an abuse and neglect matter. Creates the Work Group on Juvenile Court Dependency Proceedings consisting of 11 members. Directs the work group to examine Oregon’s juvenile court dependency system for the purpose of identifying impediments to timely resolution of dependency proceedings. Requires the work group to report to the Legislative Assembly no later than January 15, 2015. Allows the Court Appointed Special Advocate Volunteer Program (CASA) to obtain dependency court records.

ISSUES DISCUSSED:

- Many dependency matters stay before the courts for years
- One system for determining who has access to information in the child’s case plan
- CASA needs access to dependency case plans in order to determine which cases to give priority

EFFECT OF COMMITTEE AMENDMENT: Makes the bill applicable to cases pending on the effective date of the bill as well as cases filed after the effective date of the bill. Resolves a conflict with Senate Bill 622.

BACKGROUND: In every dependency proceeding, the court must appoint a “court appointed special advocate” who is a party to the proceedings and who may subpoena, examine and cross-examine witnesses (ORS 419A.170). The advocates’ duties include investigating all relevant information; advocate for the child; ensure that Department of Human Services, the child’s ward and child’s attorney are fulfilling their respective obligations to the child; and, monitor all court orders to ensure they are being followed.

A juvenile court has exclusive jurisdiction in any case involving a person under 18 years of age if the child is: (1) Beyond control of the person’s parents or guardian; (2) Behaving in such a way as to endanger his or her welfare; (3) In circumstances that endanger the child’s welfare; (4) Dependent for care and support on a public or private child-caring agency; or, (5) A runaway. The court also has jurisdiction if the child’s parents or guardian: (1) Failed to provide care and education; (2) Subjected the child to cruelty; or, (3) Failed to provide care and protection necessary for the physical and mental or emotional well-being of the child.