

House Bill 2599

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

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**.

Removes option of providing report to counselor when person takes child or youth into protective custody.

A BILL FOR AN ACT

1
2 Relating to juvenile dependency proceedings; amending ORS 419B.171 and 419C.106.

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

4 **SECTION 1.** ORS 419B.171 is amended to read:

5 419B.171. Except where the child is taken into custody pursuant to an order of the court, the
6 person taking the child into custody shall promptly file with the court [*or a counselor*] a brief writ-
7 ten report stating all of the following:

8 (1) The child's name, age and address.

9 (2) The name and address of the person having legal or physical custody of the child.

10 (3) Efforts to notify the person having legal or physical custody of the child and the results of
11 those efforts.

12 (4) Reasons for and circumstances under which the child was taken into protective custody.

13 (5) If the child is not taken to court, the placement of the child.

14 (6) If the child was not released, the reason why the child was not released.

15 (7) If the child is not taken to court, why the type of placement was chosen.

16 (8) Efforts to determine whether the child or the parents have any Indian heritage and the re-
17 sults of those efforts. [*If the child is an Indian child, the placement of the child shall be according to*
18 *the preferences and criteria set out in the Indian Child Welfare Act.*]

19 **SECTION 2.** ORS 419C.106 is amended to read:

20 419C.106. (1) Except where the youth is taken into custody pursuant to an order of the court,
21 the person taking the youth into custody under ORS 419C.080 and 419C.088 shall promptly file with
22 the court [*or a counselor*] a brief written report stating all of the following:

23 (a) The youth's name, age and address.

24 (b) The name and address of the person having legal or physical custody of the youth.

25 (c) Efforts to notify the person having legal or physical custody of the youth and the results of
26 those efforts.

27 (d) Reasons for and circumstances under which the youth was taken into custody and, if known,
28 the name and contact information of any victim.

29 (e) If the youth is not taken to court, the placement of the youth.

30 (f) If the youth was not released, the reason why the youth was not released.

31 (g) If the youth is not taken to court, why the type of placement was chosen.

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.

1 (2) The person taking the youth into custody under ORS 419C.080 and 419C.088 shall also send
2 a copy of the report under subsection (1) of this section to the district attorney.
3 _____