

HB 4156A - A3 Amendment
Hand Engrossed
ERIN SEILER
2/27/2014

A-Engrossed House Bill 4156

Ordered by the House February 20
Including House Amendments dated February 20

Sponsored by COMMITTEE ON RULES

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.

Authorizes Department of Human Services to appear as party in juvenile court proceeding without appearance of Attorney General at any [uncontested] hearing held after hearing on jurisdictional petition required by specified statute, and any [hearing] proceeding where district attorney [appears on behalf of] represents state and positions of department and state are not in conflict.

[Directs court to order reasonable continuance of hearing that was not initially contested, but that becomes contested, to allow department time to obtain assistance of district attorney or legal representation of Attorney General.]

Sunsetts [January 2, 2016] June 30, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to appearance by attorney in juvenile court proceedings; and declaring an emergency.

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

3 SECTION 1. Section 2 of this 2014 Act is added to and made a part of ORS 419B.800 to
4 419B.929.

5
6 **"SECTION 2.** Notwithstanding the provisions of ORS 9.320, 180.060
7 and 180.220, and subject to ORS 9.160, in a proceeding under this
8 chapter, the Department of Human Services may appear without the
9 Attorney General at:

10 "(1) Any hearing that does not require the presentation of legal
11 argument, evidence or testimony of witnesses and that is held after
12 the hearing required under ORS 419B.305; and

13 "(2) Any proceeding where the district attorney represents the
14 state, provided the positions of the department and the state are not
15 in conflict with respect to issues raised for consideration or determi-
16 nation in the proceeding."

17 SECTION 3. Section 2 of this 2014 Act is repealed on June 30, 2015.

18 SECTION 4. This 2014 Act being necessary for the immediate preservation of the public
19 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect
20 on its passage.