

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 471 - A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Date: 2-23-2015

Measure Description:

Requires court to appoint legal counsel for respondent or protected person in protective proceeding under certain circumstances.

Government Unit(s) Affected:

Judicial Department, Public Defense Services Commission

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The measure directs the court to appoint legal counsel for a respondent or protected person in a protective proceeding under certain circumstances; 1) the respondent or protected person must request counsel be appointed; 2) an objection is made or filed to the petition or motion by any person; 3) the court has appointed a visitor who recommends appointment of counsel; or 4) the court determines that the individual is in need of legal counsel.

The measure stipulates that if the court appoints counsel, all or part of the attorney fees and costs must be paid from the estate of the respondent or protected person if there are sufficient funds. The measure allows for the court to determine if the respondent or protected person is eligible for state appointed counsel provided by the Public Defense Services Commission.

This fiscal impact statement is for the purpose of transmitting the measure from the House Judiciary Committee to the Joint Committee on Ways and Means. A more complete fiscal analysis will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required