

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Judiciary

MEASURE: HB 3014
CARRIER: Rep. Krieger

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 03/02/15

Action: Do Pass.

Meeting Dates: 03/02

Vote:

Yeas: 9 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson

Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Changes definition of “grandparent” for purpose of notice of dependency proceeding and request for visitation or contact to including legal parents of child’s legal parent, even when parental rights of child’s legal parent have been terminated.

ISSUES DISCUSSED:

- Recognition of grandparent’s rights in dependency proceeding
- Prior efforts to include grandparents, even after parent’s rights terminated
- Effect of current law
- Retains court discretion on parental contact

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Currently, the grandparents of a child in the dependency process are entitled to notice of hearings regarding the grandchild, if the Department of Human Services knows who the grandparents are and has contact information for them. Grandparents are not parties to the proceeding, but do have an opportunity to be heard. Grandparents may also request the court grants visitation or contact with the child. ORS 109.119(c) defines a grandparent as “the legal parent of the child’s legal parent.” The same statute specifies that “legal parent” means a parent whose rights have not been terminated. As a result, grandparents of a child may be excluded from the notice and visitation provisions if the parental rights of the parent have been terminated.

House Bill 3014 changes the definition of “grandparent” within the notice and visitation request statute so as to include the legal parents of the child’s parent, even if the parental rights of the parent have been terminated.