

SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 222

By JOINT COMMITTEE ON WAYS AND MEANS

July 1

- 1 On page 1 of the printed A-engrossed bill, line 3, delete “sections 2 and” and insert “section”.
2 Delete lines 5 through 25.
- 3 On page 2, delete line 1 and insert:
4 “**SECTION 1.** Section 3, chapter 106, Oregon Laws 2014, is amended to read:
5 “**Sec. 3.** Section 2, **chapter 106, Oregon Laws 2014**, [*of this 2014 Act*] is repealed on June 30,
6 [2015] **2018**.
- 7 “**SECTION 2.** (1) **The Task Force on Legal Representation in Childhood Dependency is**
8 **established to recommend models for legal representation in juvenile court proceedings that**
9 **will improve outcomes for children and parents served by the child welfare system, to ensure**
10 **that parties in juvenile court cases are prepared to proceed and to enable courts to resolve**
11 **juvenile court proceedings as quickly and efficiently as possible. The task force shall consist**
12 **of 18 members appointed as follows:**
- 13 “(a) **The President of the Senate shall appoint two members from among members of the**
14 **Senate.**
- 15 “(b) **The Speaker of the House of Representatives shall appoint two members from among**
16 **members of the House of Representatives.**
- 17 “(c) **The Governor shall appoint seven representatives as follows:**
18 “(A) **Two persons representing the Department of Human Services;**
19 “(B) **Two persons representing the Oregon District Attorneys Association or district at-**
20 **torneys in Oregon; and**
- 21 “(C) **Three persons representing the Public Defense Services Commission or attorneys**
22 **who provide legal defense in juvenile dependency proceedings.**
- 23 “(d) **The Chief Justice of the Supreme Court shall appoint five representatives as follows:**
24 “(A) **Three judges with experience presiding over juvenile court dependency proceedings;**
25 “(B) **One person representing court appointed special advocates; and**
26 “(C) **One person representing the Citizen Review Board or local citizen review boards.**
- 27 “(e) **The Attorney General shall appoint two persons representing the Department of**
28 **Justice.**
- 29 “(2) **The task force shall propose legislation and make recommendations to ensure that:**
30 “(a) **Attorneys for parents and children in juvenile court proceedings have workloads that**
31 **allow the attorneys to provide client-centered, competent and effective legal representation**
32 **throughout the entirety of the proceedings;**
33 “(b) **Attorneys for the state and for the Department of Human Services are available to**
34 **provide competent, effective and efficient legal representation in juvenile court proceedings;**
35 “(c) **Judicial and attorney resources are sufficient to avoid unnecessary delays that in-**

1 **hibit the resolution or conclusion of juvenile court proceedings; and**

2 **“(d) Oregon statutory law is consistent with the models for legal representation proposed**
3 **by the task force.**

4 **“(3) The task force shall:**

5 **“(a) Examine the use of performance standards unique to each role within the juvenile**
6 **court system as a way to create and ensure statewide consistency in practice;**

7 **“(b) Make recommendations regarding the development and enhancement of existing**
8 **performance standards;**

9 **“(c) Examine the unique needs and resources within each jurisdiction and statewide, and**
10 **develop plans to work with partners and stakeholders at the state and local levels to adopt**
11 **programs, policies and intergovernmental agreements designed to ensure efficient legal rep-**
12 **resentation and produce improved outcomes for children and families in juvenile court pro-**
13 **ceedings;**

14 **“(d) Examine and make recommendations regarding the number of attorneys, paralegals**
15 **and other staff and overhead capacity necessary to provide sufficient representation for the**
16 **state, the Department of Human Services and children and parents who are parties in juve-**
17 **nile dependency proceedings;**

18 **“(e) Develop a plan to assist counties that want to implement procedures designed to**
19 **reduce delays within the juvenile court system, avoid duplication of efforts, identify potential**
20 **efficiencies in crossover cases and encourage cost-effective case resolution;**

21 **“(f) Conduct surveys of:**

22 **“(A) Each county in the state to identify models of representation, effective practices,**
23 **stages of juvenile court proceedings at which children and parents are represented and re-**
24 **lated outcomes; and**

25 **“(B) Other states to identify models of effective representation and funding that lead to**
26 **improved outcomes for children and families;**

27 **“(g) Review statutory and case law related to the unauthorized practice of law and con-**
28 **sider the application of such laws in juvenile court proceedings; and**

29 **“(h) Identify the following:**

30 **“(A) Statutory changes needed to support proposed models of legal representation;**

31 **“(B) The benefits of legal representation to the state, the Department of Human Services**
32 **and children and families in juvenile court proceedings;**

33 **“(C) The obstacles in counties statewide to providing children and parents with legal**
34 **representation in juvenile court proceedings;**

35 **“(D) The obstacles in counties statewide to providing legal representation to the De-**
36 **partment of Human Services; and**

37 **“(E) Optimal attorney caseload levels and other resources necessary to provide appro-**
38 **priate legal representation in juvenile court proceedings.**

39 **“(4) A majority of the members of the task force constitutes a quorum for the trans-**
40 **action of business.**

41 **“(5) Official action by the task force requires the approval of a majority of the members**
42 **of the task force.**

43 **“(6) The task force shall elect one of its members to serve as chairperson.**

44 **“(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
45 **ment to become immediately effective.**

1 “(8) The task force shall meet at times and places specified by the call of the chairperson
2 or of a majority of the members of the task force.

3 “(9) The task force may adopt rules necessary for the operation of the task force.

4 “(10) The task force shall submit a report in the manner provided by ORS 192.245 that
5 includes the recommendations of the task force, including recommendations for legislation,
6 to the interim committees of the Legislative Assembly related to child welfare and juvenile
7 court proceedings as appropriate no later than July 15, 2016.

8 “(11) The Office of the Governor shall provide staff support to the task force in coordi-
9 nation with the Governor’s legal counsel appointed under ORS 133.743 and the Governor’s
10 human services policy advisor.

11 “(12) Members of the task force who are not members of the Legislative Assembly are
12 not entitled to compensation, but may be reimbursed for actual and necessary travel and
13 other expenses incurred by them in the performance of their official duties in the manner
14 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-
15 tions of the task force shall be paid out of funds appropriated to Governor for purposes of
16 the task force.

17 “(13) All agencies of state government, as defined in ORS 174.111, are directed to assist
18 the task force in the performance of its duties and, to the extent permitted by laws relating
19 to confidentiality, to furnish such information and advice as the members of the task force
20 consider necessary to perform their duties.

21 “SECTION 3. Section 2 of this 2015 Act is repealed on December 31, 2017.

22 “SECTION 4. Notwithstanding any other provision of law, the General Fund appropriation
23 made to the Office of Governor by section 1, chapter ____, Oregon Laws 2015 (Enrolled
24 House Bill 5021), for the biennium beginning July 1, 2015, is increased by \$175,707 for expenses
25 of the Task Force on Legal Representation in Childhood Dependency established by section
26 2 of this 2015 Act.”.

27 In line 2, delete “4” and insert “5”.

28 In line 3, delete “2” and insert “1”.

29 In line 11, delete “5” and insert “6”.