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To: Senator Floyd Prozanski, Chair of the Oregon Senate Committee on the Judiciary

Re: Statement in Opposition to Senate Bill 503

I am writing this letter to express my concern with respect to the impact of SB 503 on the citizens of Curry County.

Curry County is home to approximately 23,000 residents. The median family income in 2015 was \$40, 884. Approximately 32 % of these residents are over the age of 65, 18% are disabled, and 17% live in poverty as defined by the federal government. <https://www.census.gov/quickfacts/table/AGE275210/41015>

I have practiced law in Curry County for over 35 years. For the last twenty years approximately one third of my practice has been devoted to Probate law. During this time the county has been fortunate to have even a single court visitor for the majority of these years. Generally the court has required the attorney filing the petition in a protective proceeding to find a visitor, because that in and of itself can be a daunting and time consuming task. There were several months in 2016 where there were no individuals available in Curry County to prepare a visitor's report. It is not unusual to look as far away as Roseburg to locate a visitor.

At present I am aware of only one individual who would be qualified and experienced to prepare visitors reports, and we are fortunate that she decided to return to our community to offer counseling services. By eliminating retired health professionals from consideration, the pool of potentially qualified visitors is greatly reduced.

Generally, a court visitor gathers and compiles data from individuals and other available resources. In most cases, one of those resources is the protected person's physician, or a psychiatric evaluation. While it might be desirable to have a visitor with a higher level of expertise if no health professional is interviewed or otherwise involved in the process, the changes to the statute proposed by SB 503 would increase the time and expense of obtaining a qualified visitor and in many cases would duplicate information already available to the court. If it is necessary to import qualified visitors from other counties, the travel time alone is 6-8 hours. (Coos Bay is nearer, but they too have a shortage of visitors.) The increased expense of travel time together with the potential of multiple visitors' reports during the course of the guardianship/conservatorship will impose a significant financial hardship upon individuals living in Curry County.

Before writing this letter, I spoke with Christopher Keusink, who also devotes considerable time to probate practice. He joins me in the concerns expressed in this letter.

Respectfully,
Cathleen B. Herbage OSB #80258