

SB 103 STAFF MEASURE SUMMARY

Senate Committee On Human Services

Prepared By: Matt Doumit, LPRO Analyst

Sub-Referral To: Senate Committee On Judiciary

Meeting Dates: 2/6

WHAT THE MEASURE DOES:

Requires court to make specified findings upon receipt of certain reports in juvenile proceedings when removing a child from a foster home. Permits court to order the Department of Human Services to maintain the placement of a child.

FISCAL: May Have Fiscal Impact, But No Statement Yet Issued

REVENUE: May Have Revenue Impact, But No Statement Yet Issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law currently provides that in certain cases, including when a child is removed from a long-term foster care placement or when a child is placed in guardianship or the legal custody of a public or private agency pursuant to a court order, the public or private agency must file a report informing the court of the placement and other relevant information. Such reports are required because, while courts have the power to order placements, the actual placement determination is made by the Department of Human Services (DHS). After receiving such a report, the court can, and in some cases must, hold a hearing to review the child's condition and circumstances and enter certain findings of fact relating to the placement and case management.

Senate Bill 103 requires the court to make additional findings of fact in cases where a child is removed from a foster care placement of 12 months or more, or when a child is removed from a foster care placement with a permanent foster care agreement in place. These additional findings include whether DHS removed or plans to remove a child from foster care in favor of different substitute care and whether the new placement is in the child's best interest. In such cases, the measure also permits the court to order DHS to maintain the child's current placement.