



CIRCUIT COURT OF THE STATE OF OREGON  
FOURTH JUDICIAL DISTRICT  
MULTNOMAH COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OR 97204-1123

SUSAN M. SVETKEY  
JUDGE

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TESTIMONY REGARDING SB 371  
APPOINTMENT OF LEGAL COUNSEL FOR CHILDREN  
IN CONTESTED DOMESTIC RELATIONS PROCEEDINGS

Before the Senate Judiciary Committee of the Oregon Legislature  
March 6, 2019

Submitted by:  
Susan M. Svetkey, Chief Family Law Judge  
Multnomah County

Chair Prozanski and Members of the Committee:

My name is Susan Svetkey and I am the Chief Family Law Judge in Multnomah County. I have served in the Family Law Department for 19 years after practicing family law and juvenile law for 23 years.

For the past approximately nineteen years, I have developed and, with the help of my staff, administered a program in Multnomah County which appoints lawyers to represent children in contested domestic relations cases.

I believe SB371 would assure significantly better and healthier outcomes for children and families embroiled in custody and parenting time disputes in this State.

In Multnomah County there are approximately 125 lawyers who volunteer to represent children in approximately 175 cases each year. Referrals to our program come from judges, lawyers, mediators, custody and parenting time evaluators, mental health professionals and occasionally school counselors or teachers. We also receive numerous requests from children themselves.

To run this program we:

- Created a structure to gather requests
- Created a process to review requests
- Identify an attorney to appoint to represent the child(ren)
- Developed and re-develop forms, standard Orders, etc.
- Reached judicial consensus on the program and its functioning
- Provided training (eg. Child development, impact of divorce on children, role of the child's lawyer and many more topics) and continue to provide training
- Communicate regularly with referral sources and lawyers
- Screen lawyers who apply to join the program
- Encourage and facilitate informal mentorship between experienced and less experienced lawyers



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This program has been dynamic and exciting since its start.

- Children feel heard and respected.
- Children's best interests are paramount
- Parents have a better understanding of the impact of their conflict on their children and how to mitigate that
- Parents are able, with the help of their child's lawyer, to agree on best plans for their child.
- Children are protected from their parents' conflict.
- The Court is able to more fully understand the family and what is best for the child, and, thus, is able to make better decisions.
- Outcomes for children and families are much healthier and safer.
- Children have greater opportunity to maintain and benefit from relationships with both parents.

Our program is unique in this State. One judicial department has created and taken on this program and all the work it requires. That department runs this program on top of all of its regular responsibilities to the Court and the public.

We are not as efficient as we should and could be. We are sometimes stretched very thin.

Over the years, lawyers and judges from other counties have talked with me about our program. All have wanted to set up a similar program in their own counties. None have been able to devote the time and resources, despite their desire to do so.

SB 371 would create a pilot for a State program which could meet the needs of children and families in all counties. It can create an opportunity for best practices and best outcomes for all children and all families in this State.

I support SB 371.

Thank you for considering my comments.

Respectfully submitted,

  
Susan M. Svetkey  
Chief Family Law Judge  
Multnomah County

Cc:

Members of the Senate Judiciary Committee  
Kingsley Click and Phil Lemman, State Court Administrator's Office  
Addie Smith, Senate Judiciary Counsel