

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: HB 3047

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Modifies juvenile court dependency procedure to require any party issuing summons to bear financial responsibility for certain costs arising out of issuance of summons.

Government Unit(s) Affected:

Counties, Department of Human Services (DHS), Oregon Judicial Department (OJD), Department of Justice (DOJ)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

Under current law, when the Department of Human Services (DHS) issues a summons in a juvenile dependency case, the county is responsible for paying the cost for serving the summons and for any authorized travel expenses of the party summoned. In practice, in addition to paying these costs, the county juvenile department also prepares the service documents, initiates the service request, works with civil process servers to achieve service and files the proof of service with the court.

This bill shifts the responsibility for paying for the costs associated with service of summons and the party's travel expenses from the county to the Department of Human Services (DHS) in juvenile dependency cases.

Department of Human Services

Under this bill, the Department of Human Services (DHS) would be responsible for the costs associated with service of summons and travel expenses for parties summoned in juvenile dependency cases. These costs are currently being paid by county juvenile departments. DHS has no information on how much is being spent statewide by counties for these costs. DHS would also pay travel costs, which are also unknown. The fiscal impact to DHS is indeterminate.

Department of Justice

The Child Advocacy Section of the Department of Justice (DOJ) represents DHS in every juvenile dependency proceeding and with this bill, would pay the costs of some civil service process prior to billing DHS. The shift in responsibility for paying for the cost of summons under this bill could result in DOJ assuming responsibility for civil service process for some, if not all cases, on behalf of DHS. The fiscal impact to DOJ is indeterminate.

Counties

This bill relieves counties of the requirement to pay the costs associated with summons issued by DHS in juvenile dependency cases. Counties would also no longer pay any travel expenses for the party summoned. Thus, there would be cost savings to counties. The fiscal impact to counties is indeterminate because the number of summons per county has not been identified.

Oregon Judicial Department

There is no fiscal impact to the Oregon Judicial Department.

The fiscal impact of this bill is indeterminate. This bill should be referred to the Joint Committee on Ways and Means for further analysis.