

## HB 2258 A STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Action Date:** 04/08/19

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 11-0-0-0

**Yeas:** 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Sprenger, Stark, Williamson

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Addie Smith, Counsel

**Meeting Dates:** 4/1, 4/8

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#### WHAT THE MEASURE DOES:

Instructs the Oregon Judicial Department (OJD) to develop and support a Family Dependency Treatment Court (FDTC) Pilot Program, for parents of children over whom the juvenile court has dependency jurisdiction because of issues related to parent's substance abuse, in Coos, Deschutes, Douglas, and Marion Counties. Provides that a family cannot be denied participation in a FDTC for the sole reason that a parent is taking medication prescribed by a licensed health care practitioner for the treatment of drug abuse or dependency. Requires that each FDTC has a dedicated judge, priority docket time for FDTC, follows treatment court best practice standards, and includes all parties to the dependency case under ORS 419B.872 in the FDTC proceedings. Requires OJD to provide regular training, peer-to-peer learning and periodic stakeholder convenings, develop practice standards, offer technical assistance, develop and disseminate performance measures and statistical reports, and contract with an external evaluator to calculate the outcomes of FDTC. Requires OJD to reported FDTC outcomes to the Legislative Assembly no later than September 15 of each even-numbered year. Appropriates moneys for the implementation of the FDTCs. Declares emergency, effective July 1, 2019; operative January 1, 2020; sunsets January 2, 2026.

#### ISSUES DISCUSSED:

- Positive outcomes from family treatment courts
- Documented cost-savings from family treatment courts
- Best practices for family treatment courts
- Resource requirements for family treatment courts
- Work of diverse stakeholders to develop the measure

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

According to the 2017 Department of Human Services Data Book, in 2017, 11,645 children spent at least one day in foster care. The most common reason for placement was drug or alcohol abuse. Over 65 percent of the children who entered foster care in 2017 did so because a parent had a drug or alcohol abuse problem.

Family Dependency Treatment Courts (FDTC) are speciality courts for families where a parent's substance abuse problem has been cause for child welfare intervention. The purpose of a FDTC is to guide child-welfare-involved families into treatment with intensive judicial supervision. The Clark County Washington FDTC was evaluated in 2015. The results of that evaluation showed that children of program participants were less likely to be physically abused than children whose parents were eligible but did not participate, and also significantly less likely to be neglected two years after beginning participation in the FDTC. Children of the program were also more likely to be

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reunified with their parents and stay reunified with their parents than children whose parents were eligible but did not participate. Finally, parents who participated in the FDTC were less likely to be re-arrested two years after program reentry. NPC Research calculated a \$10,230 savings per FDTC participant totaling nearly \$3 million dollars in savings over the course of the five-year study.

House Bill 2258 A directs the Oregon Judicial Department (OJD) to develop and support a Family Dependency Treatment Court (FDTC) Pilot Program in Coos, Deschutes, Douglas, and Marion Counties. It also requires OJD to collect data and report outcomes on the FDTC program to the legislature on a biannual basis.