

HB 2258-2
(LC 638)
4/4/19 (LAS/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Governor Kate Brown)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2258**

1 In line 2 of the printed bill, after “courts” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 7 and insert:

4 **“SECTION 1. (1) The Judicial Department shall establish a Family
5 Dependency Treatment Court Pilot Program in Coos County, Douglas
6 County, Deschutes County and Marion County.**

7 **“(2) The purpose of the pilot program is to minimize or eliminate
8 the amount of time children require protective custody as a result of
9 the child’s parent’s alleged substance abuse.**

10 **“(3)(a) A person is eligible for the pilot program if:**

11 **“(A) The juvenile court in one of the counties identified in sub-
12 section (1) of this section has jurisdiction over the person’s child under
13 ORS 419B.100; and**

14 **“(B) The basis of the juvenile court’s jurisdiction is the person’s
15 alleged substance abuse.**

16 **“(b) A person may not be denied eligibility to participate in a pilot
17 program under this section solely for the reason that the person is
18 taking, or intends to take, medication prescribed by a licensed health
19 care practitioner for the treatment of drug abuse or dependency.**

20 **“(4) The presiding judge for the court shall ensure that each pilot
21 program includes the following components:**

1 “(a) One judge dedicated to the pilot program who oversees the pilot
2 program court proceedings and convenes staffing meetings at least one
3 time each week and program review meetings at least one time each
4 month;

5 “(b) Prioritized docket time for Family Dependency Treatment
6 Court cases;

7 “(c) Program adherence to the following key components and
8 treatment court best practice standards:

9 “(A) Integration of alcohol and other drug treatment services with
10 the justice system case processing;

11 “(B) Use of a nonadversarial approach;

12 “(C) Prosecution and defense counsel promotion of public safety
13 while protecting participants’ due process rights; and

14 “(D) Early identification of eligible participants and prompt place-
15 ment of participants in the pilot program;

16 “(d) Participant access to a continuum of alcohol and other drug
17 treatment and rehabilitation services;

18 “(e) Frequent monitoring of participant drug and alcohol
19 abstinence;

20 “(f) A coordinated strategy to govern drug court responses to
21 participants’ compliance;

22 “(g) Continuing interdisciplinary education to promote effective
23 drug court planning, implementation and operations;

24 “(h) Ongoing judicial interaction with each participant;

25 “(i) Ongoing monitoring and evaluation of program effectiveness;
26 and

27 “(j) Leveraging partnerships among drug courts, public agencies
28 and community-based organizations to generate local support and en-
29 hance pilot program effectiveness.

30 “(5) The State Court Administrator shall:

1 “(a) Provide regular training programs, peer-to-peer learning op-
2 portunities and periodic conventions for judges and other stakeholder
3 groups who participate in the pilot program;

4 “(b) Develop state standards and practices for the pilot program;

5 “(c) Provide technical assistance and support to the pilot program;

6 “(d) Coordinate the development and dissemination of performance
7 measures and statistical reports on the pilot program; and

8 “(e) Contract with an external evaluator to conduct process and
9 outcome evaluations.

10 “(6) The administrator shall submit biennial reports to the interim
11 committees of the Legislative Assembly related to child welfare no
12 later than September 15 of each even-numbered year regarding the
13 status and efficacy of the pilot programs established under this sec-
14 tion. The reports must include the following information:

15 “(a) The number of families served by each pilot program;

16 “(b) Key child welfare outcome data for pilot program participants;
17 and

18 “(c) The number of participants who successfully completed a
19 treatment program.

20 “(7) The administer may adopt rules to implement the provisions
21 of this section.

22 “SECTION 2. Section 1 of this 2019 Act is repealed on January 2,
23 2026.

24 “SECTION 3. (1) Section 1 of this 2019 Act becomes operative on
25 January 1, 2020.

26 “(2) The State Court Administrator may take any action before the
27 operative date specified in subsection (1) of this section that is neces-
28 sary for the administrator to exercise, on and after the operative date
29 specified in subsection (1) of this section, all of the duties, functions
30 and powers conferred on the administrator by section 1 of this 2019

1 **Act.**

2 **“SECTION 4. (1) In addition to and not in lieu of any other appro-**
3 **priation, there is appropriated to the Judicial Department, for the**
4 **biennium beginning July 1, 2019, out of the General Fund, the amount**
5 **of \$2,964,619 for the purpose of carrying out the provisions of section**
6 **1 of this 2019 Act.**

7 **“(2) In addition to and not in lieu of any other appropriation, there**
8 **is appropriated to the Department of Human Services, for the**
9 **biennium beginning July 1, 2019, out of the General Fund, the amount**
10 **of \$_____ for the purpose of carrying out the provisions of section**
11 **1 of this 2019 Act.**

12 **“(3) In addition to and not in lieu of any other appropriation, there**
13 **is appropriated to the Public Defense Services Commission, for the**
14 **biennium beginning July 1, 2019, out of the General Fund, the amount**
15 **of \$5,385,703 to implement the Parent Child Representation Program**
16 **in counties where Family Dependency Treatment Court Pilot Pro-**
17 **grams will be established under section 1 of this 2019 Act if those**
18 **counties do not already have Parent Child Representation Programs.**

19 **“(4) In addition to and not in lieu of any other appropriation, there**
20 **is appropriated to the Oregon Department of Administrative Services,**
21 **for the biennium beginning July 1, 2019, out of the General Fund, the**
22 **amount of \$160,000 for additional CASA Volunteer Program supervision**
23 **personnel required for the implementation of section 1 of this 2019 Act.**

24 **“SECTION 5. This 2019 Act being necessary for the immediate**
25 **preservation of the public peace, health and safety, an emergency is**
26 **declared to exist, and this 2019 Act takes effect on July 1, 2019.”.**

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