



Civil Commitment Updates: Commitment to Change Workgroup



The Honorable Nan Waller

Multnomah County Circuit Court

September 24, 2024

Background

- Formed in October of 2022
- Professional staff
- Monthly meetings
- 24 appointed members:
 - Persons with lived experiences
 - Three-branch participation
 - Tribes
 - Local government
 - Behavioral health providers
 - Legal representatives
 - Law enforcement

Background – Process

- Professional facilitation
- Level-set education
- Continual tracking and review of ideas
- Communication process & constituent surveys
- Listening sessions
- Surveys

Background – Surveys

- Monthly surveys to constituent groups
- Ideas Survey – February 2024
- Recommendations Survey – May 2024
- Consensus Survey – June/July 2024
- Revisions Survey – August/September 2024



Background – Surveys

244

- Ideas for changes that were generated in the workgroup process
- Members asked to rank individual ideas

127

- Ideas that received at least 80% positive results from Ideas Survey
- Members asked if they could recommend the idea: yes, no, abstain, depends

89

- 89 Ideas that received “Yes” or “It depends” rankings in Recommendations Survey
- Several more options given for progressing the idea



Current Status

Awaiting final analysis of Revisions Survey for 89 individual ideas

Final meeting September 27, 2024

Final Report to Chief Justice in October



Consensus Areas

- Data collection
- Specify the neutral expert status of examiners
- Improvements in recertification process
- Improvements in interagency communication
- Improvements in communication with tribal governments
- More evaluators and treatments/supports for individuals experiencing an intellectual and developmental disability (IDD)

Outstanding Issues

- Legal standard for commitment
- Diversion process and length
- Inpatient vs outpatient
- Transitional care plans
- Timeline for commitment hearings
- Timeline for appointment of counsel
- Role of Assisted Outpatient Treatment



Outstanding Issues – Example #1

Idea: Increase period of diversion from 14 days to 21 or 30 days

Pros:

- More individuals diverted, fewer commitment hearings
- Increased time period for supervision and voluntary treatment
- Increased choice to individual, more control

Cons:

- Lack of resources to meet current needs





Outstanding Issues – Example #2

Idea: Appoint attorney for individual earlier in 5-day hold



Pros:

- Increased communication with individual
- Better advocacy and understanding
- Opportunity for negotiation/diversion

Cons:

- Increased demand on scarce attorney time; increased workload



Next Steps

- Meeting September 27 to finalize other consensus or near-consensus items
- Report to Chief Justice will outline specific recommendations for actions, whether through rule, training, or legislation
- On remaining outstanding issues, final report will provide discussion of issue and policy

Questions?



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