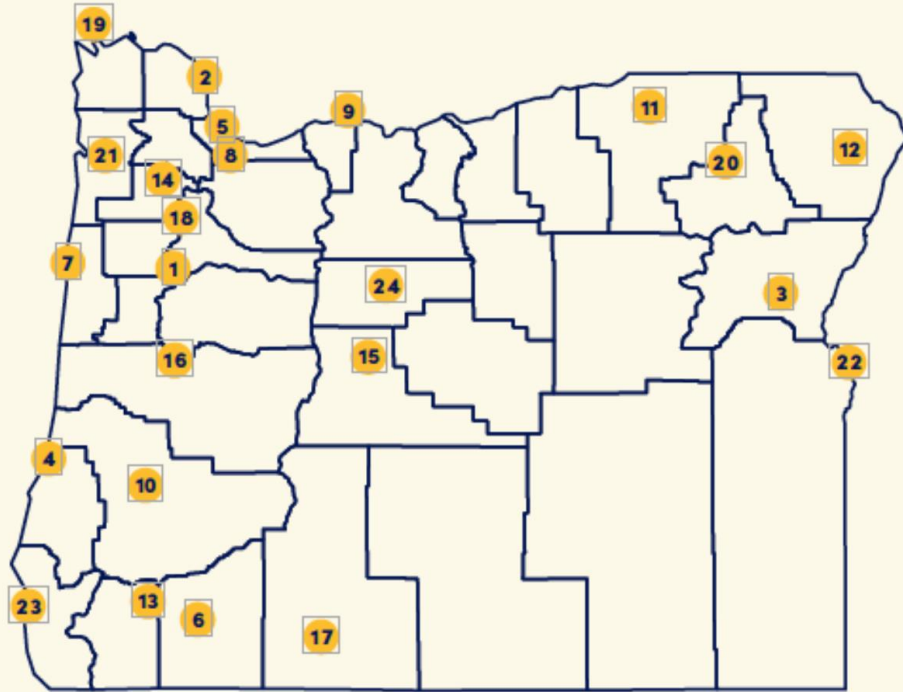


Support HB 2479

Limited Liability Protections for Children's Advocacy Centers



CACs in Oregon



- There are 24 Children's Advocacy Centers (CACs) in Oregon, serving all 36 counties.
- Oregon Child Abuse Solutions is the statewide network of CACs
- CACs work within the multidisciplinary team model



CAC Services

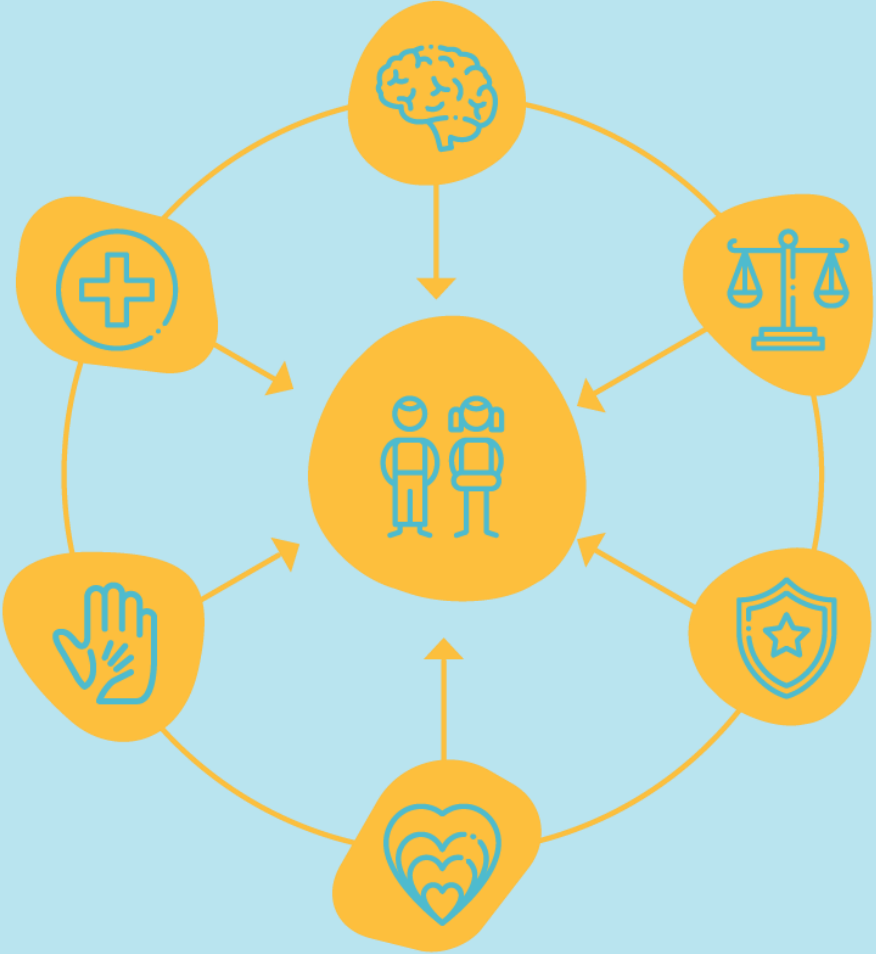
- Medical exams
- Forensic interviews
- Follow up family support services, therapy



Without CACs



With CACs



CACs work with their MDT

Multidisciplinary Team partners include:

- District Attorneys
- Children's Advocacy Centers
- Law enforcement
- DHS
- Schools
- Local health department
- County mental health

✓		Law Enforcement Oregon
✓		Department of Human Services
✓		School Officials
✓		District Attorneys
✓		Court Appointed Special Advocates
✗		Children's Advocacy Centers

HB 2479- Limited Liability Protections for CAC providers

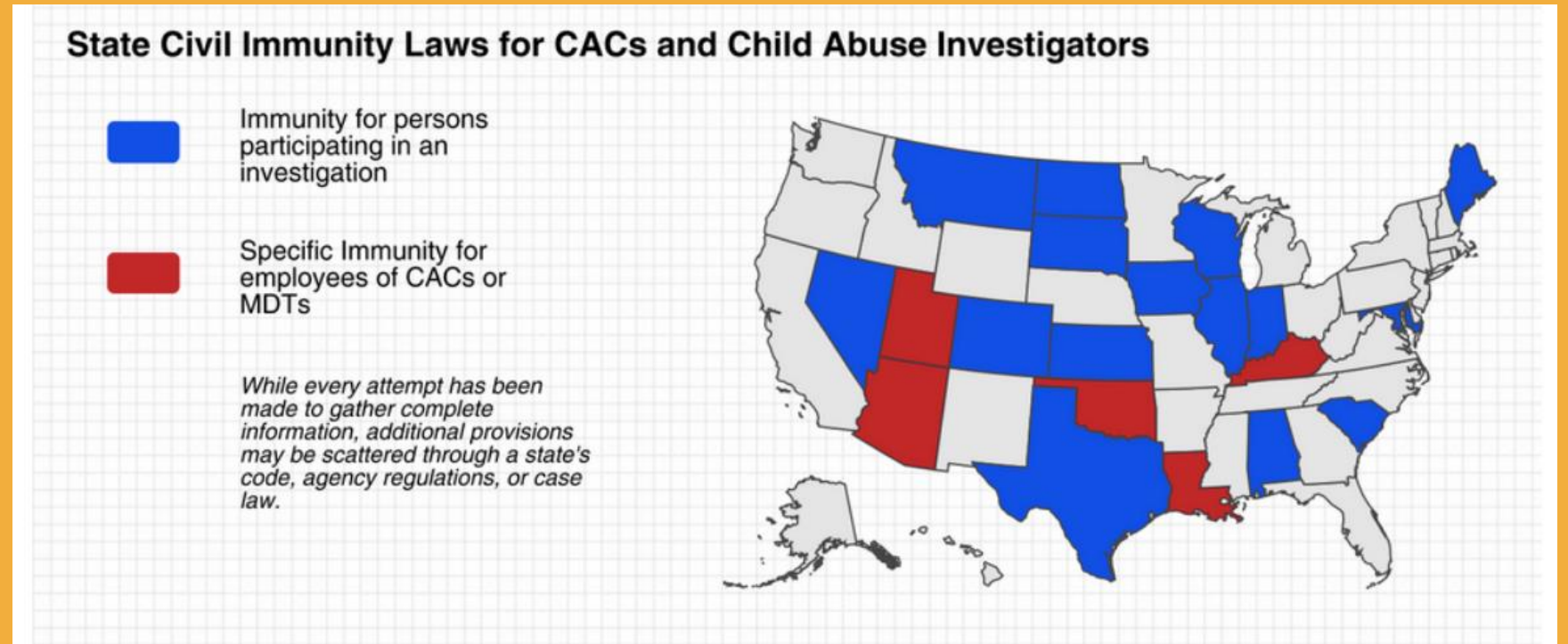
- CACs and staff participating in child abuse assessments granted civil liability protections *except for cases of gross negligence and reckless misconduct.*
- **These protections only apply to CACs using best practices, in good standing with the national accreditor of CACs**
- There are real examples of frivolous lawsuits against CACs in Oregon that have significantly impacted access to care.



How it would work:

- HB 2479 does not remove a person's right to file lawsuits if they believe they have been wronged
- HB 2479 gives CACs a tool to have frivolous lawsuits be more easily dismissed through a motion for summary judgment.
 - The motion asks: (a) whether, given the evidence in favor of each party's positions, there is any genuine dispute of material fact; and (b) if there is no genuine dispute of material fact, whether the moving party is entitled to prevail on the claim as a matter of law.
 - On a motion for summary judgment, the issue before the court would be whether there exists evidence from which a reasonable juror could decide those issues in the plaintiff's favor. It would not be enough for the plaintiff to have *alleged* those things; rather, plaintiff must show evidence from which those allegations could be proven. **If there is no such evidence, then under the statute, the defendant would be entitled to prevail as a matter of law**

Oregon would not be the first—19 other states offer protections



Thank you!





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