

**TESTIMONY ON SB 1030
BEFORE THE SENATE COMMITTEE ON HUMAN SERVICES
APRIL 3, 2023**

**PRESENTED BY: JORDAN BATES, SENIOR ASSISTANT GENERAL COUNSEL
OREGON JUDICIAL DEPARTMENT**

Chair Gelser Blouin, Vice-Chair Robinson, and Members of the Committee:

My name is Jordan Bates, Senior Assistant General Counsel at the Oregon Judicial Department (OJD). OJD is neutral on Senate Bill (SB) 1030, but, based on our experience and the purview of the proposal, we do have some observations to share about Section 1 of the bill.

Section 1 directs OJD, in collaboration with the Public Defense Services Commission (PDSC), to study child welfare investigations and identify procedural improvements needed to provide parents and children in child welfare investigations similar rights and procedural protections as defendants in criminal proceedings. OJD recognizes the importance of enhancing trust and confidence in Oregon's state government, including the judicial branch, as reflected in our [Strategic Campaign](#) initiatives.

OJD has some concerns with our proposed role in this study. Under current law, OJD's involvement in reviewing investigations in child welfare cases begins when a dependency case is filed in one of our circuit courts. This happens after the investigation has not only commenced but also has resulted in enough evidence to propose the removal of children from their parents. While OJD would take the necessary steps to avoid any appearance of conflict from a legal standpoint, the legislature might want to consider another entity that would not have to take these extra steps.

If the legislature does want OJD to conduct the study, we would conduct a legal review in collaboration with PDSC. OJD and PDSC would review the statutes, rules, regulations, and case law that govern child welfare and criminal cases. Participants would identify any differences between those case types and propose ways in which the rights and protections available in child welfare cases could be brought in line with the rights of criminal defendants.

If this bill becomes law in its current form, OJD anticipates the need to hire additional staff to ensure we can conduct a thorough and comprehensive legal review and submit the report by the September 15, 2024, deadline established in the bill.

OJD appreciates the opportunity to work with our justice partners to improve outcomes for those we serve, and we are open to being involved in ongoing conversations and implementation efforts.

Thank you for your time and the opportunity to provide testimony.