

SB 380 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/23, 4/3

WHAT THE MEASURE DOES:

Requires the Judicial Department (OJD) to study protective proceedings. Directs OJD to submit findings to interim committees of Legislative Assembly related to judiciary not later than September 15, 2024.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Directs the Oregon Public Guardian and Conservator (OPGC) to develop and administer a program to provide guardianship services to defendants whose criminal cases may be or have been suspended or dismissed by a determination of fitness to proceed. Requires participants in the program to qualify for public guardian services. Creates time limits for determining a defendant's eligibility to participate in the program. Directs the OPGC to collaborate with district attorneys, community mental health programs and facilities where defendants are housed. Allows the OPGC to provide services under the measure at any time after the defendant's fitness to proceed is drawn into question. Allows the OPGC to have access to reports and records regarding the defendant from examinations, recommendations resulting from community mental health programs, or related court records. Allows the court to appoint a temporary guardian if the court determines that the appropriate action in the case is commencement of a protective proceeding. Updates statutory reference. Appropriates 1,696,450 dollars from the General Fund to the OPGC. Delays the operative date of the program until January 1, 2024. Takes effect on the 91st day after sine die.

BACKGROUND:

Senate Bill 380 is a placeholder measure and requires the Judicial Department (OJD) to study protective proceedings and Directs OJD to submit findings to interim committees of Legislative Assembly related to judiciary not later than September 15, 2024. The -1 amendment appropriates 1,696,450 dollars from the General Fund to the Oregon Public Guardian and Conservator (OPGC) and directs the OPGC to develop and administer a program to provide guardianship services to defendants whose criminal cases may be or have been suspended or dismissed by a determination of fitness to proceed.