



OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

February 26, 2025  
*Submitted Electronically*

The Honorable Anthony Broadman, Co-Chair  
The Honorable Paul Evans, Co-Chair  
Joint Committee on Ways and Means  
Subcommittee on Public Safety  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Re: Responses to Committee Questions on February 24, 2025

Dear Co-Chair Broadman and Co-Chair Evans:

Thank you for giving us time to present on the Oregon Judicial Department (OJD) budget as relates to domestic relations on February 24, 2025. I am writing to provide additional information related to questions asked during the hearing.

- 1. Co-Chair Evans requested information on various consultants who engage with or are hired to provide assessments or recommendations in domestic relation proceedings. Co-Chair Evans made particular references to oversight and training of individuals.**

In response to this inquiry, we note that in family law cases, there are different types of professionals that may be considered as “consultants.” Oregon law authorizes and governs use of these experts. See ORS 107.425. Probably the most recognizable category are Custody Evaluators, but there are also Parenting Time Coordinators, Parenting Time Supervisors, and generally, counselors and doctors. These professionals get involved in three basic ways: parents can hire one on their own, a court can order that they hire one, or the court can appoint one for them. Below are three different types of consultants and information on their licensure and process.

- **Custody Evaluators** (ORS 107.425) are mental health professionals, such as psychologists or Licensed Clinical Social Workers (LCSWs), who specialize in child development, child psychology, and family dynamics. They help determine

parenting arrangements after or during a separation or divorce. Their evaluations are a comprehensive assessment based on the Association of Family and Conciliation Courts (AFCC) [Guidelines for Parenting Plan Evaluations in Family Law Cases](#). The process is designed to be an objective and impartial assessment of the strengths and weaknesses of each parent, and lead to a recommendation that is in the best interest of the child. The evaluation is submitted to the court as a recommendation and is treated like evidence with no special weight given. It is subject to all the rules of evidence, and the evaluator may be called as a witness and questioned.

- *Oversight:* Custody evaluators are neutral third-party professionals that do not work for the court. There is no governing body or licensure specifically in the role of an evaluator, but each evaluator is licensed in their respective professions and are expected to adhere to the AFCC guidelines and standards.
- *Order:* The court can, by its own motion or by motion of a party, order an examination by an evaluator. See ORS 107.425(2)–(3). When the court orders this examination, there is a process for selection of the evaluator and for payment of the expenses of the evaluation by one or both parties.
- **Parenting Time Coordinators** are professionals, usually social workers, counselors, or mediators who aid families once there is a parenting plan in place. They act as a trained go-between for parents who cannot get along and may need help to follow the court-ordered parenting plan. The court order may, but is not required to, designate what decision-making authority the coordinator can exercise.
  - *Oversight:* Like evaluators, coordinators are not court employees, and are not licensed as coordinators, but they are licensed or certified in their professions, whether they be a social worker, counselor, mediator, or mental healthcare provider. They are expected to be trained in dispute resolution or mediation, and to follow [AFCC Guidelines for Parenting Coordination](#).
  - *Order:* The court may appoint a person or program to assist in parenting time coordination.
- **Parenting Time Supervisors** are not necessarily mental health professionals or licensed social workers. They most often are a family member who has agreed to supervise the parenting time of a parent who is not allowed to be alone with the child, by court order. There are some professionals who fill this role, but they can be from many related backgrounds.

- A supervisor may be someone both parties agree on or can be selected by the court if they can't agree. They are not employees of the court, nor is there any licensing.

**2. Co-Chair Evans discussed a specific instance in which child support orders were modified after one parent became employed. He asked for information on how child support modifications happen.**

Child support may be awarded by the court through a final judgment in a domestic relations case—such as a dissolution of marriage or an unmarried parent's petition. During the court process, the parties either agree to an amount or a judge decides on an amount after evidence at trial and enters a judgment. There also is a process for determining child support through an administrative action by the Oregon Department of Justice (DOJ) Division of Child Support.

Regardless of the route taken to obtain a child support award, the amount established always is reached using the DOJ Oregon Child Support Calculator. This calculator has all of the current support factors built into it pursuant to OAR 137-050-0710. Oregon uses the "income share" method for calculating child support payments, which is designed to ensure that both the custodial and noncustodial parents contribute to the financial support of their child. Accordingly, each parent's income and the amount of overnights each parent has the child(ren) is factored in. More information can be found on the DOJ [Child Support Guidelines and Calculations](#) website.

A party can petition for a change in child support through court modification of a child support award if there is a "substantial change in economic circumstances of a party." ORS 107.135(3)(a). Once the substantial change in circumstances standard has been met to consider a modification, the process to establish the new support award is the same as establishing support using the guidelines calculator provided above. We are happy to further work through this issue with you or to coordinate a meeting with DOJ's Division of Child Support.

**3. Co-Chair Evans asked for an explanation of the differences between no contact orders and temporary restraining orders, and why one order might be given priority over another by his local law enforcement.**

Please see the attached document "Protection Order Overview" for further information on this subject.

**4. Co-Chair Evans requested information on the trauma-informed training that judges currently receive or have access to.**

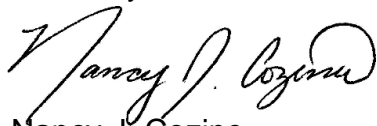
Circuit court judges, as attorney members of the Oregon State Bar, are required to comply with the Bar's Continuing Legal Education (CLE) minimum requirements—45 CLE hours every three years. There are requirements for the type of credit a member must earn, based on the member's reporting cycle. Generally, the Bar requires CLE credits in practical skills, legal ethics, mental health/substance abuse, and other topics. More information is available on the Oregon State Bar website, [Minimum Continuing Legal Education](#).

OJD provides a number of training opportunities for judges, including training on trauma-informed practices as well as training on domestic and interpersonal violence. These are not required trainings but are available to all judges.

From 2020–2024, OJD provided 15 different trainings on domestic violence, 11 of which were primarily structured to serve judges. From 2020–2024, OJD's Juvenile and Family Court Programs Division provided 38 different judicial trainings that included trauma-informed principles or practices. In addition, the Circuit Court Judges Conference and the annual Judicial Conference together provided an additional 10 judicial trainings reflecting trauma-informed principles. A list of domestic violence and trauma-informed training is attached.

Please let us know if you have additional questions and thank you again for the opportunity to present this information to the subcommittee.

Sincerely,



Nancy J. Cozine  
State Court Administrator

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Attachments

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## Protection Orders and No Contact Orders

Oregon has six types of civil protection (restraining) orders:

- **FAPA** (Family Abuse Prevention Act) restrains someone who has abused a current or former spouse, family member, or intimate partner. Automatic firearm prohibition applies. ORS 107.700.
- **EPPDAPA** (Elderly Persons/Persons with Disabilities Abuse Prevention Act) restrains someone who has abused a person who is 65 or older, or a person who has a disability. Firearm prohibition can be ordered but requires a particular relationship and additional findings by the court. ORS 124.010.
- **SPO** (Stalking Protective Order) requires someone who has made repeated unwanted contact with a person to stop contacting that person and members of that person's household or family. Firearm prohibition can be ordered but requires additional findings. ORS 163.738.
- **SAPO** (Sexual Abuse Prevention Order) restrains someone who has sexually abused a person who is not part of their family or household, or who is under age 18. Firearm prohibition can be ordered if additional findings are made (rare). ORS 163.765.
- **ERPO** (Extreme Risk Protection Order) prohibits someone who is at imminent risk of hurting another person or of committing suicide from having deadly weapons. Firearm prohibition is the purpose of this protection order. ORS 166.525.
- **EPO** (Emergency Protective Order) temporary orders that law enforcement may request when responding to a domestic disturbance and a person is in imminent danger of abuse by a family or household member. No firearm prohibition can be ordered. ORS 133.035.

Oregon also has criminal **No Contact Orders**:

- When a defendant is charged with a sex crime, a domestic violence crime, or a crime involving bias, the court shall prohibit contact between the defendant and any victim while the defendant is in custody or awaiting adjudication. The No Contact Order remains in place until the defendant is sentenced for the crime, the charge is dismissed, or the defendant is acquitted.
- A No Contact Order can also be a condition of probation.

## Protection Orders and No Contact Orders

Protection Order Type	Petitions Filed in 2024	Who Can File a Petition for the Protection Order?	Do Mandatory Arrest Laws apply? (ORS 133.310(3))	What are the Consequences for Violation?
<b>FAPA</b>	9,447	Family or household member of the restrained person	Yes	District attorney can bring a contempt case in a quasi-criminal matter
<b>EPPDAPA</b>	3,196	A person over the age of 65 or a person with a disability (or their guardian)	Yes	District attorney can bring a contempt case in a quasi-criminal matter
<b>SPO (Stalking)</b>	5,129	Any person who feels they are being stalked	Yes	First violation is a Class A misdemeanor Additional violations are Class C felonies
<b>SAPO</b>	190	An adult who is not a family or household member; <i>or</i> A minor who is a family or household member of the restrained person (in limited circumstances)	Yes	District attorney can bring a contempt case in a quasi-criminal matter
<b>ERPO</b>	204	Law enforcement officer Family or household member of the restrained person	Yes	Violation of ERPO is a Class A misdemeanor; conviction results in an additional 5-year ban on possession of firearms
<b>EPO</b>	3	Law enforcement officer	Yes	District attorney can bring a contempt case in a quasi-criminal matter
<b>No Contact Orders</b>	<i>OJD does not have data on how many No Contact Orders are issued</i>	<i>N/A</i>	<i>No</i>	<i>Court can bring contempt of court charges (ORS 135.290)</i>

# Oregon Judicial Department: Domestic Violence Training

## Acronyms referred to:

CRB: Citizen Review Board (relates to foster care)

DV: Domestic Violence

FAPA: [Family Abuse Protection Act](#)

NCJFCJ: [National Council of Juvenile and Family Court Judges](#)

NJIDV: National Judicial Institute on Domestic Violence

OJD: Oregon Judicial Department

RAO: Release Assistance Officer

SA: Sexual Assault

SFLAC: State Family Law Advisory Committee

STOP VAWA: [STOP Violence Against Women Formula Grant Program](#)

VAWA: Violence Against Women Act

## Background:

Oregon currently has a three-year STOP VAWA grant. OJD receives 5% of the total (the rest goes to prosecution and law enforcement to improve their work with survivors of DV/SA). OJD's portion requires that it fund a .5 FTE staff attorney position to coordinate grant activities and provides a modest amount for training (typically around \$30,000-\$45,00 for the three-year grant period).

Note: Prior to Covid 19, there was a national organization, the National Judicial Institute on Domestic Violence (NJIDV), that in collaboration with NCJFCJ (National Council of Juvenile and Family Court Judges) and the Battered Women's Justice Project, would provide a national training curriculum for judges in the areas of domestic violence, dating violence, sexual violence, and elder abuse. OJD would regularly send 4-8 judges and TCAs (trial court administrators) each year to these trainings. These trainings stopped during Covid, NJIDV was disbanded due to their grant funding expiring, and the two sessions that NCJFCJ offered in 2023 to restart this valuable training were both subsequently canceled.

Starting in 2021, OJD began to use VAWA grant funds to bring trainings to Oregon: Strangulation training in May 2021, Understanding Survivor Trauma and Creating a Trauma-Informed Court in May 2022, as well as larger plenary sessions at

conferences in 2020, 2021, and 2023. OJD is currently considering the possibility of bringing a pared-down version of the Enhancing Judicial Skills in DV Cases training to the annual Judicial Conference in fall 2024, as well as a breakout session on Batterer Intervention programs in Oregon.

**VAWA grant-sponsored trainings for Oregon judges (and court staff) since 2018:**

January 2018 – sent 6 staff to a training on Cultural Responsiveness in the Courts

April 2018 – sent 2 judges to NCJFCJ’s “Enhancing Judicial Skills in Domestic Violence Cases” national workshop

May 2018 – provided training for 15 judges in Central Oregon from NJIDV, “Recognizing and Responding to the Dynamics of DV in Child Custody Cases”

May 2018 – provided training to 10 judges, 138 CRB board members from a plenary, “Foster Resilience and Improving Outcomes for Children Exposed to DV”

December 2018 – sent 1 judge to NCJFCJ’s “Enhancing Judicial Skills in Domestic Violence Cases” national workshop, and 1 trial court administrator to a national workshop on improving court processes for DV litigants

2019 – sent 6 judges to NCJFCJ’s “Enhancing Judicial Skills in Domestic Violence Cases” national workshop, and 2 trial court administrators to a national workshop on improving court processes for DV litigants

February 2020 – sent 2 judges to NCJFCJ’s “Enhancing Judicial Skills in Domestic Violence Cases” national workshop

October 2020 – Oregon Judicial Conference presentation, “Fairness and Cultural Considerations in Domestic Violence Cases”

May 2021 – plenary session at the family law conference on Elder Abuse in Civil Cases training in collaboration with Futures Without Violence

May 2021 – three-hour training from the Training Institute on Strangulation Prevention for judges, Pretrial Release Officers, and other stakeholders

May 2022 – four-part training for Oregon judges, court administrators, and other stakeholders on creating a trauma-informed courtroom and courthouse for survivors

June 2022 – training for family court facilitators and court staff on the lethality of stalking and civil stalking protection orders

June 2023 – plenary session at the SFLAC Family Law Conference, “Family Court Outcomes in Cases Involving Abuse and Alienation Allegations”

February 2024 – virtual Training for family court facilitators and court staff on civil protection orders



October 2024 – Oregon Judicial Conference presentation “A Different Angle on Domestic Abuse”

October 2024 – Oregon Judicial Conference presentation “Understanding Abuse Intervention Programs in Oregon”

November 2024 – webinar: What Survivors Want Judges to Know (for judges only); in partnership with Washington County FJC

December 2024 – webinar: Protection Orders and Firearms Restrictions (for judges and court personnel)

### **New Judge Training**

OJD hosts an annual week-long new judge seminar. “Domestic Violence, Intervention Programs, and Protective Orders” is an hour-long presentation focused on the intersection of DV dynamics with family & criminal law.

### **Additional Resources for Judges**

The State Family Law Advisory Committee (SFLAC) has a domestic violence subcommittee. OJD has worked with that subcommittee to update the **Stalking and FAPA benchbooks** (legal/operations manuals for judges). OJD is also working on **benchcards** (brief summaries of key information and procedures for judges) for **each of Oregon’s six protection order types** to help newer or less familiar judges navigate the civil protection order system. We expect those to be ready in March 2024.

### **We also provide training focused on domestic violence to Release Assistance Officers.**

Our 2024 in-person RAO training includes: Domestic Violence Cases – Trauma Informed Approaches. This training will provide release officers with an understanding of domestic violence cases, known safety risks, understanding DV survivors, and an overview of lethality factors in these cases. This training will help provide RAOs with on-the-job skills when interacting with victims of domestic violence cases.

Our 2025 training, Release Assistance Office Training on Domestic Violence Cases – Trauma Informed Approaches, will provide release officers with an understanding of domestic violence cases, known safety risks, understanding DV survivors, and an overview of lethality factors in these cases. This training will help provide RAOs with on-the-job skills when interacting with victims of domestic violence cases.

**OJD's Conversations Series** provides department-wide **education to judges and staff** through 1-hour webinars. In October 2023, we held a conversation titled "Domestic Violence Court Intervention" that was hosted by the Oregon Coalition Against Domestic and Sexual Violence (OCADSV).

## Oregon Judicial Department: Trauma-Informed Training (Juvenile and Family Court Programs)

Date	Session Title	Min.	Trauma Informed Component
January, 2020	Trauma in the Courtroom, What Judges Should Know	45	Training on trauma informed practice for judges new to dependency court
August, 2020	Trauma and Healing Principles	60	Native culture, ceremony, and tradition are key components to the wellness of Native Communities
April-June, 2021	Trauma Series April: Neurobiology of Trauma	120	A webinar series designed to instruct judges and other court personnel on the dynamics of trauma. It was three, 120-minute-long sessions. Each session had presenters with a particular expertise.
	May: Trauma Informed Courtroom	120	
	June: Vicarious Trauma and Resilience	120	
August, 2021	Judicial Leadership of Model Court Teams: We're All in it Together	90	Judges learning to step down from the bench and lead local teams to improve court practice in juvenile court, with a goal of understanding the impact of child welfare on families, including court hearings
August, 2021	Supporting Families Affected by Substance Use	75	Applying Family Dependency Treatment Court Principles which include being trauma-informed
August, 2021	Racial Equity and Disparate Impact in Child Welfare Decision-Making Racial Equity and Disparate Impact: An Oregon Perspective	90	Understanding how racism can impact child welfare policies and outcomes. Teaching individuals to understand their role in causing trauma to families
Sept. 2021	Bias in the Family: Race, Ethnicity, and Culture in Custody Disputes	75	Training on cultural sensitivity and trauma in courts.
	Trauma Informed Family Conflict Resolution	90	Trauma informed conflict resolution
	Post Separation Abuse	75	Recognizing and responding to the trauma of abuse that occurs after a couple separates.
	Supporting Youth with Serious Behavioral and Mental Health Needs	120	Understanding the trauma of youth who are struggling with mental health issues and/or behavioral issues
August, 2022	Keeping Families Together: A Shared Responsibility	75	Learning about how everyone involved in the child welfare system must have a goal of keeping families together and how harmful the child welfare system can be on parents and children.
August, 2022	Oregon's Family Preservation and FFPSA Implementation	60	ODHS Child Welfare is changing the way it works with families, starting to focus on removal of children and trying to preserve families

August, 2022	Keep Families Together: What Can a Model Court Do?	90	As ODHS Child Welfare's practice model has changed to family preservation, what can each system partner do to reduce harm and trauma.
August, 2022	Strangulation: The Last Warning Shot	180	This two-part series focused on the lethality of strangulation in domestic violence and sexual assault cases.
May 2023	Communicating and Relating More Effectively Across Poverty Barriers	75	Recognizing and addressing poverty induced trauma
June 2023	Family Court Outcomes	75	Addressing child safety and trauma in abuse and alienation court cases.
	Brains & Bodies: Youth and Families	90	Understanding and addressing trauma in children
	Cultural Connections for Children and Youth in ORICWA Cases	60	A young person with lived experience talked about the trauma of being in foster care and the importance of remaining connected to her indigenous culture
August, 2023	Klamath County ICWA Court	60	A presentation on ICWA Courts and the development of Klamath County Circuit Court's ICWA Court, including the history of ICWA.
August, 2023	Defining Safety to Reduce Disparities and Inequities in Child Welfare	60	Without a sound definition of safety, minority children may come into the child welfare system for reasons other than those that pose a substantial risk of irreparable harm. This session will explore how the elimination of poverty from the definition of safety might impact disproportionality in the child welfare system.
September, 2023	Elevating the Voice of Children in Safety Decision-Making	60	Presenters will demonstrate a new child welfare practice approach that centers children in safety decision-making and planning and improves information provided to courts to enhance legal decisions.
September, 2023	Mini CANI (Child Abuse and Neglect Institute):		A judicial academy for judges new to juvenile court. ICWA talks about how Indian children were separated from their families and the trauma that caused that is still impacting native families today. The domestic violence session was to talk about the trauma of DV and how it will show up in children and families and what judges can expect if a DV survivor is in front of them in court. Substance Use Disorder and Trauma covered how SUD can impact the brain, as well as how trauma can and what judges could expect from folks who are experiencing trauma or struggling with SUD.
	Indian Child Welfare Act (ICWA): An Introduction	60	
	Domestic Violence in Dependency Cases Substance Use Disorder and Trauma	60 90	
May, 2024	Supporting and Affirming LGBTQIA2S+ Youth Impacted by the Justice and Child Welfare Systems	180	Laying the Foundation: Data, Terms, and Concepts Hopes and Fears, Questions of LGBTQIA2S+ HOPE and Positive Childhood Experiences (PCEs) Best Practices, Resources

July, 2024	Empowering Survivors, Safeguarding Children: Insights into DV and Child Welfare Dynamics	90	This panel delves into the convergence of child welfare, domestic violence, highlighting safety planning tailored to each unique family, risk management, cultural considerations, and equity. The presentation addresses the importance of trauma-informed practices, the terminology shift to intimate terrorism, and strategies to support survivor accountability without victim blaming, featuring insights from those with lived experiences and providing judges an opportunity to discuss and resolve challenging issues.
August, 2024	Comings and Goings Exercise of Commercially and Sexually Exploited Children and Youth by NCJFCJ	120	This training exercise focuses on barriers to safety for victims and will enhance participants' understanding of the multi-faceted considerations that accompany a child sex trafficking victim's decision-making process.
August, 2024	What Survivors Want Judges to Know	60	A survivor panel aimed at instructing judges on what survivors need in the courtroom and what would have made their experience more trauma informed.
November, 2024	Choosing Compassion to Support Families Why Compassion? Why Now? Self-Compassion and the Need to Be Kinder to Ourselves Compassionate Action in Child Welfare: Opening the Door to Personal, Familial, and Professional Change Narratives and Nuance: Enhancing Child Welfare Practice Through Intentional Listening	45 60 70 70 60	<p>-Instead of focusing on risk and permanency as the primary objectives when engaging with child welfare families, relationship building and connection should be pivotal factors in supporting families fixed on well-being. Compassion serves as a building block for connection and engagement for families.</p> <p>-In the demanding field of child welfare, professionals are continually faced with the suffering of the children, families, and communities they serve. This session will make the case for why now, more than ever, child welfare professionals must embrace compassion—not just as a tool for supporting others but as a necessary practice for noticing and responding to their own suffering. By cultivating compassion, we can foster resilience, prevent burnout, and improve well-being, leading to better outcomes for ourselves and the families we serve. Through this lens, the session will explore how recognizing and addressing both external and internal suffering can strengthen our capacity to navigate the complex emotional and systemic challenges of child welfare work. Participants will leave with practical strategies to integrate compassion into their professional and personal lives, ultimately helping to build a healthier, more effective child welfare system.</p> <p>- This session will offer understanding of the ways in our human selves suffer in the context of serving others. Self compassion concepts and practices can support</p>

			human brains and experiences naturally. Applying self-compassion can cultivate a balanced perspective as to our roles in child welfare.
December, 2024	Working With Victims of Sex Trafficking	90	Help identify victims and respond to the complex trauma of sex trafficking
March, 2025	Protection Order Ratatouille: Update's on Oregon's Protection Orders and Their Impact on Families	90	How Oregon's complex field of restraining orders affects parents and children
	Mediation & Domestic Violence: effective strategies for ensuring safety, self-determination, and trauma-informed care in mediation involving domestic violence.	45	Trauma informed care principles applicable to family law cases that involve domestic violence.

## Oregon Judicial Department: Trauma-Informed Training (Judicial Conference and Circuit Court Judges Association Conference)

Date	Session Title
2020 (Judicial Conference)	Recognizing and Working with the Human Side of Judging
2020 (Judicial Conference)	Challenging Courtrooms: Charting s Safe Courts Through the Turbulent Waves of Human Emotion
2021 (Judicial Conference)	Mental Health & Procedural Justice
2021 (Judicial Conference)	Marginalized and Misunderstood: Courtroom Justice for People with Behavioral Health Conditions
2022 (Circuit Court Judges Assoc)	Reshaping the Court & Community Focus on Persons with Behavioral Health Issues
2022 (Judicial Conference)	Gender Identity: Why it Matters for Access to Justice
2022 (Judicial Conference)	Assuring Self-Represented Litigants Access in a Neutral Court
2023 (Judicial Conference)	Advancing Equity to Promote Inclusion, Fairness, and Access to Justice in Oregon Courts
2024(Circuit Court Judges Assoc)	How Trauma-Informed Practices Can Assist Judges in the Courtroom
2024 (Judicial Conference)	Courageous Conversations 101