

Memo

January 31, 2011

To: Hon. Nan Waller, Chief Family Law Judge
Fourth Judicial District - Circuit Court of the State of Oregon for Multnomah
County - Family Law Department

From: Janice Garceau, Manager, Multnomah County Family Court Services

Re: Family Court Services Custody/Parenting Time Evaluation Referral Criteria

Family Court Services (FCS) has experienced a reduction in full time staff and an increase in mediation cases, as well as a high volume of referrals for custody and parenting time evaluation. After careful consideration of options and a full discussion with the Family Law bench, FCS has established additional referral criteria for custody and/or parenting time evaluation referrals.

In addition to the criteria outlined in SLR 8.047, the following criteria must be met in order for a custody and parenting time evaluation to be accepted for service:

- The parties must both have completed the Court approved parent education class or had that requirement waived by a Judge.
- The parties must have either completed mediation OR obtained a waiver of mediation within the six (6) months preceding the request for an evaluation.
- The parties' children must be aged ten (10) years or younger.
- The parties – at a *minimum* the requesting party/parties where applicable - have paid the assessed evaluation fee.

FCS will perform one evaluation update on a given case. Subsequent updates must comply with the standards set out in the current SLR. Updates ordered within a year of the initial evaluation will be eligible for a reduced evaluation fee. Updates that occur after one year will be responsible to pay the full assessed evaluation fee.

These criteria are intended to manage the overall number of referrals and to limit referrals to those cases with the most vulnerable populations. They do not in any way limit the discretion of a Family Law Judge to make exceptions when circumstances warrant.