

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

In the Matter of Family Court Services Evaluations)
and Compliance with Mandatory Mediation)

PRESIDING JUDGE ORDER

It appearing to the Court and the Court finding that the use of the Department of Family Services for child custody and parental time evaluations must be restricted due to limited resources and it further appearing that mandatory mediation needs to be enforced by the Court,

IT IS HEREBY ORDERED:

1. Child custody and parenting time evaluations will not be performed in the following cases:
 - A. Contempt or parenting time enforcement cases
 - B. Cases in which the current matter has been pending for more than six months
 - C. Cases in which the children are all over 15
 - D. Cases in which there has been a professional evaluation within the past two years, except to obtain an update. Updates will only be ordered where there has been a substantial change of circumstances since the completion of the last evaluation
 - E. Pending Juvenile Dependency cases
 - F. Cases in which the only matter pending is a FAPA restraining order
 - G. Cases of Probate Guardianship
 - H. Cases in which a parent is in prison

In cases where there has been a substantial break in the parent-child relationship, a history of abuse or significant criminal history, supervised visits, if any, would be the first step, not an evaluation.

All requests for evaluations require the filing of a *Motion for Custody or Parenting Time Evaluation* which shall be scheduled for any Friday morning at 8:30 am. No stipulations for such studies will be permitted.

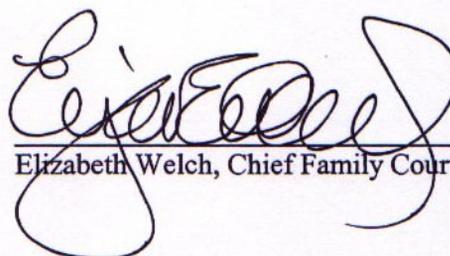
2. Mediation Compliance Procedures:
 - A. No pendente lite hearing regarding custody or parenting time will be set unless an *Order for Mediation* has been obtained, an *Order Waiving Mediation* has been entered or the parties have attended mediation since the filing of the *Petition*.
 - B. When the parties call in to report readiness for a trial setting, if mediation and parenting time have not been completed, in cases where child custody or parenting time are at issue, **trial will not be set.** On cases retained by a Family Court Judge, trial settings sought through that Judge's judicial assistant will not be set unless mediation has been completed or an *Order for Mediation* has been entered. Parties confirming trial readiness with that department will be expected to confirm completion of Mediation and of Parenting Time Education in accordance with the directions of court staff.
 - C. As for *Modifications* of child custody or parenting time, a *Mediation Order* will be a condition to the setting of a hearing date. If any cases come before the court without the completion of mediation, the hearing will be reset and the parties sent to mediation.

This order is effective for all domestic relations cases including all cases pending disposition on or after May 1, 2006.

Signed this 14th day of April, 2006.



Dale R. Koch, Presiding Judge



Elizabeth Welch, Chief Family Court Judge