

**MINUTES
SFLFAC MEETING
MULTNOMAH COUNTY JUVENILE JUSTICE CENTER
PORTLAND, OREGON
SEPTEMBER 10, 2004
(1:30 - 4:30 p.m.)**

Members Present: Hon. Paula Brownhill, Hon. Maureen McKnight, Hon Robert Selander, Cynthia Chinnock, Ramona Foley, Sybil Hebb, Bill Howe, James Adams, Stephen Adams, Linda Scher, Ed Vien, and Dave Hakanson

Members Absent: Hon. Terry Leggert, Sharon James, and Ernie Mazorol

Guests present for all or part of the meeting: Hon. Dale Koch, Alice Phalan, Alison Taylor, Lauren MacNeill, Sue Hill, Bob Spinks, Sandra Purnell, Chris Walls, Kathy McLoughlin, Elizabeth Vaughn, Dr. Herman Frankel, and Katy Yetter

Staff Support: BeaLisa Sydlik and Joy Brewer

CONSENT CALENDAR

Minutes: Minutes for June 4, 2004 were corrected to state that Ms. Scher recommended distinguishing between a stipulated order as being a positive result. An additional correction involved specifying the 1,700 eliminated positions were “county-contracted.” Minutes as amended were adopted by motion.

SUBCOMMITTEE REPORTS

Annual Family Law Conference: Judge Selander reported that there are approximately \$16,000 in general funds that could be available for the annual conference. This is general fund money that must be spent before June 30, 2005, but a similar amount might be available next biennium.

Discussion followed regarding the merits of statewide and regional conferences. It was felt that statewide conferences offer more efficient use of funding and perhaps greater educational opportunities. However, an important consideration is the cost of having people come to a statewide conference; it may be easier for individuals to attend a regional conference. Bill Howe moved that the SFLAC sponsor an annual statewide conference each biennium, with the proviso that in the calendar year in which there was not a statewide conference, that the SFLAC co-sponsor one or two regional conferences if money is available. Motion seconded and carried unanimously.

Judge Selander will continue as chair of the subcommittee. The subcommittee needs to be reconstituted with new and returning members. It was noted that being a member of this subcommittee requires substantial time and planning commitments. Those who are interested in renewing or becoming members, should either contact him or BeaLisa Sydlik. Bill Howe indicated on the record his willingness to join the subcommittee.

Domestic Violence: Sybil Hebb reported that the current version of the “Guidelines for Developing Domestic Violence Plans and/or Protocols in the Context of Mediation” did not provide for the situation when restraining orders were in effect. The subcommittee meets again at the end of this month to explore revising the guidelines to include a section on this topic.

Parenting Plan Outreach Workgroup (PPOW): Linda Scher reported that an early draft of a new flyer regarding the Guides/Packet was being circulated, and may be circulated at the OSB Family Law Conference. The flyer will also be circulated at the upcoming facilitation training on October 5, 2004.

Court/Child Support Agency Child Support Coordination: Cindi Chinnock reported that the Paper-Process Flow Workgroup Report, previously circulated to the SFLAC, had been finalized and presented it to the SFLAC for approval. Jim Adams stated that he had shared the report with judges and the civil unit in his court and had been asked by Judge Orf to convey her appreciation to the subcommittee. The workgroup and subcommittee were commended for their work. The Report was approved unanimously, and will be presented to the State Court Administrator for her approval.

The national child support strategic plan has been adopted for the next five years and will be discussed at the next meeting of the subcommittee.

Ongoing issues are continuing to be dealt with by the subcommittee including: parent locator services, legislative proposals, disestablishment of paternity as it relates to the Uniform Parentage Act. Co-chair Judge McKnight noted that Cindi Chinnock is president of the National Council of Child Support Directors and that the subcommittee benefits from her national involvement in its policy discussions. Cindi reported that there is an intensive planning process taking place between child welfare and child support regarding how to work best together for the benefit of children. Issues of staff training are being considered, and existing policies and procedures are being researched for consistency with the law and to understand the remedies available. A final report is expected with recommendations for improvement in the near future.

SB 167 Guidelines Subcommittee: Dr. Ed Vien distributed copies of the final version of the Guidelines for qualifications of custody evaluators, parenting coordinators and parenting time supervisors. These are general guidelines that are intended to serve only as a baseline for development of more complex qualifications in the local jurisdictions. Judge Selander stated these were some of the most under-regulated and abused areas of the law, and that there are uncredentialed persons testifying as “experts.” He commended the subcommittee for its work in this area. He moved to recommend the report to the State Court Administrator. Motion seconded and carried unanimously.

Pro Se Legal Services Subcommittee: Katy Yetter reported regarding the upcoming training for family law facilitators and reviewed the course outline. Judge McKnight stated that courts need to accept, plan and budget for the reality of pro se litigation. The subcommittee reviewed a 44-page report from California’s Task Force on Self-Represented Litigants and its recommendations, and will be developing a workplan of its own. The subcommittee has committed itself to bi-monthly phone conferences, and several in-person meetings over the next year and is committed as well to creation of a useful work product.

Judge McKnight stated the subcommittee had deferred the issue of its name to the full SFLAC for determination. There was a discussion regarding the subcommittee’s mission and an appropriate name. The name “Self-Represented Legal Services Subcommittee” was adopted by motion. It was strongly recommended the subcommittee have adequate funding to ensure continued in-person and telephonic meetings.

NEW BUSINESS

Guest Presentation: OJD Performance Measures. Alice Phalan presented a review of the OJD Performance Measures, and distributed a number of handouts. SFLAC Chair Judge Brownhill and SFLAC member Jim Adams are members of the Performance Measure Advisory Committee. The OJD is

undertaking 15 presentations in the next 3-4 weeks to various committees and groups, soliciting input re: existing and additional possible measures. Ms Phalan discussed the project's funding, history, and its relationship to executive agencies and legislative requirements. She noted that the OJD Performance Measures derive from a 2003 legislative budget note requiring the Department to develop performance standards and measures. She indicated that SFLAC input will be provided to the Performance Measures Advisory Committee (PMAC), together with other groups' input, and the PMAC will prepare a draft report for the presiding judges' and TCAs' meeting on December 2, 2004. The final performance measure report will be presented to the Legislature at the budget hearings in March 2005 before the Public Safety Ways & Means Committee.

Ms. Phalan explained the difference between "performance measures" and "evaluations." There was discussion about the end result of the performance measures, including whether or not they will be used to determine local courts' entitlement to funds and as a tool to request additional resources for the courts. Extended discussion included the following:

- A possible performance measure that would gauge the number of pro se filings that have gone through the local court's facilitation center.
- The performance measures would not be reported by court but as a general statewide number.
- Another valuable measure would relate to whether facilitation services are adequate; i.e., what difference does providing these services make? Does the fact that a pro se person receive help make their case go better?
- Having a facilitator does not necessarily mean their services are "accessible."

A small workgroup was created comprised of Judge McKnight, Judge Selander, Jim Adams, Alice Phalan and Bealisa Sydlik. This workgroup will meet by telephone in advance of the due date of 11/15/04 to create recommendations for submission to the PMAC.

Discussion regarding future meeting locations was deferred until the December 3, 2005 meeting.

The meeting adjourned at 4:03 p.m.

Prepared by:

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Reviewed by:

Bealisa Sydlik, Family Law Senior Policy Analyst
SFLAC Administrative Support

FUTURE MEETINGS:

Friday, March 4, 2005	Noon - 4:30 p.m.	Multnomah Co. Juvenile Justice Center
Friday, June 3, 2005	Noon - 4:30 p.m.	“ ”
Friday, September 9, 2004	Noon - 4:30 p.m.	“ ”
Friday, December 2, 2004	Noon - 4:30 p.m.	“ ”

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