

**MINUTES
SFLAC MEETING
OREGON STATE BAR CENTER
LAKE OSWEGO, OREGON
April 6, 2001
(1:30 p.m. - 4:00 p.m.)**

The meeting was called to order by William J. Howe, III, Vice Chair, at 1:40 p.m.

Present: Hon. Paula Brownhill; Bob David; Ramona Foley; William J. Howe, III; Sharon James; Hon. Terry Leggert; Ernest J. Mazorol, III; Maureen McKnight; Linda Scher; Lorah Sebastian; Hon. Robert Selander.

Absent: James L. Adams; Stephen Adams; Kate Barkley; Hon. Dale Koch; Hugh McIsaac.

Guests present for all or part of the meeting: Layne Barlow; Dan Dennehy; Kevin Aguirre.

State Court Administrator (SCA) Staff: BeaLisa Sydlik; Hillary Berk; Catherine Green.

Consent Calendar:

Minutes: Minutes of the February 2, 2001 meeting were read and approved.

SUBCOMMITTEE REPORTS:

Annual Family Law Conference Subcommittee: Judge Selander reported that a site was chosen for the Third Annual Family Law Conference at the Hood River Inn. A contract has not been signed, but the SFLAC has first right of refusal. The conference dates selected are April 5, 6, and 7, 2001. There were two suggestions made for keynote speakers: Robert Mnookin and Robert Johnson. The committee members agreed to defer further discussion and planning until after legislative session is concluded.

Legislative Subcommittee: BeaLisa Sydlik discussed Oregon Judicial Department's budget, which was presented to the Joint Ways and Means Committee the week of March 19, 2001. House Bill 5020, an OJD reduced budget, was passed on the House floor today. The House approved the OJD base level of service of \$410,000,000, a reduction of \$9.7 million. HB 5020 cuts forty-eight OJD permanent positions. The OJD's two policy packages for continuation and expansion of the integrated family/drug courts were not approved, thus the 35 limited duration positions are unfunded for the next biennium, at this time. The speeches made on House floor noted the increase of workload on the judges and the importance of integrated family/drug courts. BeaLisa also discussed the domestic relations bills listed on the handout - Summary Highlight - Selected Domestic Relations Bills as of 4/4/01. It was reported that several bills pertaining to family law; e.g., joint custody and parenting plans, did not have hearings and died in committee. Maureen McKnight discussed child

support orders being entered in the courts without personal jurisdiction (ORS 107.197) and the need for legislation to fix this. Judge Leggert suggested that members contact their legislators to ask for support for the OJD budget.

HANDOUT: Summary Highlight - Selected Domestic Relations Bills as of 4/4/01

Domestic Violence Subcommittee/Curriculum Subcommittee: Maureen McKnight reported that the first regional DV judges/court staff training took place on March 13, 2001, in Eugene, Oregon. The training was generally well-received, with a comprehensive curriculum. Maureen noted that more staff attended than judges. The subcommittee's task for future trainings is to decide whether to focus specifically on training judges, focus more on training staff, or find a way to gear the training toward both judges and staff. Three more trainings are scheduled, and a Central Oregon training may be added. Maureen said that the subcommittee plans to: (1) focus on the remaining trainings this year, and (2) address confidentiality issues. BeLisa reported that there is about \$77,000 available from the five percent portion of VAWA funds set aside for courts and grant applications will soon be distributed. Lorah Sebastian reported that there is a bill before the House, sponsored by Oregon District Attorneys Association, that requires all service professionals, except clergy, to report child abuse, domestic violence, and threats of violence to authorities.

HANDOUT: Domestic Violence: "Crafting the Courts' Consistent Response" Training Agenda

Parenting Plan Work Group (PPWG): Lorah Sebastian reported that the subcommittee has been focusing on completing the Draft Version #2 of the Parenting Plan Guide, which was sent out to a number of groups for review and feedback. The PPWG estimates that the Guide will be posted on the SFLAC Family Law Website by the end of June. The PPWG will meet on May 21st to review and discuss comments and feedback received as a result of the review process. Linda Scher discussed her proposed press release regarding the PPWG's Guide and asked for suggestions.

HANDOUT: Draft Version #2 Parenting Plan Website and Resource Materials
Draft Press Release: Help For Parents In Creating Their Parenting Plans

Future's Subcommittee: Bill Howe reported that the subcommittee met via teleconference, recommended edits to the report, and designated a "word-smithing group" to finalize the draft report for the SFLAC review. During that process, the first seven pages were not edited, however, beginning with page 8, the group made various changes, including deleting the endorsement of the specific practices of collaborative law and restorative justice, and placing examples of innovative programs in an appendix. The committee agreed to (1) keep the title page, but edit it to spell out the initials "FDR"; (2) remove the subcommittee members' names from the second page, but leave the list of members in the endnote; (3) have Bill write a positive, summary conclusion which mentions progressive programs generally, rather than specific county projects, using information from the table in Appendix B; and (4) remove the quotation from page 2, since it also appears at the bottom of page 1. The motion to approve these changes was passed. The committee agreed that, based on the subcommittee's extensive effort, no further changes should be approved without the consent of the subcommittee, excepting small, "wordsmithing" edits. The revised report will be submitted to the Future of the Courts committee for review and approval on April 24, 2001, and submitted to

Kingsley Click for her review and approval. In addition, the SFLAC's Future's Report will be posted on the SFLAC Family Law website. The committee also agreed to produce the report in booklet form and submit it to journals for publication. Since Hugh has already arranged for publication in three journals, he and Ernie were nominated to follow through with publication of report.

HANDOUT: SFLAC's Future's Report
Table of Innovative Programs

Court/Agency Child Support Coordination Subcommittee: Bob David reported that the subcommittee had met twice and will meet again on April 23 to discuss work group recommendations. The subcommittee expects to finalize its work plan, focusing on: (1) bringing about awareness of issues between the courts and the agency; and (2) proposing solutions for these issues. The subcommittee intends to prepare articles for publication and develop either a training or a couple of workshops for the annual family law conference.

The three work groups' chairs gave individual reports. Kevin Aguirre reported that the Parental Decisions Work Group has met a couple of times, and at its next meeting, will be developing ideas for an agency mediation strategy and will accept suggestions for how to use the Parental Access and Visitation Establishment/Enforcement (PAVE) grant funds. Maureen McKnight reported that the Education Work Group's first meeting is set for April 30th. Bob David reported that the Records Management Work Group, chaired by Diane Pietrzak, had met several times. This Work Group had discussed implementation of the Family Violence Indicator (FVI) and will make a recommendation to the SFLAC and SCA for the development of an FVI override procedure to be submitted to the legislature next session. Lynn Cutrell, guest speaker at the last work group meeting, discussed retention of documents, and recommended development of a collaborative model for filing and destruction of documents in support cases. Bette Yada is preparing a draft guideline on bail intercept procedures. The group is also discussing issue preclusion, and whether an agency ruling precludes a later judicial one.

OLD BUSINESS:

LFLAC Questionnaire: Deferred until the August SFLAC meeting.

SFLAC Liaisons: Judge Brownhill, Lorah Sebastian, Sharon James, and Judge Selander reported they had not yet contacted their LFLAC chairs. Linda Scher reported on the Columbia local FLAC meeting: they have completed their ORS 3.434 plan, anticipate expanding membership, and have scheduled another meeting in May. That local FLAC scheduled another meeting in May. Baker County local FLAC has a new chair, Gregory Baxter, and Maureen McKnight will contact him. Bob David spoke with the Benton County local FLAC chair, who reported that the committee has not yet met recently. Ramona Foley has left messages for Judge Avera, the Polk LFLAC chair, but they have not yet spoken directly with each other. Ernie Mazorol volunteered to make the next contact with Judge Avera.

Article on Unbundling: Deferred until after setting of OSB trainings on this topic.

Invitations to Future SFLAC Meetings: Suggestions included extending invitations to:

- chair of the Family Law Section of the Bar,
- chair of the Juvenile Law Section of the Bar,
- chair of the Young Lawyers Section,
- Conrad Hutterli, editor of the Family Law Newsletter
- publisher of the OSB "Bulletin"
- Kateri Walsh - OSB Media
- an representative from Department of Justice/Attorney General
- president of the Juvenile Directors Association,
- Oregon Youth Authority (e.g., Karen Birzeau)

Publicizing: Deferred to the June SFLAC meeting agenda. Committee to continue thinking about writing articles and drafting written work plans.

NEW BUSINESS:

Website: Bealisa reported that the difficulties with public access to the State web site and forms resulted because the server capacity is not large enough to handle the number of people accessing the site. She has been advised by Information Technology Division that a larger server may be purchased by the Department by the end of June. The committee reviewed the Web Site Inquires Table. The group agreed to continue discussion of the web site to the June meeting agenda.

Unbundling Survey: Bealisa Sydlik reported that there was anticipated to be a training for attorneys and courts on providing unbundling services to *pro ses*, sponsored by the OSB Modest Means and Pro Bono Subcommittees on May 18, 2001 in Pendleton. She distributed a table of survey results which compiled suggestions for potential topics at the training, and demonstrated the priority of need each court assigned to particular unbundled services for litigants coming to their courts.

Announcement: Sharon James reported that Multnomah County will have child care center in the Multnomah courthouse at a location across from the Family Court Services office. The center is self-supporting through grants and funds raised via Court Care. It will be open all day, staffed by Volunteers of America.

HANDOUT: Unbundling Survey
Table of Inquiries to the State Family Law Web Site

The meeting was adjourned at 3:40 p.m.

The next meeting is scheduled for June 1, 2001, at the Multnomah County Juvenile Justice Center.

List of Attachments and Handouts for April 6, 2001 Meeting:

- Summary Highlight - Selected Domestic Relations Bills as of 4/4/01
- Domestic Violence: “Crafting the Courts’ Consistent Response” Training Agenda
- Draft Version #2 Parenting Plan Website and Resource Materials
- Draft Press Release: Help For Parents In Creating Their Parenting Plans
- SFLAC’s Future’s Report
- Table of Innovative Programs
- Unbundling Survey
- Table of Inquiries to the State Family Law Web Site

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