

**MINUTES
SFLAC MEETING
MULTNOMAH COUNTY JUVENILE JUSTICE CENTER
PORTLAND, OREGON
June 1, 2001
(1:30 p.m. - 4:00 p.m.)**

The meeting was called to order by Hon. Dale Koch, Chair, at 1:40 p.m.

Present: James L. Adams; Stephen Adams; Kate Barkley; Hon. Paula Brownhill; Bob David; Ramona Foley; William J. Howe, III; Sharon James; Hon. Terry Leggett; Ernest J. Mazorol, III; Hugh McIsaac; Maureen McKnight; Linda Scher; Lorah Sebastian.

Absent: Hon. Robert Selander

Guests present for all or part of the meeting: Dan Dennehy; Kevin Aguirre; Grafton Sterling; Diane Pietrzak; Chris Walls; Martha Stroud Morris; Karen Olsen.

State Court Administrator (SCA) Staff: Alice Phalan; BeaLisa Sydlik; Hillary Berk.

Consent Calendar:

Minutes: Minutes of the April 6, 2001 meeting were read and approved with the following changes:

(1) Bill Howe — Subparagraph (3), Page 2, “Future’s Subcommittee” be revised to read as follows:

“(3) have Bill make a positive, summary conclusion which mentions progressive programs, but without naming specific counties, using information from the table in Appendix B; and...”

(2) Ramona Foley — Page 3, “SFLAC Liaisons” be revised to reflect that Ramona Foley spoke with the court administrator for Judge Rivera, but did not leave him a message.

(3) Judge Paula Brownhill — OLD BUSINESS, “SFLAC Liaisons”, Page 3 be revised delete reference to Judge Brownhill not having contacted her local FLAC chair since she is the chair of Clatsop’s local FLAC.

SUBCOMMITTEE REPORTS:

Annual Family Law Conference Subcommittee: BeaLisa Sydlik requested that the committee decide whether they prefer holding the conference on Friday April 5 and Saturday April 6, or Saturday April 6 and Sunday April 7. The conference dates selected by vote were April 5 and 6, 2002. There were two suggestions for keynote speakers: Robert Mnookin and Robert Johnson. Some committee members received audio tapes of Robert Johnson during a speaking engagement.

Judge Koch encouraged Committee members to attend the National Council of Juvenile and Family Court Judges Forum, to be held on September 23 - 26, 2001 in Ohio, if they will not be attending the Oregon Juvenile Director's annual meeting on the same weekend.

Legislative Subcommittee: Judge Leggett discussed the House Judiciary Civil Committee hearing on HB 2880 (the stalking bill) where she testified about concerns with the process for complaint filing, concurrent use of the FAPA and stalking procedures, and potential significant workload increase for judges and staff under the bill. House Judiciary Chair Williams decided to establish an interim judiciary committee to address these issues and others. The committee briefly discussed HB 2427, the Troxel fix bill, and SB 167, the custody evaluation panel bill, which was sponsored by Senator Clarno on behalf of the Oregon Family Institute. Recently, in House Judiciary, amendments related to HB 2427 were added to SB 167 which may create controversy for SB 167 A-Engrossed. CCJSD staff will work with Senator Clarno's office and others to insure SB 167 passage.

Judge Leggett will email the committee important legislative news and developments as they arise.

Jim Adams advised the committee that he, on behalf of Jackson County Circuit Court, expects to recommend that there be an option for the filing fees collected under ORS 21.112 (Mediation and Conciliation) to remain under the court's discretion to operate the custody/parenting time services. Currently the statute establishes that the funds are transferred to the county commissioners to pay for the services. The committee had a brief discussion about the SFLAC's role in convening a workgroup to research the issues and make recommendations to the SCA. Decision on a workgroup was deferred until after legislative session.

HANDOUT: Summary Highlight - Selected Domestic Relations Bills as of 5/31/01

Domestic Violence Subcommittee/Curriculum Subcommittee: Maureen McKnight reported that the next two regional DV judges/court staff trainings will be held in Redmond, Oregon on June 29, 2001 and Baker, Oregon on July 13, 2001. The Redmond agenda will be split to train judges in the morning session and court staff in the afternoon. Both will receive training on Full Faith and Credit issues, though the staff will receive more "DV 101."

The subcommittee is also working on a set of forms which can be used in family law matters to prevent disclosure of personal information for confidentiality and safety purposes. The draft forms are currently being reviewed for feedback. The model forms will be offered to the Forms Review Committee and the State Court Administrator for approval. The subcommittee is also interested in exploring a long-term solution to confidentiality of information through development of a "P.O. Box" program much like that used in Washington.

The subcommittee received feedback on its briefing paper on the Full Faith and Credit conference, and will continue to work on follow-up and partnering issues.

Alice Phalan reported that the Court Community Justice Services Division (CCJSD) submitted an application to receive funds under the Violence Against Women Act to continue domestic violence training of judges/court staff, to address full faith and credit issues, and to provide advanced training of court-connected mediators on domestic violence issues.

Parenting Plan Work Group (PPWG): Hugh McIsaac presented the most recent draft (Version #4) of the Parenting Plan Work Group (PPWG) guide and resource materials. The subcommittee has considered feedback on all sections except the model parenting plan section, which will be discussed during a work session on July 9, 2001. The guide will have both a “paper version” and a “web version.” The work group is also planning to produce a separate safety-focused guide, although the current guide includes language which screens for safety concerns. The group hopes to have the guide completed by July 16, 2001, so it may be reviewed by the SFLAC at the August meeting. The group acknowledges that this is a work-in-progress which requires ongoing review, but feels it is important to launch the initial product to the public as soon as possible since there is so much demand for it, and to get a sense for how it works on a practical level.

Bill Howe recommended that *The Divorce Advisor* by Marcia Kline Pruitt be added to the list of resources. He also offered to write a one to two sentence summary on the books he has read from the list, and suggested that each resource have a summary. Formatting suggestions were made regarding presentation of safety language, which the subcommittee will consider on July 9, 2001.

BeaLisa Sydlik will email Adobe Acrobat versions of the materials to SFLAC members. Even though LFLAC chairs already received the draft materials for feedback, there was not as much response from them as anticipated. Therefore, BeaLisa will resend the materials via email to the LFLAC chairs by July 18, 2001. The SFLAC liaisons will be responsible for following-up with their respective chairs. Alice Phalan is planning a meeting with the State Court Administrator to inform her about progress on the Parenting Plan Guide.

Due to the importance and sensitivity of the Guide, one and one-half hours of the next SFLAC meeting agenda will be devoted to discussion of the Parenting Plan Guide. The Parenting Plan work group will provide the SFLAC with a list of unresolved or controversial policy issues, for discussion at the August Meeting, e.g., custody vs. parenting time order of precedence and level of attorney review to recommend.

HANDOUT: Draft Version #4 Parenting Plan Guide

Future’s Subcommittee: Bill Howe reported that the SFLAC Future’s Report was submitted to Judge Abernethy and the Future of the Courts Committee, which preliminarily endorsed the report pending more thorough review. **Bill reported** the draft was reviewed by several individuals at the AFCC Chicago conference in May 2001 and the response was very complimentary. The subcommittee will meet again to review any proposed changes and the concluding paragraphs. They have already agreed to eliminate Appendix B and have referred in a generic way to the types of programs implemented in various counties. The next step will be to submit the report to Kingsley Click for review, which will hopefully be feasible by the end of June, or after the end of legislative session.

Ernie Mazorol will consult with colleagues regarding format and layout for best presentation and readability. The subcommittee will create a plan on how the Report will be disseminated and published to be reported on at the next SFLAC meeting, which may include offering slide show presentations at LFLAC and judges meetings.

HANDOUT: Draft Final Report dated April 6, 2001: “Oregon’s Integrated Family Court of the Future.”

Court/Agency Child Support Coordination Subcommittee: Bob David reported on the proposed work plan for each of the three work groups in the subcommittee: the Parental Decisions work group, the Education work group, and the Records Management work group. He announced the launch of the Child Support Guidelines calculation software on the web for use by courts, agencies, and the public. Phase I (calculation of regular custody) was placed on the DCS web site on June 1, 2001. Phase II (calculation of split/shared custody) will be available by July 1, 2001. Phase III (calculation of child support rebuttals) is expected by October, 2001. Bob may demonstrate the software at the next SFLAC meeting.

The Records Management work group recommends development of an override procedure for the Family Violence Indicator including proposed legislation. The SFLAC agreed that the group should continue gathering information from other states about their override procedures, and include someone with expertise in computer interface on the work group. To obtain additional information on local court practices for record keeping and filing administrative orders, it was suggested that a Peer Information Exchange (“PIE”) meeting be convened to brainstorm the issues involved and that it include attorneys who represent obligors.

The subcommittee also recommends that the preclusive effect of agency versus court issued child support orders issue be taken to the Oregon Law Commission (OLC) for clarification. Judge Leggett will discuss the issue of preclusion with David Kenagy for further information on how to propose the issue to the OLC, and will invite him to the next SFLAC meeting. Bob David will draft a letter for Judge Koch to send to the State Court Administrator for consideration.

Kevin Aguirre reported that the Parental Decisions work group is continuing to explore ways to provide mediation and other services to IV-D clients.

HANDOUTS: Proposed Work Plan for Parental Decisions, Education, and Records Management Work Groups, 5/15/01; Child Support Calculation Software: print out from DCS web site; Division of Child Support, “Supporting Parents to Support Children” brochure.

The meeting was adjourned at 4:05 p.m.

The next meeting is scheduled for August 3, 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 5/31/01
- Court/Agency Child Support Coordination Subcommittee Proposed Work Plan of 5/15/01
- Division of Child Support Web Pages on Child Support Calculation
- Division of Child Support booklet, “Supporting Parents to Support Children”
- Draft Version #4 Parenting Plan Guide
- SFLAC’s Draft Future’s Report

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