

**LINN COUNTY CIRCUIT COURT
FAMILY LAW ADVISORY COMMITTEE
MAY 7, 2009
MINUTES**

Present: Judge Bispham, Jason Carlile, Troy Fuller, Torri Lynn, Dar Merrill, Laura Moller, Frank Moore, Mitzi Naucner, Renee Smith, Will Tucker, Steve Bingenheimer, Ryan Mattingly, Ryan Graves, Jodie Peterson.

Introductions

Introductions were made and everyone identified their positions and their agency's/business' role.

Budget Review

Judge Bispham noted that there is a lot of speculation regarding the financial situation for the Oregon Judicial Department's finances for 2009-2011. However, we don't know what our budget will be at this time. The financial picture is not good, and we are waiting for the May 15th revenue forecast.

On a positive note, the Linn County Drug Court program received a \$100,000 one-time donation from AFTA. Don Smith could not join us today because he is currently in a meeting discussing how best to use the donated funds.

Judge Bispham reminded the group that we have three treatment courts operating, the Adult Drug Treatment Court, the Family Drug Treatment Court for cases that involve the Department of Human Services, and the Juvenile Drug Treatment Court. The Juvenile Treatment Court is not funded and it is only because of the team commitment that the program has continued to function and serve our youth.

Mediation Program Update

The number of self-represented litigants filing a family law case reached 76% in April. The number of litigants receiving a waiver for their filing fees is also increasing. The filing fees for family law cases fund our mediation program and our mediation funds are disappearing. The program is at risk.

Frank Moore mentioned that when he was in a previous county, they raised the marriage license fees and the dissolution filing fees and used the increase for their mediation program.

Self Represented Litigants: Judge Bispham also informed us that self represented litigants present challenges to the court because frequently the legal documents filed fail to meet the legal requirements. This causes frustration to litigants who are struggling to understand the legal process or requirements and it significantly increases the work for staff and family law judges. The family law forms, with instructions, that are available on line and at our court do help these litigants. Our Family Court Specialist meets with

these litigants and helps many complete their forms. However, she cannot give legal advise and so many litigants continue to struggle because they do not understand the legal requirements.

Domestic Violence Court

Laura Moller provided a handout titled "Performance Measures to Evaluate Domestic Violence Court" and explained the information contained in the handout. Many positive changes have resulted because we have the Domestic Violence Court. Cases now take an average of 27.5 days to get to disposition as opposed to 89.5 days pre DV Court. Now 25.1% of defendants are ordered to attend a batterer's intervention program compared to 8.3% previously and the average number of days between filing a probation violation and adjudication dropped from 99.7 to 20 days. Laura Moller will be forwarding a complete report for anyone who is interested.

Other

Renee Smith, informed the group about the Relief Nursery and mentioned they may be able to look into funding to help with child care during treatment court appearances. The Relief Nursery provides a drug and alcohol outreach person and they are currently working on grants so they may increase the number of available mentors.

Troy Fuller discussed the outlook in light of the budget concerns for Oregon Youth Authority. He said there is a possibility of facilities having to shut down with the outcome being a possible loss of 300 beds. He said Oak Creek's population numbers are up 3-4 individuals since January. Oak Creek are the only facilities for girls in the state. He also mentioned that some federal stimulus funds are currently being used to build at Oak Creek.

Mitzi Naucner gave an overview of Legal Aid's current situation. She mentioned that their budget has also been cut and it is very hard to qualify for their services at this point. A party must make less than 125% of the Federal Poverty Level in order to qualify; in other words, those who work full time, making minimum wage, earn too much to qualify. One of Legal Aid's concerns right now is that there is not enough housing available for low-income members of our community.

Judge Bispham also gave the group updates on the OJD E-Court program. We are working toward the implementation of the E-Court program for Linn County. There is a lot of work to do before the program is in place. There are varying degrees of enthusiasm within the department for getting this program up and running.

Judge Bispham also informed the group that soon court staff and judges will wear a identification card. This is a simple step to improve security at our courthouse.

Dar Merrill mentioned that Pam Dunn may be a good person to contact to become a future member.

Future Meetings:

Judge Bispham ask the committee to considered which projects and goals we should pursue first in developing our local plan to coordinate and improve the services we provide to families who are involved in family law cases. Please be prepared to discuss our plan during our next meeting.

Judge Bispham will send a list of available dates for our next meeting. The date that is best for the greatest number of members will be selected for our next meeting. A notice with the date and time will be sent to everyone.