

**MINUTES
SFLAC MEETING
MULTNOMAH COUNTY JUVENILE JUSTICE CENTER
PORTLAND, OREGON
September 5, 2003**

The meeting was called to order by the Hon. Paula Brownhill, SFLAC Chair, at 1:00 p.m.

Members Present: Hon. Paula Brownhill; Hon. Maureen McKnight; Hon. Robert Selander; Hon. Terry Leggert; Ed Vien; Linda Scher; Dave Hakanson; and Bill Howe

Absent: Cindi Chinnock; Jim Adams; Ernie Mazarol; Ramona Foley; Sharon James; and Stephen Adams

Guests present for all or part of the meeting: Lauren MacNeil; Bruce MacNeil and Alison Taylor

OSCA Staff Present: BeaLisa Sydlik

CONSENT CALENDAR:

Minutes: Minutes of the March 7, 2003 meeting were read and approved with the following changes:

Change Hal Harding to “guest.”

SUBCOMMITTEE REPORTS:

Annual Conference Planning Subcommittee: *Judge Selander and BeaLisa Sydlik reported* there are no further developments with respect to the budget situation and availability of funds for future conferences is still indeterminate and unlikely. *Bill Howe* spoke regarding the Clatsop LFLAC’s Northwest Oregon Family Law Conference on September 19, 2003. This is a harbinger of what needs to happen in the absence of an annual statewide conference; i.e., local efforts should be encouraged. The difficulty for such events is often with “getting the word out” and the SFLAC should consider how it can provide assistance in this regard in future endeavors. Bill commended Hugh McIsaac and Judge Brownhill for their efforts in bringing to Oregon its first local FLAC sponsored family law conference. This event is a “great gift” to SFLAC and Oregon.

Legislative Planning Subcommittee: *BeaLisa Sydlik and Judge Leggert reported.* BeaLisa provided a brief summary of selected legislation, including HB 2646 (Judgments bill), SB 801 (Automatic and mutual financial restraining order); HB 2277 and HB 2645 (child support

certificate and governing child support judgment). It was agreed that members of the SFLAC could review drafts of proposed forms which will be part of the implementation of these bills, for discussion at the next meeting.

Discussion was had regarding the legislation modifying the civil filing fee schedule, pointing out that even if more than one year has passed and the parents have stipulated to the terms of their modification, they will still have to pay the \$45 modification filing fee (which is more than \$45 in some counties; e.g., in Clackamas it is \$114). This is contradictory to the traditional perspective that the judicial system seeks to encourage negotiation and settlement among parties in resolution of their disputes. On the other hand, 80% of the budget for family court services comes from filing fees and additional funding is needed. The SFLAC requested clarification as to whether the \$45 fee applies to the filing of stipulated judgments in modification proceedings.

It was also noted that legislation regarding social security numbers is particularly relevant to current concerns about privacy of personal identifying information, and HB 3015 requiring the state court administrator to implement forms and procedures for keeping social security numbers in family law proceedings confidential should “stay on the SFLAC’s radar.”

HANDOUTS:

- Recent Legislation enacted by the 72nd Legislative Assembly (Pink)
- HB 2759C - Summary of Changes Impacting Circuit Court Civil Filing Fees Only (Blue)

Domestic Violence Subcommittee: *BeaLisa Sydlik reported.* Kate Barkley has resigned from her position with the SFLAC, as well as from her co-chairship on this subcommittee. BeaLisa reported that the subcommittee is currently working on a draft pamphlet to be made available to the general public regarding information about confidentiality and various ways to keep personal information from disclosure in governmental agencies. The pamphlet will be submitted to the SFLAC at the next meeting for approval and recommendation to the state court administrator.

The subcommittee is also providing feedback to the SFLAC Court/Child Support Coordination Subcommittee regarding proposed draft forms for the Federal Parent Locate Service, and is discussing and exploring ways to improve data tracking and collection re: DV statistics.

Parenting Plan Workgroup (PPWG): *Linda Scher reported.* The revised versions of the Basic Parenting Plan Guide for Parents (PPG) and the Safety-Focused Parenting Plan and Guide (SFPPG) are now on the website, as well as the Basic Parenting Plan PACKET. The next meeting is slated for November 6, 2003. There may be more revisions after the November 6 meeting for the SFLAC to approve.

It was suggested that the flyer and Packet be distributed at the Astoria Conference on 9/19/03 (BeaLisa will take copies), as well as added to the Judicial Conference agenda (BeaLisa to e-mail electronic version of packet to Judge McKnight). Discussion was had that use of these materials is increasing; e.g., Judge McKnight thinks she is seeing the plans being used more in Multnomah county. Attorneys are also apparently advising their clients to look at the guide materials before their appointments. It was noted that the new child support guidelines will

create an increased need for a form of parenting plan in that the noncustodial parent will not be entitled to “parenting time credit” unless a written parenting plan between the parties is in place.

HANDOUTS:

Basic Parenting Plan Packet (Green)

Flyer (Purple)

Court/Child Support Agency Coordination Subcommittee: *Judge McKnight reported.* The Paperwork and Process Flow Workgroup report is not yet ready to be submitted to the SFLAC for approval. The Program asked for additional time to obtain feedback from their offices. The next meeting of the subcommittee will be on November 6, 2003. The subcommittee’s principal focus is working with facilitating forms and processes in the Program and the courts with respect to the Federal Parent Locate Service. DCS has revised its website to include more information, as well as a request form. The implication for the courts is that they will have to get up to speed on how to handle requests which must be processed through the courts. A parallel issue is the juvenile courts’ ability to find absent parents in termination and dependency cases. Timothy Travis, Juvenile Court Improvement Project manager was on the last teleconference meeting and provided a juvenile court perspective on this issue. The Program will be bringing more information to the next meeting about the FPLS, and BeLisa will be meeting with their FPLS manager to discuss forms.

With respect to the Parental Access and Visitation grant funds, Judge McKnight reported that the Division of Child Support is the recipient in Oregon. Due to a series of miscommunications about courts’ involvement as recipients of grant funds, the RFP for grant application proposals was not distributed to the local courts and none applied. The subcommittee will seek to provide input so the application process works more effectively for the courts in the future.

There was a Child Support Guidelines training for practitioners in Multnomah in June 2003 jointly sponsored by the Multnomah County Bar Association, the Division of Child Support and the subcommittee, which provided information for practitioners on the new guidelines and worksheets.

SB 167 Guidelines Subcommittee: *Ed Vien reported.* The preliminary work of confirming members has been completed, and these include Ed Vien, Dave Hakanson, Alison Taylor, Leah Baer, and Hugh McIsaac, with BeLisa as staff support. The subcommittee will be meeting to develop a workplan for developing standards for qualifications and practice for parenting coordinators, supervised visitation programs and custody evaluators.

Futures Subcommittee: *Bill Howe reported.* There was a meeting in April attended by Bill Howe, Linda Scher, Stephen Adams, Ramona Foley, Alice Phalan and Hugh McIsaac. Bill summarized the report of the reconvened subcommittee as a result of that meeting. The group recognized the need to acknowledge the substantial progress made so far; e.g., in the development of model parenting plans. The group also emphasized the need to keep high on the radar screen the need for continued collaboration between agencies and increased efforts at partnerships.

Discussion included speculation that there seems to be a total disconnect between what the courts do and what the legislature thinks the courts do. There is a need to emphasize that a sign of a well-functioning culture is a good dispute resolution system. It is not a luxury. It is not an option. It is not a profit center. It is an essential component of a civilized culture.

There was also discussion of the OJD 2003-2005 legislatively adopted "performance measures" The SFLAC suggested that, besides looking at the percentage of cases with arbitration awards not appealed and the percent of mediation held in cases, it would be relevant to have a performance measure reflecting the number of users at the facilitation centers (since persons' access to these centers helps reduce disputes and facilitates resolution). The SFLAC noted its desire to remain involved in the performance measure process to the extent possible, and to be alert to opportunities to provide feedback on them.

HANDOUT:

Oregon's Integrated Family Court and "Back to the Future" (Yellow)
OJD 2003-2005 Performance Measures (Salmon)

OLD BUSINESS

Discussion was had as to the SFLAC's continued role during the budget crisis. BeaLisa advised that the Budget Reduction Advisory Committee had requested that all statewide committees meet only once annually, and that Nancy Miller, Director of the Court Programs and Services Division, had indicated that the next meeting for which reimbursements could be made would be in 2004. All SFLAC members present agreed they would like to continue to meet on a quarterly basis, including the next scheduled meeting of December 5, 2003, and that the costs for travel and per diem will be absorbed individually or by local budgets. A request was made to query the state court administrator as to whether the SFLAC could continue to meet with the understanding that reimbursement for travel and per diem would not be available for the immediate future. Further discussion will be had at the December 5, 2003 meeting about ways to continue meeting and alternative funding sources.

It was agreed that a public announcement piece was needed for the website describing the SFLAC, what it does and past projects. Judge McKnight and BeaLisa agreed to work on this.

BeaLisa will contact the facilities personnel to secure a location at the Multnomah County Juvenile Justice Center for quarterly meetings during 2004.

Also to be discussed at the next meeting will be the continued existence and need for SFLAC liaisons to the local FLACs.

Respectfully submitted,

BEALISA SYDLIK
OJD Family Law Policy Analyst

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- Basic Parenting Plan Packet (Green)
- Flyer (Purple)
- Oregon's Integrated Family Court and "Back to the Future" (Yellow)
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