



2019 Legislative Update

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Oregon Judicial Department
• Juvenile and Family Court Programs Division

Oregon Legislative Sessions:

- Regular “Long” Sessions
 - Odd numbered years
 - 160 days
 - 80th Session: January 22, 2019-June 30, 2019
- Regular “Short” Sessions
 - Even numbered years
 - 35 days
 - 81st Session: February 3, 2020

2019 Bills and Joint Resolutions:

TOTAL:

- 2731

JFCPD Tracking:

- Juvenile: 133
- Family: 109

<https://www.oregonlegislature.gov>

- Read bills/download bills
- Watch hearings
- View exhibits submitted at hearing
- Bills can become effective at different times
 - Emergency Clause (effective after passage and signing by Governor)
 - Other specific date: ie: 91 days after Sine Die or October x, xxxx
 - If not stated, then January 1 of the year after passage of the Act. ORS. 171.022
- Today's Presentation is a Summary of Bills
 - Summary statement created to help remember bills-not official titles of bill
 - Not intended to be comprehensive in depth review of each bill

Family First Prevention Services Act

- Signed into Law February 9, 2018
- Federal Law
- Reforms the federal child welfare financing streams (Title IV-E and IV-B of the Social Security Act)
- Purpose is to provide services to families at risk of entering the child welfare system.
 - Mental Health
 - Substance Abuse Treatment
 - In-Home parenting training
 - Seeks to reduce the number of children in congregate care

SENATE BILLS



**DEPENDENCY:
SENATE BILL**

2849(A)

SB 2849(A): "Warrantless Removal/ Pick up Order"

Requires Court Orders for Some Removals

Modifies state law regarding protective custody of children or youth

- Would be implemented January 1, 2020
- Currently in Ways and Means
- Language may change

**DEPENDENCY:
SENATE BILL**

2849(A)

SB 2849(A): "Warrantless Removal/ Pick up Order"

- Requires court order to take a child into protective custody **unless** reasonable cause to believe:
 - There is an imminent threat of severe harm to the child
 - The child poses an imminent threat of severe harm to self or others
 - There is an imminent threat that the child's parent/guardian will cause child to be beyond reach of the juvenile court before DHS can complete assessment of abuse allegation
 - There is an imminent threat that the child's parent/guardian will cause the child to be beyond the reach of the juvenile court before the court can order the child into protective custody

**DEPENDENCY:
SENATE BILL**

2849(A)

SB 2849(A): "Warrantless Removal/ Pick up Order"

- If there is reason to know that the child is an Indian child, the child may be placed into protective custody without court order ONLY when it is necessary to prevent imminent physical damage or harm to the child.

**DEPENDENCY:
SENATE BILL**

2849(A)

SB 2849(A): "Warrantless Removal/ Pick up Order"

- If those circumstances are not present then:
- Person authorized to take child into protective custody shall apply for a protective custody order. Declaration based on information and belief that sets forth with particularity
 - WHY protective custody is needed, WHY it is in the best interest of the child and WHY it is the least restrictive means to
 - A: Protect child from abuse
 - B: Prevent the child from inflicting harm on self or others
 - C: Ensure the child remains within the reach of the juvenile court to protect the child from abuse or inflicting harm on self or others
 - D: Prevent imminent physical damage to an Indian child

**DEPENDENCY:
SENATE BILL**

1(A)

SB 1(A): Creates a statewide system of care advisory council and dashboard

- Objective to improve the effectiveness of state and local systems of care which provide services to youth by creating a long-range plan which will make recommendations to improve the current system.
- Create dashboard intended to be a central area where data relating to services provided to youth can be monitored and gathered.
- Must conduct joint studies with other agencies, make recommendations to the directors of the Oregon Youth Authority and Department of Human Services, and continually monitor the Children's System Data Dashboard.
- Creates Interdisciplinary Assessment Teams to provide for the timely offering of evaluations directly to youth and other functions such as supporting statewide education for providers.

**DEPENDENCY:
SENATE BILL**

171

SB 171: Changes How Children May be placed in Congregate Care

- Was SB 825
- Emergency Clause: effective upon passage
- Creates standards for QRTP (Qualified Residential Treatment Programs)
- Requires Court approval of placement in congregate care
- Requires immediate access to child by CASA, attorney, or DHS

**DEPENDENCY:
SENATE BILL**

415(A)

SB 415(A): Mandatory Reporters

Amends ORS 419B.005

Adds to list of mandatory reporters:

- Department of Education Employees
- School District Board Members
- Members of a Public Charter School Governing Body

**DEPENDENCY:
SENATE BILL**

475(A)

SB 475(A): Foster Parent inclusion

- Requires that a student's foster parent is provided with an opportunity to participate in decision to create an abbreviated school day for a child placed in foster care
- Extends to educational surrogate
- Unless ordered by the court, an abbreviated school day can only be implemented if the student's IEP team is provided the opportunity for the student's foster parent to meaningfully participate in a meeting to discuss the placement, including the reasonable opportunity to physically attend the meeting
- Meeting notice is in writing and informs the foster parent of the student's presumptive right to receive the same numbers of hours of instruction or educational services as other student, and the right to request a meeting of the IEP team.
- Notice must inform foster parent that the school district may not unilaterally place a student on an abbreviated school day program
- Applies to those student after the effective date (Jan 1, 2020.)

**DEPENDENCY:
SENATE BILL****745(A)**

SB 745(A): Face to Face with 14+

Amends 419B.343

- Requires that DHS meet with every ward 14 years or older annually and in-person to ensure the ward is informed of the ward's eligibility for transition services
- DHS to provide the ward with assistance in accessing transition services.

**DEPENDENCY:
SENATE BILL****804(A)**

SB 804(A): Hotline Compliance

Amends 419B.015 and 419B.017

- Brings law into compliance with centralized DHS hotline
- Abuse to be reported to county where abuse occurred, or if unknown, where the child resides, or where the reporter came into contact with child or alleged perpetrator of abuse.
- Emergency Clause

**DEPENDENCY:
SENATE BILL**

905

SB 905: Foster Child will be considered resident of school district where foster home is located

**DEPENDENCY:
SENATE BILL**

924

SB 924: Limits Use of Detention Facilities

- Emergency Clause
- Only "youth" or "youth offenders" can be housed in a detention facility
- Exception for out of state run-aways

DEPENDENCY:
SENATE BILL
994(A)

SB 994(A): DHS to run criminal background check on non custodial parent

DEPENDENCY:
SENATE BILL
1043

SB 1043: DHS to pay for transportation to extracurricular activities

- Activities that were in place prior to the placement in the foster home or child-caring agency.



HB 2227: Mandatory Reporters

- Amends 419B.005
- Adds Animal Control Officer

**DEPENDENCY:
HOUSE BILL**

2227

**DEPENDENCY:
HOUSE BILL**

2258(A)

HB 2258(A): Family Treatment Courts

- Must have a substance abuse allegation/jurisdiction
- July 1, 2019
- Would establish Family Treatment Courts in 4 pilot counties.
 - Deschutes
 - Douglas
 - Marion
 - Coos

**DEPENDENCY:
HOUSE BILL**

2332(A)

HB 2332(A): Foster Care Advisory Commission Expansion

- Increases to 13 from 11
- Includes a "fix" to implement the previous provision for a member from the Judicial Department
- Includes provision for a biological parent involved in the foster care system

**DEPENDENCY:
HOUSE BILL**

2969(A)

HB 2969(A): Trauma Practice Integration

- For purposes of assisting public agencies that serve children, adolescents and families
- DAS shall enter into a contract with a nonprofit to create a trauma-informed practice integration program
- Emergency Clause July 1, 2019

**DEPENDENCY:
HOUSE BILL**

3191(A)

HB 3191(A): DHS to Improve Training

- Job Shadowing
- Required trainings to be done within a year of hire
- Information on working with mental health issues
- Tuition and cost reimbursement for continuing education
- Caseworker to meet with supervisor at least once every two weeks if caseload exceeds maximum to establish or adjust priorities.

**DEPENDENCY:
HOUSE BILL**

3383

HB 3383: Pilot Program For Community Based Services in Yamhill County

- Emergency clause-takes effect upon passage and signature

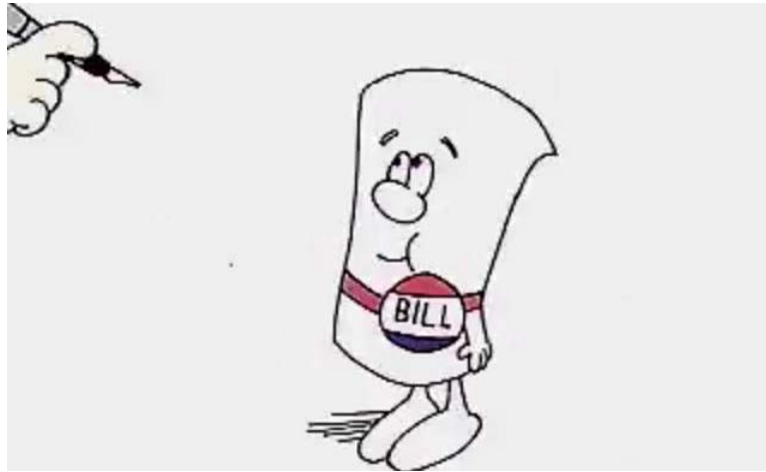
DELINQUENCY BILLS

SENATE

- 1008(A): Changes How Youth Can be Prosecuted and Maximum Sentences

HOUSE

- 3261: Youth Interviews to be recorded



Thank you