

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JOSEPHINE COUNTY

IN THE MATTER OF  
QUALIFICATIONS, STANDARDS, AND FEES  
FOR COURT VISITORS

PRESIDING JUDGE ORDER  
19-027

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Pursuant to ORS 125.165 and 125.170(2) requires the Presiding Judge of each Judicial District to adopt Court Visitor qualifications for education, experience, standards, payment and reimbursement for Visitor services; therefore,

IT IS HEREBY ORDERED:

Visitors shall have the following qualifications:

1. Minimum Education

- A bachelor's degree in Behavioral Science, Social Science or a closely related field, or
- An associate degree in Behavioral Science, Social Science or a closely related field and two years of human services related experience; or
- Replace education requirement with three years of human services related experience.

2. Relevant Experience

- Training and/or experience in evaluating the functional capacity and needs of a protected person(s); and/or
- Experience in providing assistance to individuals or groups with issues such as abuse and neglect, substance abuse, health, disabilities, inadequate housing, cultural competencies, etc.

The Presiding Judge or his or her designee shall determine whether the proposed Visitor's education and experience are sufficient.

### 3. Training

- Visitors shall view the Judicial Department Court Training Videos: What you need to know as a Court Visitor, What Court Visitors Need to know about dementia and delirium, mental illness and functional capacity. Visitors shall also read the Josephine County Handbook for Visitors. After viewing the videos and reading the Handbook, the Visitor shall certify to the court, in a form provided by the court, that he or she has done so.
- New visitors will shadow a current visitor on two occasions prior to being assigned a case of their own. Following the two shadows, the current visitor will shadow the new visitor once and provide feedback to the court.

Visitors shall adhere to the following standards and procedures in the performance of their duties:

- Visitors shall comply with all laws and requirements for a Visitor. Visitors shall attend all trainings required by the court. The Visitor shall also comply with any additional requirements that are imposed by the court following the Visitor's appointment.
- Visitors may not have any personal interest in the proceeding.
- Visitors shall interview the person nominated or appointed as fiduciary and the respondent or protected person, personally at the place where the respondent or protected person is located.
- Subject to any law relating to confidentiality, the Visitor may also interview other persons with significant information about Respondent's functional ability and alleged incapacity including, but not limited to, physicians, psychologists who have examined or treated the respondent, and any other person who may have relevant information.

- Visitors shall review relevant records regarding the respondent, to the extent that such records are available.
- Visitors shall comply with ORS 125.150(3)-(10).
- The Visitor's report shall comply with ORS 125.155(2).
- The Visitor's report shall be in the form prescribed by Josephine County Circuit Court; and provide a written report using the court-approved format to the Court within fifteen (15) calendar days of their appointment or five (5) court days for emergency cases. The Court may grant additional time for filing the Visitor's report upon a showing of necessity and good cause.
- The Visitor shall be present at any hearing on objections to the appointment of fiduciary as required by ORS 125.155(5).
- Each approved Visitor shall accept a minimum of one (1) case per year without compensation.

IT IS FURTHER ORDERED that Visitors appointed pursuant to ORS 125.150 and ORS 125.160 shall be compensated for their services conducting interviews, preparing reports and attending court proceedings.

Visitors shall be compensated as follows:

\$300 per case through December 31, 2019

\$400.00 per case effective January 1, 2020

\$25.00 per court proceeding

IT IS FURTHER ORDERED that the Trial Court Administrator and his or her designee shall comply with this Order and the provisions contained in ORS 125.150 through 125.170 when appointing Visitors.

IT IS FURTHER ORDERED that Visitor contact information provided to counsel is confidential and shall not be shared.

IT IS FURTHER ORDERED that the Presiding Judge and his or her designee shall have the sole and absolute discretion to place a person on the approved Visitor's list or remove a person from the approved Visitor's list.

This Order supersedes all prior Presiding Judge Orders regarding court Visitor qualifications, standards, and fees.

DATED this 31st day of October 2019.



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Robert S. Bain  
Presiding Judge