

Oregon Family Law: Building for the Future

Family Law Conference

May 9th and 10th 2019

Salem, OR

Presented By:

Statewide Family Law Advisory Committee

In partnership with:



Written Materials and Presentations are available on the Family Law Website:

<https://www.courts.oregon.gov/programs/family/sflac/Pages/conference.aspx>



Oregon Family Law: Building for the Future May 9-10, 2019



Salem Convention Center

Presented by: Statewide Family Law Advisory Committee

Thursday, May 9, 2019

8:00 – 8:45	Registration Willamette Foyer – 2 nd Floor			
8:45 - 9:00	Opening and Welcome <i>Hon. Karrie McIntyre and Bryan Marsh</i> Willamette AD- Stage			
9:00 - 10:15	Keynote Speaker <i>Professor Andrew Schepard</i>			
10:15 - 10:30	Break			
Workshop Rooms	Willamette AD	Willamette B	Willamette C	Croisan BC
10:30 - 12:00	UCCJEA Full Faith and Credit Tribal Protective Orders <i>Hon. Karen Costello</i> <i>Hon. Valeri Love</i>	Eliminating Bias Against Parents with Disabilities; Legislative, Procedural and Practice Updates for Family Law and Child Welfare Communities <i>Kristen Jocums</i>	The Road To and From Third Party Custody: ORS 109.119 or Guardianship? – Modifications and Terminations <i>Mark Kramer</i>	But...someone saw this on social Media! Admissibility of Electronic Evidence <i>Hon. Bethany Flint</i> <i>Hon. Patrick Henry</i>
12:00 - 1:30	Lunch Buffet in Willamette Foyer SFLAC Wallace Carson Award presented by Chief Justice Martha Walters Willamette AD - Stage			
1:30 - 3:00	Immigration and Family Law <i>Yema Measho</i> <i>Lorena Reynolds</i>	Family Law Reform Trends- Past, Present and Future <i>Andrew Schepard</i> <i>William J. Howe</i>	Enhancing Services to Survivors: Understanding Trauma and the Dynamics of Domestic Violence, Sexual Assault and Stalking <i>Erin Greenawald</i> <i>Debra Dority</i>	Facilitator Breakout <i>Hon. Karrie McIntyre</i> <i>Colleen Carter-Cox</i> <i>Elizabeth Vaughn</i> <i>LeeAnn O'Neill</i> <i>Hannah Marchese</i> <i>Holly Rudolph</i>
3:00 - 3:15	Break			
Discussion Room	Willamette AD	Willamette B	Willamette C	Croisan BC
3:15 - 4:00	Legislative Updates Inc. Chapter 125 <i>Ryan Carty</i>	Best Practices in Parent Education <i>Linda Scher</i> <i>Judith Swinney</i> <i>Dennis Morrow</i> <i>Teala Sunderman</i>	Mediation: Data Collection Project and Best Practices <i>Lauren Mac Neill</i>	Remote Delivery of Services: Assisting Self- Represented Litigants in the Future <i>William Howe</i> <i>Colleen Carter-Cox</i> <i>Linda Hukari</i> <i>Brian Marsh</i> <i>Stephen Adams</i> <i>Jodi Harvey</i>
4:00 - 4:15	Break			
4:15 - 5:00	Plenary- ERPO and Protective Orders <i>Hon. Maureen McKnight</i> Willamette AD- Stage			
5:00 - 6:00	Networking Time Willamette Foyer – 2 nd Floor Check in at Registration table if you are interested in Dinner Reservations at a Local Restaurant			

Materials to be posted on the Family Law Website at:

<https://www.courts.oregon.gov/programs/family/sflac/Pages/conference.aspx>



Oregon Family Law: Building for the Future May 9-10, 2019

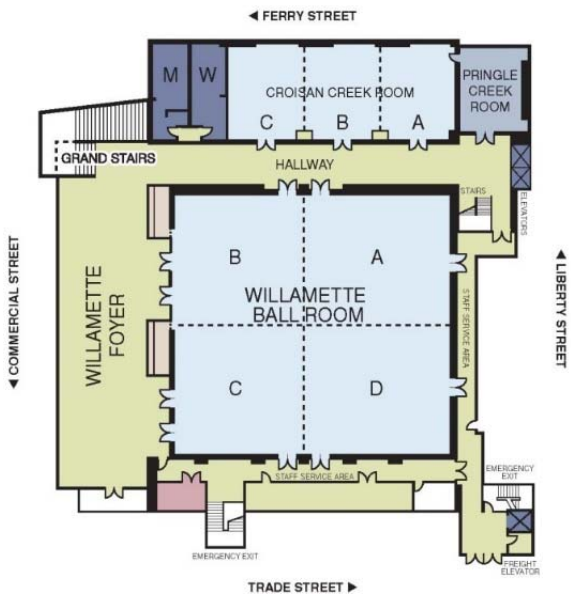
Salem Convention Center

Presented by: Statewide Family Law Advisory Committee



Friday, May 10, 2019				
7:30 - 8:15	Breakfast Willamette Foyer – 2 nd Floor			
8:15 - 8:30	Welcome <i>SFLAC Update, Hon. Karrie McIntyre, William Howe</i> Willamette BC			
8:30 – 9:30	Plenary Speaker <i>Justice Adrienne Nelson</i> Implicit Bias			
9:30 -10:30	Plenary Speaker <i>Aaron Eichenbaum</i> Changes to Tax Laws			
10:30 - 10:45	Break			
Workshop Rooms	Croisan A	Croisan B	Croisan C	Willamette A
10:45 – 12:15	ECOURT: The Life of a Case File <i>Sam Dupree</i> <i>Holly Rudolph</i> <i>Mario Ius</i> Statistics Update <i>Conor Wall</i>	Domestic Violence, Firearms, and The Future (technology/social media and DV) <i>Debra Dority</i> <i>Sarah Sabri</i>	Oregon Child Support- New and Improved! <i>Kate Cooper-Richardson</i> <i>Dawn Marquardt</i> <i>Michael Ritchey</i> <i>Claudia Garcia Groberg</i> <i>Hope Hicks</i>	Intersect of Dependency and Family Law <i>Tracey Naumes</i> <i>John A. Hamilton</i> <i>Hon. Jay McAlpin</i>
12:15 – 1:00	Boxed lunch will be available in Foyer to eat in Willamette BC or take with you on the road.			

SECOND FLOOR



SFLAC Members:

- ❖ The Honorable Karrie McIntyre, Judge, Lane County Circuit Court, Chair
- ❖ William J. Howe, III, Family Law Attorney, Vice Chair
- ❖ Stephen Adams, Attorney and Mediator
- ❖ Amy Bonkosky, Trial Court Administrator, Crook & Jefferson County Circuit Courts
- ❖ Colleen Carter-Cox, Family Court Coordinator, Lane County Circuit Court
- ❖ Ryan Carty, Family Law Attorney
- ❖ Kate Cooper Richardson, Director, Oregon Child Support Program
- ❖ Debra Dority, Family Law Support Unit Attorney, Oregon Law Center
- ❖ Dr. Adam Furchner, Clinical Psychologist and Mediator
- ❖ Jodiann Harvey, Deschutes County Mediation
- ❖ Linda Hukari, Trial Court Administrator, Benton County Circuit Court
- ❖ Laurie Hart, Family Law Attorney
- ❖ Lauren Mac Neill, Director, Clackamas County Resolution Services
- ❖ The Honorable Dawn McIntosh, Judge, Clatsop County Circuit Court
- ❖ The Honorable Maureen McKnight, Judge, Multnomah County Circuit Court
- ❖ Tina Qualls, Trial Court Administrator, Jackson County Circuit Court
- ❖ The Honorable Keith Raines, Judge, Washington County Circuit Court

Please express your thanks to the SFLAC Conference Planning Subcommittee Members:

- ❖ The Honorable Karrie McIntyre, Judge, Lane County Circuit Court, Co-Chair
- ❖ Linda Hukari, Trial Court Administrator, Benton County Circuit Court, Co-Chair
- ❖ The Honorable Keith Raines, Judge, Washington County Circuit Court
- ❖ Colleen Carter-Cox, Family Court Coordinator, Lane Circuit Court
- ❖ Debra Dority, Family Law Support Unit Attorney, Oregon Law Center
- ❖ LeeAnn O'Neill, Facilitator, Deschutes County Circuit Court
- ❖ Leola McKenzie, Director, Juvenile & Family Court Programs Division, OJD
- ❖ Bryan Marsh, Policy Analyst, Family Law Program, OJD
- ❖ Melissa Dablow, Management Assistant, Family Law Program, OJD



Please recycle this agenda.

Thursday Program

8:45 a.m. -9:00 a.m. Opening and Welcome

- ◆ *The Honorable Karrie McIntyre, Lane County Circuit Court Judge*
- ◆ *Leola McKenzie, Director of Juvenile & Family Court Programs Division, OJD*

9:00 a.m. - 10:15 a.m. Key Note

- ◆ **Professor Andrew Schepard**, Siben & Siben Distinguished Professor of Family Law, Maurice A. Deane School of Law at Hofstra University and Director of Hofstra University's the Center for Children, Families, New York.

Andrew Schepard is one of the most respected family law reform thinkers, writers and activists in our country. He graduated from Harvard Law School in 1972, authored *Children, Courts and Custody: Interdisciplinary Models for Divorcing Families*, for many years was the editor of the *Family Court Review* and has participated in and presented at innumerable law commissions and law associations, including keynote presentations at the Oregon State Bar Family Law Section.

10:15 a.m. -10:30 a.m. Break

10:30 a.m. -12:00 p.m. Workshops

UCCJEA Full Faith and Credit Tribal Protective Orders

Willamette AD

- ◆ *The Honorable Valeri Love, Lane County Circuit Court Judge*
- ◆ *The Honorable Karen L. Costello, Associate Judge of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians*

In this session, participants will learn about full faith and credit as it relates to the Violence Against Women Act (VAWA) and protection orders, the current impediments to enforcement of tribal protection orders in Oregon, and the work of the Tribal Court/State Court Judicial Forum to ensure that all foreign protection orders are given full faith and credit in Oregon to ensure that the most vulnerable survivors are protected.

Eliminating Bias Against Parents with Disabilities; Legislative, Procedural and Practice Updates for Family Law and Child Welfare Communities

Willamette B

- ◆ *Kristen Jocums, J.D., Mediator and Parent Coordinator, Peaceful Family Solutions, LLC*

This session presents research regarding how parents with disabilities function, their experiences in custody and placement systems, and a Road Map for ensuring that decision makers treat parents with disabilities fairly in the processes before them. In addition, model legislation which strengthens the standard of review for cases involving children of parents with disabilities will be explored. An overview of the legislation, specific Oregon case studies and practitioner best practices shall be discussed.

Thursday Continued

10:30 a.m. –12:30 p.m. Workshops Cont.

**The Road To and From Third Party Custody: ORS 109.119 or Guardianship?
– Modifications and Terminations**

Willamette C

◆ *Mark Kramer, Attorney, Kramer & Associates*

A summary of the statutes and case law governing third parties who seek custody or guardianship of children in circuit court. The distinctions and overlap between seeking custody under ORS 109.119 and guardianship under Chapter 125. Recent trends and developments in the interpretation of overcoming the presumption that a legal parent acts in the best interests of a child.

But....someone saw this on social media! Admissibility of Electronic Evidence

Croisan BC

◆ *The Honorable Bethany Flint, Deschutes County Circuit Court Judge*

◆ *The Honorable Patrick Henry, Multnomah County Circuit Court Judge*

In this session, Judge Bethany Flint and Judge Patrick Henry will present on the challenges of admissibility of electronic evidence including social media in contested family law matters. The presentation will discuss foundation and the rules of evidence regarding ever emerging technology.

12:00 p.m.—1:30 p.m. Lunch

SFLAC Wallace Carson Award Presented by Chief Justice Martha Walters

1:30 p.m.—3:00 p.m. Workshops

Immigration and Family Law

Willamette AD

◆ *Yema Measha, Attorney, Law Offices of Yema Measho, LLC*

◆ *Lorena Reynolds, Attorney, The Reynolds Law Firm, PC*

An overview of the intersection between family law and immigration law including recent developments. Discussion will include: consequences that can stem from family court findings; prenuptial agreements when parties intend to file immigration petitions shortly after the marriage; representing immigrants in vulnerable marriages; self-petitions for domestic violence immigrant spouses; and how to build rapport with immigrant clients before discussing immigration issues.

Family Law Reform Trends– Past, Present and Future

Willamette B

◆ *Andrew Shepard, Siben & Siben Distinguished Professor of Family Law, Maurice A. Deane School of Law at Hofstra University and Director of Hofstra University's the Center for Children, Families, New York.*

◆ *William J. Howe III, Of Counsel, Gevurtz Menashe, P.C.*

Family law has changed dramatically in the last twenty years to promote safety, encourage family self-determination and incorporate procedures to serve the needs of self-represented litigants. What is the next wave of change going to produce? This interactive session will attempt to glimpse the future and highlight trends in family law reform in Oregon and around the World.

Thursday Continued

1:30 p.m.—3:00 p.m. Workshops *Cont.*

Enhancing Services to Survivors: Understanding Trauma and the Dynamics of Domestic Violence, Sexual Assault, and Stalking

Willamette C

- ◆ *Erin S. Greenawald, Attorney, Greenawald Law*
- ◆ *Debra Dority, State Support Unit Attorney, Oregon Law Center*

This session will explain the complicated dynamics and underpinnings of domestic violence, sexual assault and stalking. Attendees will also learn about the acute and long-lasting effects such traumatic experiences have on Survivors. Attendees will gain understanding of how engaging with a trauma-survivor impacts our work. Finally, the presenters will provide attendees with concrete tips and techniques on how to engage with Survivors in a trauma-sensitive manner that will enhance the Survivor's experience with the legal system, strengthen their safety plan, and provide for better case outcomes.

Facilitator Breakout

Croisan BC

- ◆ *The Honorable Karrie McIntyre, Lane County Circuit Court Judge*
- ◆ *Colleen Carter-Cox, Family Court Coordinator, Lane County Circuit Court*
- ◆ *Elizabeth Vaughn, Family Court Coordinator, Clackamas County Circuit Court*
- ◆ *Holly Rudolph, Oregon Judicial Department Forms Manager, OJD*
- ◆ *LeeAnn O'Neill, Bilingual Family Law Facilitator, Deschutes County Circuit Court*
- ◆ *Hannah Marchese, Family Law Facilitator, Jackson County Circuit Court*

Calling all Family Law Facilitators! You've sent us your questions, we have answers! This panel presentation is intended for family law facilitators and includes discussion areas of Guide & File, New Forms, Legal Advice versus Legal Information, and Trauma Informed Services.

3:00 p.m. —3:15 p.m. Break

3:15 p.m.— 4:00 p.m. Workshops

Legislative Updates Inc. Chapter 125

Willamette AD

- ◆ *Ryan Carty, Family Law Attorney*

In this session attendees will have a chance to gather information, provide input, and ask questions on proposed legislation in Family Law, including Chapter 125.

Thursday Continued

3:15 p.m.— 4:00 p.m. Workshops Cont.

Best Practices in Parent Education

Willamette B

- ◆ *Linda Scher, Family Mediator*
- ◆ *Judith Swinney, Parent Educator*
- ◆ *Dennis Morrow, Parent Educator*
- ◆ *Teala Sunderman, Family Law Coordinator Civil Dept. Lead, Union County*

What are best practices for Parent Education in Oregon? What are special challenges that Oregon's counties face in delivering Parent Education to parties throughout the state? What innovations have been created? How can we improve our parent education programs? This workshop will seek to answer these questions through presentation and group discussion.

Mediation: Data Collection Project and Best Practices

Willamette C

- ◆ *Lauren Mac Neill, Director, Clackamas County Resolution Services*

In this session, participants will learn about the court-connected domestic relations mediation data collection project and the data that has been collected from the project. Attendees will participate in a facilitated discussion of how the data collected can be used to develop statewide best practices in mediation, as well as a discussion of next steps in the data collection project.

Remote Delivery of Services: Assisting Self-Represented Litigants in the Future

Croisan BC

- ◆ *William Howe III, Of Counsel, Gevurtz Menashe*
- ◆ *Colleen Carter-Cox, Family Court Coordinator, Lane County Circuit Court*
- ◆ *Linda Hukari, Trial Court Administrator, Benton County Circuit Court*
- ◆ *Bryan Marsh, Family Law Analyst, Juvenile and Family Court Program Division, OJD*
- ◆ *Stephen Adams, Attorney and Mediator*
- ◆ *Jodiann Harvey, Deschutes County Mediation*

Discuss Oregon's efforts to provide self-representeds with remote delivery of legal information (telephone, email, text, video, etc). Summarize most effective programs of remote delivery currently operating in the U.S. as well as other innovations being considered by the Futures Committee.

4:00 p.m.— 4:15 p.m. Break

4:15 p.m.—5:00 p.m. Plenary Speaker

The Honorable Maureen McKnight, Multnomah Circuit Court Judge

Willamette AD

ERPO and Protective Orders

5:00 p.m.— 6:00 p.m. Networking Time

Friday Program

8:15 a.m.—8:30 a.m. Welcome

State Family Law Advisory Committee (SFLAC) Update

Willamette AD

- ◆ *The Honorable Karrie McIntyre, Lane County Circuit Court Judge*
- ◆ *William Howe III, Of Counsel, Gevurtz Menashe*

8:30 a.m. —9:30 a.m. Plenary Speaker

The Honorable Adrienne Nelson, Oregon Supreme Court Justice

Willamette AD

Justice Nelson, Oregon's first African American Supreme Court Justice, will share information on recognizing implicit bias in our lives and work place. Her presentation is focused on providing insight into utilizing a variety of tools to address our own implicit biases.

9:30 a.m.— 10:30 a.m. Plenary Speaker

Aaron Eichenbaum, Certified Public Accountant, Aaron M. Eichenbaum, CPA, LLC

Willamette AD

The Tax Cuts and Jobs Act: implications for spousal support, claiming children as dependents, and valuing pre-tax assets

10:30 a.m. –10:45 a.m. Break

10:45 a.m. -12:15 p.m. Workshops

Intersect of Dependency and Family Law

Willamette AD

- ◆ *Tracey Naumes, Attorney, Hamilton & Naumes, LLC*
- ◆ *John A. Hamilton, Attorney, Hamilton & Naumes, LLC*
- ◆ *The Honorable Jay McAlpin, Lane County Circuit Court Judge*

There are many family law attorneys in Oregon, but very few who are willing or able to interact effectively with DHS on behalf of their clients. This presentation gives an overview of how to effectively advocate for clients that become DHS-involved and how to assist clients who want to be resources for children involved in DHS cases. The presentation contains an overview of how dependency cases work, at what stages a non-dependency attorney can assist their client, what pit-falls to avoid, and how to communicate with DHS to resolve cases in the family law arena.

Domestic Violence, Firearms, and the Future (technology/social media and DV)

Willamette B

- ◆ *Debra Dority, Support Unit Attorney, Oregon Law Center*
- ◆ *Sarah Sabri, Domestic Violence Resource Prosecutor/St. AAG, Oregon Department of Justice*

This presentation will discuss the various state and federal laws that restrict domestic violence perpetrators from possessing firearms and ammunition. The presentation will also provide information on the connection between technology/social media and domestic violence.

Friday Continued

10:45 a.m. -12:15 p.m. Workshops Cont.

Oregon Child Support—New and Improved!

Croisan C

- ◆ *Kate Cooper-Richardson, Director , Oregon Child Support Program & Division of Child Support, DOJ*
- ◆ *Dawn M. Marquardt, Deputy Director & Policy Section Chief, Division of Child Support, DOJ*
- ◆ *Michael L. Ritchey, Sr. Assistant Attorney General & Program General Counsel, DOJ*
- ◆ *Claudia Garcia Groberg, Attorney-in-Charge, Civil Recovery, DOJ*
- ◆ *Hope Hicks, Policy Development Manager, Division of Child Support, DOJ*

There has been a great deal happening lately with the Oregon Child Support Program, administered by the Department of Justice. This session will cover changes in law, rule, and policy at the state and federal level, the significant impact from the Program's conversion to a modern child support system—and more. An interactive open Q&A portion will ensure that all session attendees take away exactly what they wanted to know!

Intersect of Dependency and Family Law

Willamette A

- ◆ *Tracey Naumes, Attorney, Hamilton & Naumes, LLC*
- ◆ *John A. Hamilton, Attorney, Hamilton & Naumes, LLC*
- ◆ *The Honorable Jay McAlpin, Lane County Circuit Court Judge*

There are many family law attorneys in Oregon, but very few who are willing or able to interact effectively with DHS on behalf of their clients. This presentation gives an overview of how to effectively advocate for clients that become DHS-involved and how to assist clients who want to be resources for children involved in DHS cases. The presentation contains an overview of how dependency cases work, at what stages a non-dependency attorney can assist their client, what pit-falls to avoid, and how to communicate with DHS to resolve cases in the family law arena.

12:15 pm. — 1:00 p.m. Lunch

Boxed lunches will be available in foyer for guests to eat in Willamette BC or take on the road.

Please help us improve the Oregon Family Law Conference! take our survey:

<https://www.surveymonkey.com/r/EvalFLC2019>