

The Statewide Family Law Advisory Committee Report Spring 2023

Current 2022/2023 Members:

Chair - The Hon. Karrie K. McIntyre (Lane County Circuit Court)
Vice Chair – Debra Dority (Attorney - State Support Unit, Oregon Law Center)
The Hon. Sean Armstrong (Marion County Circuit Court)
The Hon. Patricia McGuire (Multnomah County Circuit Court)
The Hon. Dawn McIntosh (Clatsop County Circuit Court)
The Hon. Keith Raines (Sr. Judge) (Washington County Circuit Court)
Stephen Adams (Mediator, Wallowa County)
Colleen Carter-Cox (Program Coordinator, Family Court Assistance Office – Lane County)
Ryan Carty (Attorney – Marion County)
Angela Curtis (Trial Court Administrator Deschutes County)
Dr. Adam Furchner, Ph.D. (Psychologist, Portland)
Linda Hukari (Trial Court Administrator, Marion County)
Lauren Mac Neill (Mediator, Clackamas County)
Samantha Malloy (Attorney, Jackson County)
Kate Cooper Richardson (Division Head/Attorney – Dept. of Justice Child Support Div. Salem)

Members resigned 2022: none

OJD Staff Support:

Nanci Thaemert
Bryan Marsh
Amy Benedum
Melissa Dablow
Nikki Hahn

STRUCTURE

The founding statute, ORS 3.436, includes this language:

- (1) The Chief Justice of the Supreme Court may appoint a statewide family law advisory committee to assist the State Court Administrator in carrying out the administrator's responsibilities under ORS 3.438 (2) and (4)(a) and in identifying family law issues that need to be addressed in the future. The Chief Justice shall consider the diversity of this state in appointing the members of the statewide advisory committee.

The purview of SFLAC is within the discretion of the Chief Justice, who appoints members to staggered 3-year terms, renewable indefinitely, in their discretion. There are usually approximately 15-18 members representing diverse vantage points on family law and the Oregon Judicial Department. Members represent a diversity of professions (judiciary, law practice, court administration, child support, mediation, mental health, and others). There is conscious diversity of geography, gender and ethnicity and the SFLAC is actively and conscientiously working to evaluate our systemic biases and engage meaningfully with equity, diversity and inclusion work. To date, the Chair has been a judicial officer. While there are several judges from around the

state that serve on the Committee, there is no judicial majority by design and recommendation of the group itself. The SFLAC, and its subcommittees, are committed to supporting family law policies, reforms and programs that serve all individuals and families who access Oregon's courts with a goal of improving systems for families both in and out of court. We believe we can do so only with a diverse membership which actively cultivates a culture of equity and inclusion. Thus, we are committed to seeking out and strongly encouraging applicants to apply who are persons from historically underrepresented communities in the family law policy making arena such as incarcerated parents, veterans, persons with disabilities, persons of color and LGBTQIA2S+.

The meetings are open to the public. SFLAC publishes its agendas in advance, maintains a page on the Oregon Judicial Department website, assures access to the meetings by allowing remote appearances, and provides opportunity for public comment at the meetings. SFLAC members and guests may call in to meetings, and video access is now also provided. When meetings are held in-person, members may request reimbursement for travel expenses if funds are available, but members receive no compensation for service.

The volunteer service on SFLAC requires a substantial time commitment. Meetings are quarterly (typically March, June, September, and December), usually on Fridays, and three of the four meetings last up to four hours, while one lasts a full day. The in-person meeting serves as an all-day retreat where the group engages in substantive SFLAC project planning. The location will vary throughout Oregon, and we will use the annual retreat meeting as an opportunity to connect with the local courts and community.

Members are actively involved and generally serve on one or more subcommittees. Service on the subcommittees require interim meetings and preparation for the quarterly SFLAC meetings. Subcommittees and work groups are formed as needed. It is not necessary to be an SFLAC member to serve on a subcommittee, in fact, the SFLAC benefits when the subcommittee membership pull from a broader pool of people for insight and contributions. Many SFLAC members have contributed prior service on a subcommittee, and we have started asking applicants interested in serving on the SFLAC to get involved with one of our subcommittees prior to considering joining the SFLAC.

Members have an excellent attendance rate at the meetings, which is critical because each member has been specifically chosen to participate in the group based on their unique knowledge and skills set. The meetings are comprehensive and allow for an exchange of information and sharing of goals for family law policy in the State of Oregon. There is equality of individual respect not arbitrarily hindered by hierarchy, titles, length of service, or deference to rank. There is an atmosphere of businesslike informality, humor, and collegiality. There is often outspoken, but respectful, frankness in pursuit of consensus, which is almost always reached, but is not required. This refreshing dynamic allows the group to tackle tough issues with fervor and continue to strive to have Oregon be a leader in prioritizing service to families involved with Oregon courts.

At least annually, the Chief Justice and the State Court Administrator (SCA) meet with SFLAC to discuss issues and policies under the purview of the committee. SFLAC remains advisory to

the Chief Justice and SCA. Additionally, each member serves as liaison to one or more local Family Law Advisory Committees (FLAC) and reports on the activities of the local FLACs.

THE WORK OF 2022

The SFLAC, and its members individually, remain active throughout the State promoting the work of the SFLAC as follows:

- 1) The SFLAC/OJD Facilitators Conference 2022: Many of the subcommittee Chairs either presented or recommended presenters/topics. The conference was attended by OJD staff whose primary tasks include service to families navigating the court system for domestic relations cases. (More details in the Education subcommittee report. Speakers included members of the Data, Child Support, Futures, Education Subcommittees).
- 2) Reconstituting and Engaging Local FLACs: The SFLAC has identified the importance of supporting the continued growth of local FLACs as an ongoing goal. After the annual meeting with the Chief Justice and the SCA, establishing improved plan for flow of communication we continue to see substantial efforts made to improve local FLACs. Family Law Program Director Nanci Thaemert, the SCA, and Chief Justice encourage presiding judges and local trial court administrators to implement this statutory mandate, and SFLAC was advised it would be addressed at future TCA/PJ meetings. With recent and effective broad outreach efforts, the SFLAC members worked with their local communities to reconstitute local FLACs in Marion, Washington, Jackson, Lincoln, and Coos/Curry counties. The SFLAC members continue with outreach in other judicial districts making inquiries into a process to restart their dormant groups. This critical growth will continue to increase the flow of communication, information sharing and ultimately improve the work of OJD in serving Oregon families around the state. While all Presiding Judges are required to constitute an FLAC to address policy on family law issues in their county, some judicial districts FLACs remain dormant.
- 3) Informing the Legislature: Members of the SFLAC are called upon in their various capacities to provide independent insight regarding family law policies to the Courts, the legislature, and as experts for organizations and conferences locally and nationwide. It is fairly common to see SFLAC members providing testimony or informational interviews to State legislators or legislative committees involved in specific family law bills. While these presentations at the Capitol and at various educational conferences are not within the charge and purview of the work of the SFLAC, it is an additional way that the members are staying involved in their local and state efforts to shape and inform family law policies. The SFLAC continues to extend invitations to legislators to attend the SFLAC meetings, with the hope of continuing to build foundational relationships so that legislators recognize the SFLAC as a resource in the future when family law-related issues arise.

- 4) Annual Retreat: The SFLAC met at the annual retreat and work session to discuss long term projects and goals and to problem solve any particular challenges for the subcommittees. This meeting resulted in a commitment to strengthen the internal processes review of projects prior to approval by the SFLAC. When generating recommendations, we have created an expectation that projects will be vetted by each subcommittee before being forwarded to the SFLAC (and ultimately the Chief Justice and SCA) for ultimate approval. This creates a broader audience for review and input to attempt to reach a meaningful consensus on projects and recommendations. We explored mission statements and themes for the work in the coming year as well as improving communication with our community partners to reach the appropriate audience for the tools that OJD is providing.
- 5) Strengthened Organizational Structure and Enhanced Recruitment Efforts: SFLAC Chair and SFLAC Vice Chair met with the Chairs and Co/Vice Chairs of each of the subcommittees throughout 2022. The purpose of the meetings: 1) to ensure each committee had a co/vice chair and that they were each getting OJD staff support. 2) to afford the chairs an opportunity to discuss the subcommittee's need for any particular voice or skill set not yet represented on the subcommittee and whether there was anyone on their subcommittee they would recommend for the SFLAC. The meetings were also an opportunity to discuss how to keep the needs of self-represented litigants at the center of the work of each subcommittee as well as a discussion of the newly implemented plan to ensure each subcommittee has an opportunity to weigh in on the work of other subcommittees to allow for further vetting, rather than only have the input of the SFLAC members alone.

SUBCOMMITTEE SUMMARIES

The work products of the SFLAC generally start with the dedicated efforts of its many subcommittees and workgroups. These subcommittees will constitute, expand, decrease, and go dormant from time to time depending on the needs of the group. After careful consideration regarding priorities moving forward, in 2016 the SFLAC agreed to absorb the mission of the Self-Represented Subcommittee into the work of each and every subcommittee. The currently active subcommittees are listed below with a summary statement regarding recent completed projects.

With the unique shift occurring in the courts as a result of the COVID-19 pandemic, the SFLAC's subcommittees have kept at the forefront of their work, the innovations that have already occurred as we work to define the "new normal" that will likely shape up in the coming years. Each subcommittee has made specific COVID-19 recommendations for the Oregon Courts and will strive to capitalize on the momentum of positive changes in the courts to better serve Oregon families.

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PARENTING INVOLVEMENT AND OUTREACH COMMITTEE – Report Spring 2023

Chairs: Dr. Adam Furchner, Ph.D. and The Hon. Amy Holmes Hehn (Multnomah County Circuit Court)

Members: Hon. Sean Armstrong (Marion County), Hon. Bethany Flint (Deschutes County), Hon. Dawn McIntosh (Clatsop County), Scott Leibenguth (Attorney, Portland), Jane Parisi Mosher (Mediator, Yamhill), Linda Scher (Mediator, Multnomah), Robin Stedfeld (Mediator, Union), Judith Swinney (Parenting Supervisor/Education, Portland), Tracey Vogeltanz (Multnomah County Family Court), Dr. Wendy Bourg, Ph.D. (Psychologist, Portland), Kathleen Zumpano (Child Specialist, Portland), Vicki Bruno (Mediator, Portland)

Staff Assigned: Amy Benedum

What has been the goal/focus of the subcommittee in 2022 (within the next year)?

Provides information and training to parents, mediators, and the legal community regarding parenting time, legal decision making, and family law related topics.

What are the subcommittee's top short-term priorities?

We are currently working to promote and distribute our recent Parent Guide to Parent-Child contact problems. This pamphlet functions as a guide for families who have a child who is resisting or refusing parenting time with a parent post-divorce, and as an aid to the professionals working with those families. We are exploring the potential need for additional resources (video or web-based presentations) to augment that pamphlet.

What are the subcommittee's top long-term priorities (within the next 5 years)?

We are currently working to clarify our long-term priorities and to add more diverse expertise to our subcommittee. Generally, we will continue to respond to needs within the community, providing information and guidance in a range of divorce related issues. We hope to continue to provide materials for those families who may not have legal representation or access to professionals in the family law field.

What are the subcommittee's top accomplishments?

The Parenting Involvement Workgroup (later renamed The Parenting Involvement and Outreach Subcommittee or PIOS) was formed in 2010 to investigate local and national trends regarding best interest standards and practices for children of divorce, paying particular attention to the distinction between parenting schedules (referred to throughout as parenting time) and custody, referring to legal decision-making authority as defined by ORS 107.169.

Since that time the subcommittee has complete several major projects as well as a wealth of more minor materials. An incomplete list of work is detailed below.

Most recently our Parent Guide to Parent-Child Contact Problems was approved for distribution:
[https://www.courts.oregon.gov/programs/family/sflac/ParentalInvolvementMaterials/PIOS%20Parent%20Pamphlet%20on%20Parent.Child.Contact%20Problems.All%20Contributions%20\(1\)%20-%20Google%20Docs.pdf](https://www.courts.oregon.gov/programs/family/sflac/ParentalInvolvementMaterials/PIOS%20Parent%20Pamphlet%20on%20Parent.Child.Contact%20Problems.All%20Contributions%20(1)%20-%20Google%20Docs.pdf) – Custody and Parenting Time: Summary of Current

Information and Research

<https://www.courts.oregon.gov/programs/family/sflac/SFLAC%20Documents/CustodyPTR.pdf>

Our most recent work products relate to the resist/refuse dynamic in families. Our first product in this area is bench guide for judges and attorneys:

<https://www.courts.oregon.gov/programs/family/sflac/ParentalInvolvementMaterials/Resist%20Refuse%20Handout%20for%20Judges%20Design%20Option%203.pdf>

In (2020), our subcommittee has produced materials related to supervised parenting time:

<https://www.courts.oregon.gov/programs/family/children/Pages/Supervised-Parenting-Time.aspx>

2015-2017 – Birth Through Three Toolkit and associated presentations, materials and trainings around the state. <https://www.courts.oregon.gov/programs/family/children/Pages/Birth-Through-Three.aspx>

2011 – Parenting Education: What Works Best?

<https://www.courts.oregon.gov/programs/family/sflac/SFLAC%20Documents/ParentEdRpt.pdf>

2010 - Qualifications for Appointment and Training of Parenting Coordinators, Custody Evaluators, and Parenting Time Supervisors:

<https://www.courts.oregon.gov/programs/family/sflac/SFLAC%20Documents/2010Guidelines.pdf>

What are the challenges for courts in implementing the recommendations from the subcommittee?

The greatest challenges for the courts and involved professionals in almost all of the issues we address occur for non-represented litigants and low-income families. We are trying to redouble our efforts to provide recommendations for the courts that acknowledge income disparities and the lack of resources that confront many families.

DOMESTIC VIOLENCE – Report Spring 2032

Co-Chairs: Debra Dority (Oregon Law Center, Statewide) and Samantha Malloy (private attorney Rogue Family Law, Jackson)

Members: Amy Benedum (JFCPD OJD Statewide), Jenny Woodson (Domestic/Sexual Violence Program, DHS, Child Welfare), Diana Fleming (CVSSD, DOJ), Samantha Benton (private attorney, Hood River), Hon. Gardiner (Marion County Circuit Court), Sarah Sabri (Sr. Asst Attorney, DOJ), Hon. Patricia McGuire (Multnomah County Circuit Court), Hon. Dawn McIntosh (Clatsop County Circuit Court), Emily Brown-Sitnick (Legal Aid Services of Oregon – Multnomah, Clackamas, Hood River, Sherman and Wasco), Kathryn Moakley (University of Oregon DV Clinic Supervisor) and Katie Haslinger (DV/SA Advocate, Saving Grace, Deschutes) Samantha Malloy (Attorney – Jackson), Lonny R. Webb, LCSW (private clinician,

Clackamas), Heather Busby (ED of Youth Rights and Justice). *Hon. Maureen McKnight (Senior Judge, Multnomah County) and Dr. Sheldon Levy (OHSU Dept. of Family Medicine) included as *interested persons*.

Staff Assigned: Amy Benedum (JFCPD)

What has been the goal/focus of the subcommittee in 2022?

The DV Subcommittee's goal is to advise the Chief Justice regarding issues, legislation, and resources relating to domestic violence, and provide resources for the same. In 2022, the DV Subcommittee focused on a few main projects:

First, and as part of the broader efforts to enhance and streamline subcommittee collaboration, the DV Subcommittee invested significant work on cross-committee efforts. The DV Subcommittee devoted multiple meetings to provide substantial feedback to the Mediation Subcommittee's "Guide for Attorneys Supporting Their Clients During Family Court Mediation." Likewise, the DV Subcommittee offered extensive feedback to the Parental Involvement and Outreach Subcommittee for two of their projects: (1) the "Resist/Refuse in Family Law Cases: A Guide for Judges"; (2) the "Parent-Child Contact Problems: Parent's Guide" This work has allowed the DV Subcommittee to contribute expertise and perspective to other subcommittees to ensure their work includes vital safety considerations for the whole family. While this work has been valuable and serves our advisory goal, it necessitated a reallocation of time and work.

Second, the DV Subcommittee expanded its membership to include Lonny Webb, LCSW and, as an interested person, Heather Busby. Both members were considered and approved in keeping with the SFLAC's emphasis on Equity, Diversity and Inclusion (EDI) to ensure broad representation of involved persons generally, and children more specifically.

Third, the DV Subcommittee initiated an expansive update to the FAPA Bench Book in light of recent substantive legislative and case law updates. The current draft includes a format change, to capture updates in terminology, and substantive updates to capture legislative and caselaw developments. The draft updates reflect changes to the contested hearing standards resulting from HB 3117 and the firearm sections required by HB 2013. Other additions to the FAPA Bench Book are suggestions for trauma-informed courtrooms and consideration of additional appendices such as relevant statistics and the Firearms Bench Sheets.

Fourth, the DV Subcommittee has begun consideration of organizational adjustments to ensure ongoing realization of its missions through an EDI perspective. This includes development of a formal mission statement and consideration of targeted working groups both to address participant-agnostic projects as well as more intensive collaboration with other subcommittees for discrete but involved projects.

What are the subcommittee's top short-term priorities (within the next year)?

Our top priority within the next quarter is finalization of the FAPA Bench Book to provide additional tools and the significant legislative changes of HB 3117 (replacing one of the elements required at the contested hearing to recognize the change in dynamics after the issuance of the

RO) and HB 2013 (updates Oregon's firearm dispossession laws when there is a qualifying restraining order and creates statewide dispossession protocols).

We intend to finalize a mission statement that not only focuses the work of the DV Subcommittee but does so while prioritizing equity, diversity, and inclusion (EDI) and accords with the best practices from the OJD Change Management initiative.

Our other projects for 2023 include returning to and completion of projects considered in 2022 that were displaced by our inter-subcommittee work. These include: (1) designing solutions to the failure of law enforcement to respond to restraining order violations; and (2) recommendations to OJD for the DV resources and protection order sections of the OJD website to ensure survivors receive the resources they need in obtaining a protection order, and safety planning.

What are the subcommittee's top long-term priorities (within the next 5 years)?

Longer-term priorities include:

- Development of models for discrete project working groups to permit the DV Subcommittee to provide assistance for other subcommittees without disrupting or delaying DV Subcommittee goals and work.
- Updating the Elderly Persons and Persons with Disabilities Abuse Prevention Act (EPPDAPA) Bench Book.
- Conduct research and provide resources on best practices to create a trauma-informed courtroom, particularly for domestic and sexual violence-related hearings/trials.
- Further implementation of Oregon's firearm dispossession protocols including providing training and resources (such as our newly updated Firearms Benchsheets).
- Investigate the increased practice of law enforcement's failure to respond to calls of protection order violations and analyze ways to ensure those protected by such orders remain protected.

We will continue the following work:

- Propose updates and changes to court forms, materials, and resources regarding domestic violence (including developing updates to the FAPA Bench Book and the EPPDAPA Bench Book, and the Stalking Bench Book when necessary).
- Support education of the bench and bar related to domestic violence, sexual assault, and stalking.
- Propose and provide speakers for the SFLAC Conference on domestic violence, working with trauma survivors, and firearms.
- Advise the Chief Justice on issues relating to domestic violence.
- Collaborate with other subcommittees on their projects.

What are the subcommittee's current projects and timelines for completion?

Completion of the FAPA Bench Book by the end of the second quarter.

Completion of the DV Subcommittee Vision and Mission Statement.

Creation of actionable proposals to address situations in which law enforcement fail to respond to FAPA order violation by the end of the third quarter.

Submission of suggestions to OJD for DV sections of the website by the end of the fourth quarter.

What are the challenges identified by your subcommittee in furthering your prioritized work?

The DV Subcommittee has identified the need to clarify the mission and focus of this subcommittee to ensure that it is consistent with the work of other subcommittees and the SFLAC as a whole. Related to this issue is the need to identify viable models to respond to the work of other subcommittees or constituencies that relate to DV but are not focused on the needs of survivors.

What are the challenges for courts in implementing the recommendations from the subcommittee?

Significant work remains to ensure compliance with firearms restrictions by both law enforcement and district attorneys to ensure the protection for survivors DV protocols were created to provide, including, increased communication between the courts (regarding which cases have not yet had a declaration filed) and the district attorneys' offices, for example.

What additional support would lend itself to improving the work of your subcommittee?

Specifically, the project relating to OJD's website could use some outside expertise not only in technology, but in adult learning styles to create the best resource for those in need of DV resources.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

Yes! Much of the survey focused upon petitioners in protection order hearings primarily because the **vast** majority of petitioners apply for POs and attend *ex parte* PO hearings without representation of an attorney. In addition, one focus of our subcommittee has been working to include a trauma-informed lens to the work we do, which most benefits self-represented litigants.

What are the subcommittee's top accomplishments over the past five years?

- Development of Stalking Bench Book;
- Update of the Firearms Benchsheets for both Qualifying Protection Orders and Qualifying Convictions;
- Proposed DV-related trainings/trainer for the SFLAC Conferences and Facilitator Trainings;
- Provision of detailed input on remote court services during the beginning of the pandemic, including recommendations for a safety-informed and a trauma-informed response;
- Suggested changes to the protection order forms provided by OJD.
- Development of new resources for judges in the FAPA Benchbook and provided input in the PIOS Resist/Refuse materials
- Contribution of the DV perspective to the Mediation Subcommittees guide for Attorneys
- Enhanced representation of the interests of children through more diverse member voices.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

Our subcommittee will benefit from inclusion of the voice and experience of members in from communities of color and underrepresented communities with regard to race, ethnicity, LGBTQIA+, socio-economic status, gender, age, and ability/disability. We will also benefit from including those who are or have been users of the system- both former family law litigants and survivors.

MEDIATION SERVICES –Report Spring 2023

Chairs: Caitlyn Jackson (Lane County Family Mediation) and Laura Bisbee (Multnomah County Family Court Services)

Members: Lauren MacNeill (Clackamas County Mediation Services), Amy Bonkosky (Trial Court Administrator Crook/Jefferson Counties), Cindy Carr (Washington County Juvenile/Mediation Services), Angie Curtis (Trial Court Administrator 7th District), Hon. Karrie McIntyre (Lane County), Kristin Jocums (Peaceful Family Solutions, Private Mediator, Benton), AJ Wahl (Private Attorney Court Connected Mediator, Clatsop County)

Staff Assigned: Amy Benedum, Megan Hassen

What has been the goal/focus of the subcommittee in 2022?

The focus of the SFLAC Mediation Subcommittee in 2022 was (1) to ensure that all family law litigants have access to court-connected mediation services; (2) to assist them in understanding and coming to agreement about issues between them; (3) to inform and support the OJD and mediation services statewide about best practices and innovative programs; and (4) to make recommendations to ensure adequate funding for robust services.

What are the subcommittee's top short-term priorities (within the next year)?

The top three priorities for 2023 are:

1. Make recommendations to ensure sufficient funding so high-quality domestic relations mediation is available statewide to all eligible litigants regardless of their ability to pay. During 2023, this priority will include:
 - a. Make a recommendation to SFLAC to share with OJD regarding a distribution equation for existing mediation funds. OJD is requesting this equation be submitted after the April mediation subcommittee meeting.
 - b. Put together a report for SFLAC regarding the current state of mediation and state of mediation funding in Oregon to share with the Chief Justice.
2. Participate in OJD's stakeholder efforts to review and update the court-connected mediator qualification requirements outlined in Chapter 12 of the Uniform Trial Court Rules.
3. Review subcommittee membership through an equity lens.

Additional 2023 goals include:

- Distribute, promote, and provide training at the SFLAC Family Law Conference on the *Attorneys Supporting Clients During Mediation Guide*.
- Make recommendations for mediator training opportunities through OSCA.
- Stay current in domestic relations mediation best practices and encourage innovative services.

What are the subcommittee's top long-term priorities (within the next 5 years)?

The subcommittee's top long-term priority is making recommendations to ensure sufficient funding so high-quality domestic relations mediation is available statewide to all eligible litigants regardless of their ability to pay.

What are the challenges identified by your subcommittee in furthering your prioritized work?

The significant funding challenges for court-connected domestic relations mediation services across Oregon is the largest challenge to furthering the mediation subcommittee's work.

What are the challenges for courts in implementing the recommendations from the subcommittee?

The largest challenge for courts in implementing the recommendations from the mediation subcommittee is the existing limited state-wide funding for mediation. The proposed mediation/conciliation Current Service Level and Chief Justice's Recommended Budget amount for the 2021-2023 biennium is lower than the 2007-2009 biennium funding levels. We strongly recommend increased attention to this issue such that sufficient funding is made available statewide, with a transparent mechanism for both how the funds are distributed on a biennial basis and accountability from service providers regarding how the funds are used. We further recommend that the funding mechanism be one that provides for appropriate periodic increases without the need for policy option packages to cover the increased costs of providing services.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

Yes. The mediation subcommittee evaluates the needs of self-represented litigants within the framework of our projects.

What are the subcommittee's top accomplishments over the past five years?

- Created the *Attorneys Supporting Clients During Mediation Guide*.
- Made recommendations regarding having a full-time dedicated position at OJD to monitor court-connected domestic relations mediation throughout the state.
- Supported OJD in crafting policy option packages to increase mediation funding (both were included in the Chief's budget, but not funded by the legislature).
- Designed the Mediation Data Collection Project, a process for reporting and tracking the outcome of court-connected domestic relations mediation; drafted instruction letter on completing the mediator reports for mediators and court staff; drafted a review letter after a year of data collection highlighted needed clarifications and improvements.

Any additional information you would like to share about your subcommittee experience:
The mediation subcommittee benefited from the additional support from Megan Hassen in her role as the Statewide ADR Analyst position and additional staff support from Amy Benedum.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

The mediation subcommittee has a geographically diverse membership and involves multiple court-connected mediation stakeholders. The subcommittee will benefit from reviewing current membership through an equity lens to determine if additional perspectives, voices, or areas of expertise are missing from the subcommittee and if so, to determine how to involve those perspectives and voices moving forward. This is one of the subcommittee's top three priorities for 2023.

What additional support would lend itself to improving the work of your subcommittee?

One recommendation for SFLAC is to create a subcommittee dedicated to ensuring access to high-quality parent education programs under ORS 3.425. Some counties are currently supplementing their parent education programs with mediation funds or with mediator time. Continuing to use mediation funds in this way may not be permitted by OJD moving forward.

Any suggestions for improved management or operation of the SFLAC at large?

We do not have additional suggestions for the SFLAC at large outside of having a subcommittee dedicated to ensuring access to high-quality parent education programs under ORS 3.425.

EDUCATION SUBCOMMITTEE – Report Spring 2023

Chairs: Colleen Carter-Cox (Program Coordinator, Family Court Assistance Office, Lane County) and Hon. Keith Raines until Feb. 2023 (Washington County Circuit Court)/Hannah Marchese (Program Manager, SOFI) as of Feb. 2023.

Members: Hon. Karrie McIntyre (Lane County Circuit Court), Hon. Kelly Lemarr (Washington County Circuit Court), Debra Dority (Statewide Support Unit Attorney Oregon Law Center), Hannah Marchese (Program Manager, SOFI), Crystal Reeves (Trial Court Administrator, Columbia), Tatjana Queener (private attorney, Clatsop), Danielle Ramos (Legal Resource Center Supervisor, Multnomah), Bryan Marsh (JFCPD, OJD), Nanci Thaemert (Supervisor JFCPD, OJD), Tracey Cardoza (Program Coordinator/Family Law Facilitator, Klamath/Lake), Maxine Tuan (Executive Director, St. Andrew Legal Clinic), Teala Sunderman, Family Law Coordinator Union County.

Staff Assigned: Bryan Marsh and Nikki Hahn, JFCPD

What has been the goal/focus of the subcommittee in 2022?

- Increasing and diversifying membership

- Increasing communication and collaboration between the other SFLAC subcommittees to address educational needs
- Planning and implementing the 2022 Statewide Facilitator Conference in Salem
- Revising and updating the “How to Serve Legal Papers in Oregon” pamphlet
- Subcommittee restructuring (implementation of work groups and leadership transitions)

What are the subcommittee’s top short-term priorities/projects (within the next year) and any expected dates for completion for ongoing projects?

Plan and conduct the [SFLAC Statewide Family Law Conference](#) on June 1-2, 2023 in Salem. Approval and distribution of the updated How to Serve Legal Papers pamphlet for litigants, spring 2023. Continued monthly education for facilitators and completion of the online facilitator basics training guide for SharePoint, June 1, 2023. Education for internal and external court users on paraprofessional licensing, ongoing 2023. Collaboration with the Oregon State Bar on the portal project, ongoing 2023.

What are the subcommittee’s top long-term priorities/projects (within the next 5 years)?

- Setting regularly occurring dates for family law conference
- Portal project development
- Addressing education for both internal and external Court users on implementation of paraprofessional licensing
- Updating the statewide online facilitator basics training guide and posting it to SharePoint

What are the challenges identified by your subcommittee in furthering your prioritized work?

- Awareness of projects and educational planning in process in other committees and community partners in order to information share, reduce duplicity, and increase efficiency and collaboration
- Moving forward post pandemic
- Resources (staffing/time/budget)

What are the challenges for courts in implementing the recommendations from the subcommittee?

The Committee is responsible for planning and conducting regular family law and facilitator conferences, developing family law educational materials for self-represented litigants, and education and training for court staff and internal customers regarding family law procedures and practices.

- Courts with customers in rural or less populated areas can encounter challenges with providing materials and resources to litigants based on proximity to the courthouse and/or internet access
- Many in person conferences and trainings tend to be in Salem, therefore some of the jurisdictions face more challenges related to travel time and cost to attend conferences and trainings

- The size and staffing levels between the jurisdictions vary greatly and some courts may not have the resources to implement recommendations
- Navigating resistance to change

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

- Ongoing work on educational materials for the public
- Continued training for family law facilitators who provide direct assistance to self-represented litigants

What are the subcommittee's top accomplishments over the past five years?

- Successfully conducting SFLAC Family Law Conference in alternating years since resuming in 2017, with conferences in 2019, and 2021 when we seamlessly moved to a remote conference in light of the pandemic.
- Successfully conducting the statewide Facilitator Conference in 2018, 2020, and 2022. The 2020 conference originally scheduled for April 2020 was cancelled due to the pandemic however, we were able to bring all sessions remotely to the facilitators by way of the monthly statewide facilitator meeting.
- We have continued to utilize the monthly facilitator meeting as a platform for training and discussion and in 2022 alone, we coordinated presentations on the following topics (all recorded and available on [SharePoint](#)):
 - IV-D Child Support
 - Family Law Information Resources
 - Temporary Orders
 - Best Practices in WebEx Facilitation
 - 211 Resource
 - OSB Referral and Information Services
 - Dynamics of DV and Protective Order Data Dashboards
 - Spousal Support
 - Facilitating Complicated Cases
 - Portal Project: Facilitator Listening Session
 - DOJ Division of Child Support: Paternity

Any additional information you would like to share about your subcommittee experience:
 We really appreciate the opportunity to participate in SFLAC and several SFLAC subcommittees. The opportunity to network and be apprised of trends, new ideas, rules, and procedures is invaluable. It is fulfilling to have a part in creating educational opportunities and resources for both colleagues and the litigants who navigate the Oregon courts.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

The committee can still actively seek to increase diversity to incorporate a wider range of perspective and voices, specifically voices from Latina/o/x population and Oregon's education system that overlaps with children and court orders on a regular basis.

What additional support would lend itself to improving the work of your subcommittee?

It would be helpful to have a once or twice-yearly video conference meeting with the subcommittee chairs to discuss committee collaboration (maybe one of these could be in conjunction with the SFLAC retreat).

Any suggestions for improved management or operation of the SFLAC at large?

The check-ins with chairs and the yearly retreat are great recent additions to the committee. There has been some discussion about creating a shared site for SFLAC subcommittees to share information, work product, and, understanding the challenges/access issues presented by both OJD and non OJD members on the Committee, continued exploration of this is important information sharing resource.

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DATA SUBCOMMITTEE – Spring Report 2023

Chairs: Linda Hukari (Trial Court Administrator, Marion), Ryan Carty (Attorney, Marion)

Current Members: Hon. Matthew Donohue (Benton), Hon. Lauren Holland (Lane Circuit Court), Hon. Maureen McKnight (Sr. Judge Multnomah), Joseph Muirhead (OJD, BFSD, statewide), Stephanie Guerena (OJD, BFSD, statewide), Yousef Alouzi (JCIP, OJD, Statewide), John Grant (Attorney, Portland; *when available*).

Staff: Bryan Marsh

What is the goal/focus of the subcommittee in 2022?

The focus of our committee in 2022 has been performance measures, specifically post judgment. Data entry consistency and accuracy. We have always prioritized the data reports that can be obtained and developed from the Odyssey case management to provide information to OJD, our community partners, and the legislature to further the mission and goals of the OJD. Our group has a unique overlap with some Probate areas of interest and are included here as well.

What are the subcommittee's top short-term priorities?

Our short -term priority has been to continue to discuss accuracy and consistency whenever possible with TCAs and court staff. Linda and Conor presented at the facilitator training to explain the importance of the data, not only for OJD purposes, but our community partners and the legislature. The data analysts are continuing to work to have post-judgment modification and hearing/trial statistics, as they comprise a substantial volume of domestic relations work.

What are the subcommittee's top long-term priorities?

We have a long list of data that we feel is important for the OJD and legislature to have going forward. For example, getting accurate data on post judgment cases in family law

(Modifications, Contempts, Enforcement of parenting time). This is an enormous workload for the staff and judges, however there is not currently a way to accurately pull that data from Odyssey, our long terms goal is to develop reports and queries that will allow us to pull that data.

We are also very interested in identifying a way to capture OJD's court facilitation program data. For example, how to effectively document that an OJD family law facilitator was used by the litigant and or contacted the courts for assistance, and at what stage of the case is this occurring? Did having a facilitator working with a party assist the Courts with adhering to statutory timelines best practices for time to disposition? At the facilitator conference we received many great ideas from the facilitators on data they would find helpful in planning their programs.

What are the subcommittee's top accomplishments? The restraining order dashboard was released for statewide OJD use in December of 2022. The sub-committee members presented forms of the data dashboard at the facilitation training, and various administrative meetings with TCAs and PJs throughout the year. We are also pleased that our work is triggering conversations and work on post-judgment data and what priorities should be in the coming years.

What are the challenges for courts in implementing the recommendations from the subcommittee?

The biggest challenge is training, consistency, and time. To have accurate data, court staff need to be trained and the trial courts need to be consistent in how the data entry is performed. If there is an issue with the data, the courts need to have the time to review and correct. We also have time conflicts within the sub-committee. We have not met since October 10, 2022. Our members have numerous requests for their time, and it can be a struggle for all members to join the meeting at the same time. However, all members are committed to this sub-committee and when we do meet substantive actions are accomplished. Our committee has goals and a list of data we want to obtain; however, it falls on only one or two OSCA data analysts to make it all happen and we understand that their time is also taken with other OJD priorities.

What additional support would lend itself to improving the work of your subcommittee?

I don't believe additional support is necessary as far as staff. The nice way our subcommittee works is we meet and then Joseph and Yousef can go and look into the data and take our ideas and requests and make them a reality. Some things we have identified are:

- A wider conversation with OJD staff that is interested in data needs might be a good thing such as the CJ and Nancy Cozine, to confirm we are on the right track for any data needed to help inform the legislature and be useful to OSCA.
- A conversation with TCAs to confirm we are looking at the data the trial courts would be interested in obtaining.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects? We are always looking at how the data can assist us in determining how to provide access, and resources for self-represented litigants. This is one of the main reasons we are wanting the facilitator data, so all courts can have the resources they need to assist self-represented litigants.

What are the subcommittee's top accomplishments over the past five years? In a short amount of time, we have been able to accomplish a great deal. We had a list of data priorities outline in phases 1, 2 and 3. We knew the list in 2 and 3 would be more difficult. As of December, 2022, we have been able to complete the following priorities:

Phase 1

Domestic Relations

Self-Represented Litigants:

- *The % of petitioners who are self-represented at the time of filing*
- *The % of respondents who are self-represented at the time of filing the response*
- *The % of cases where both parties/one party/no parties are represented at the time of judgment entry*

Post-Judgment:

- *We saw our first look at the post-judgment dashboard on March 7, 2023. The data on this dashboard was the result of work initiated in 2022.*

Restraining Orders:

- *The restraining order dashboard was released for statewide use in December of 2022*

Mediation:

- *Number of cases with each type of mediation result: Full Agreement, Partial Agreement, No Agreement, Failure to Appear for Mediation*

Probate

Open Cases: *The number of open cases by case type (adult/minor) and by conservatorship, guardianship, or guardianship/conservatorship*

Timeliness of Judgment: *The percentage of filings with a judgment appointing a guardian/conservator or dismissing the case within 90 days of filing*

Assets Held in Conservatorship: *The value of the assets under the court's supervision in conservatorship and guardianship/conservatorship cases*

Phase 2

Domestic Relations

Case Resolution: *Number and percentage of cases resolved by the type of resolution (default judgment, stipulated judgment, mediated judgment, Rule 7 dismissal, dismissal at party request, trial)*

Probate

Annual Guardian Report and Accounting Filings: *For open cases, the number and percentage of cases with annual reports filed within the past year and the number and percentage with annual accountings filed within the past year*

Phase 3

Probate

Average Length of Guardianship, Conservatorship, or Guardianship/Conservatorship: For all open cases, the average time that the case has been open

Protected Persons over Age 65*: For adult guardianship, conservatorship, and guardianship/conservatorship cases, the percent where the protected person is currently age 65 years of age or older

Any additional information you would like to share about your subcommittee experience:

The commitment, experience and knowledge of the participants on this subcommittee are why we have been to accomplish so much in such a little bit of time. They are an amazing group.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

We don't think so, but we will continue to have that conversation.

Any suggestions for improved management or operation of the SFLAC at large?

No, the management of the SFAC, both committee leadership as well as OSCA support is supportive, communicative, transparent, and collaborative.

FUTURES SUBCOMMITTEE – Spring Report 2022

Chairs: Ryan Carty (Salem Attorney) Beginning Jan 2021, William Howe (Former Vice Chair term ended Dec 2020)

Current Members: Stephen Adams (Retired Attorney Mediator, Wallowa County), Colleen Carter Cox (Family Court Facilitator Lane County OJD), Valerie Colas (2021) Linda Hukari (Trial Court Administer, Marion County), William Howe (Attorney, Portland), John Grant (Attorney, Portland), Samantha Malloy (Attorney, Jackson County) Crystal Roeves (Trial Court Administer, Clatsop County), Nanci Thaemert (2021)

What has been the goal/focus of the subcommittee in 2021? At the end of 2022, we adopted a mission statement.

The Futures Subcommittee remains committed to its vision to reimagine "Court" as a service and process rather than a specific place where trials and hearings occur. By so doing, we strive to imagine and assist to implement avenues for more and better legal services. Specific focuses include:

Optimizing existing court personnel and resources: This commitment includes the transition from an assumption of resolution through trials/hearings to one that utilizes the wealth of experienced judges, excellent court personnel and underutilized prior innovations.

Placing a focus on early and frequent intervention in legal disputes: This focus is designed to encourage swifter case conclusion that avoids the long-term collateral damage of protracted court proceedings.

Embracing ideas, innovations, and lessons learned throughout the Covid-19 pandemic: Recent changes to our courts and the way we interface with end-users have the capacity to both redefine and improve our legal system to better serve the majority of self-represented Oregonians.

Continuing examination and innovation of established rules and procedures: This focus ensures we are informing future projects with an eye on what is in place today and areas where things are operating smoothly versus areas where we can better meet and address the typical court customers.

What are the subcommittee's top short-term priorities (within the next year)?

Expand Use of Informal Domestic Relations Trials (IDRT's). The Futures Subcommittee is undertaking several initiatives to expand the use of IDRT's and better track their existing use especially among self-represented litigants.

Create an Alternative Substitute Service to Notice by Publication. The subcommittee is considering a proposal for a court webpage to provide service by publication as an alternative to publication requirements in print newspapers. The initiative is being pursued by other jurisdictions to ease the expense burden for petitioners and ensure actual notice for respondents. The use of court websites provides greater reliability than other social media sites and provides a centralized location for respondents.

Remote Access Initiative. The Futures Subcommittee is continuing to provide support for the Remote Access Initiative delayed in some counties by the pandemic. Ongoing efforts include the transition to a statewide Voice Over Internet Protocol (VOIP) by the Enterprise Technology Division that will ensure a consistent and uniform phone system/number for utilization in Remote Facilitation. The subcommittee is continuing to track improved participation rates reported by counties to support the efficacy this program can deliver to courts. In addition, the subcommittee is examining other forms of facilitation technology such as Artificial Intelligence (chat bots) and help desk resources.

Remote Proceedings. The Futures Subcommittee is continuing to gather data and propose solutions to refine and enhance remote hearings and trials following the relaxation of the pandemic restrictions as we returned to in person proceedings to determine where, when and how to continue availability for remote proceedings to reduce barriers to individuals who have historically had difficulty engaging in the process due to childcare, transportation, employment and other complications.

Remote Access Best Practices. The Futures Subcommittee is examining enhanced remote access to support services personnel such as custody evaluators, parenting coordinators, mediators etc.

Implementation of Change Leadership Strategies. The subcommittee is utilizing knowledge and tools learned through the Change Leadership training to enhance the projects and work of the Futures Subcommittee.

What are the subcommittee's top long-term priorities (within the next 5 years)?

Continue efforts to facilitate remote access to courts in appropriate areas that expand beyond facilitation services

Promote systems that support access to justice (e.g., improvement and expansion of court websites as repositories for self-represented litigants including notice by publication, IDRT information, pilot program for allowing litigants to self-schedule court appearances such as status conferences, etc.).

Identify case type specific triage that will target and streamline processes to provide early and frequent interventions that will help resolve cases without resorting to drawn-out litigation that ends in trials and hearings. Examples include case conferences, judicial settlement conferences, interim relief through written submissions, etc.

Continue to examine innovations across national and international jurisdictions to identify initiatives that are increasing the access to justice and evaluate for adoption and innovations tailored to Oregon.

Continue to identify and promote strategies to facilitate access to justice through unbundling by both attorneys and the courts (enhanced access to judicial resources in the form of status conferences, settlement conferences, streamlined interim relief such as temporary support on pleadings, etc.)

What are the subcommittee's current projects and timelines for completion?

IDRT Expansion. These efforts include improving the accuracy of tracking and other data refinements through clerical training/familiarity of coding, including consideration of the timing of capture to ensure that “conversions” from traditional to IDRT’s on the day of trial.

IDRT Expansion. The Futures Subcommittee is examining revisions to the UTCR to improve the waiver process (during remote proceedings, written versus on the record), and opt-in versus opt-out processes. The end of Q4 is the target date for the UTCR rule revision proposal.

IDRT Expansion Revision of the state-wide IDRT brochure is being examined, working in tandem with the Portland State University linguistics/communication department to ensure greater clarity and understanding for self-represented litigants. The end of Q3 is the target date for a revised brochure.

Notice by Publication. This project is in its initial phase. The subcommittee will be researching the results of other jurisdictions to gather data about operational challenges and successes as it considers the most effective way to implement this change. The Futures

Subcommittee will be exploring the technical aspects of implementing a service page on district websites across the state.

Best Practices for Remote Proceedings. The subcommittee is evaluating surveys and other forms of engagement to create a “best practices” sheet that will provide both litigants, attorneys and OJD staff tips and tools to minimize detractions from remote proceedings.

What are the challenges identified by your subcommittee in furthering your prioritized work?

The greatest challenge in implementing the recommendations from the subcommittee is that the legal industry is entrenched in a preference for the status quo. This is not a new dynamic. The legal industry has long lagged behind private business when it comes to embracing new technologies and changing practices to better suit an increasingly diverse demographic of users. But as technology continues to advance at an ever-increasing pace, users have different expectations for what their interactions and experiences with courts will look like. Users of today prefer text messages to emails and would rather click a button on an online form than talk to a person behind a desk. The court needs to recognize these changes in how its constituents desire to interface, and pivot to accommodate these desires in a way that ensures better access to justice for all Oregonians – particularly in underserved populations.

When changes are made, they must be made, to the extent possible, on a uniform basis. It is difficult for the consumer (and those attempting to serve the consumer) to navigate an already confusing and difficult process when simple things like status conferences or temporary motions are handled differently on a county-to-county basis. Yet because our industry is entrenched in a long-standing desire to embrace the status quo, such moves to uniformity are often met with resistance at a county level. Education and encouragement will be a critical part.

What are the challenges for courts in implementing the recommendations from the subcommittee?

The diversity of our jurisdictions in terms of resources and environmental realities has been a challenge to the recommendations for uniformity in the early phases of initiatives for both implementation, evaluation and iteration. Similarly, the industry-wide preference for the status quo and skepticism about technology continue to encumber more sweeping changes and initiatives.

What additional support would lend itself to improving the work of your subcommittee?
Enhanced cross-committee communication and shared roles in projects will enhance capacity and output by leveraging common efforts and unique expertise. For example, collaboration with the Education and Mediation Subcommittees on expansion of IDRT materials and training will ensure that first points of contact (facilitators, mediators, court staff) have the training and tools to effectively communicate the benefits of IDRT’s. Similarly, collaboration between Futures and Data will support better capture of data points essential to Futures Subcommittee practices.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

The needs of self-represented litigants are essential to our mission and are the lens through which our projects and efforts are focused. While the ease of use for other stakeholders (court personnel, OJD staff, judges and the bar) is essential to the success of Futures' projects, access to justice considerations start with self-represented parties.

What are the subcommittee's top accomplishments over the past five years?

Mission Statement. The Futures Subcommittee created a mission statement to inform and enhance our initiatives.

Remote Facilitation Initiative. Unfortunately, and ironically, the launch of the Remote Access Initiative was delayed in some counties by the pandemic. Other counties have fully embraced remote facilitation. Ongoing efforts include the transition to a statewide Voice Over Internet Protocol (VOIP) by the Enterprise Technology Division that will ensure a consistent and uniform phone system/number for utilization in Remote Facilitation. The improved participation rate reported by some counties is a testament to the success this program can deliver to courts (e.g., Lane County reduced its “no show” rate from 14.65% in 2019 to 6.2% in 2020).

Remote Proceedings. The Futures Subcommittee is continuing to gather data and propose solutions to refine, enhance and improve remote hearings and trials. This focus includes solutions to the current pandemic-driven processes and proposals for how to ensure that post-pandemic courts are best able to reduce barriers to individuals who have historically had difficulty engaging in the process due to childcare, transportation, employment and other complications. Also under consideration is a process to permit expanded use of remote proceedings where both parties opt in to ease the burden on litigants: self-represented individuals who may have barriers to participation (child care, time away from work, transportation, etc.); represented individuals have seen a reduction of attorneys’ fees due to the removal of driving and waiting for cases as well as expanded access to attorneys located in other parts of the state when travel costs are removed.

Comprehensive Report to the Chief. In the fall of 2020, the Futures Subcommittee, on behalf of the State Family Law Advisory Committee, recommended procedural modifications in light of the Chief Justice’s COVID-19 Orders. These recommendations were offered to: (1) maintain health and safety of litigants and court employees during the pandemic; (2) promote access to justice; (3) ensure the continuing efficient delivery of court connected conflict resolution services, both during the pandemic and continuing in the future. That report offered suggestions to maintain and, where necessary, modify existing processes, tools and approaches. In addition, and in light of the innovation imperative of the pandemic, the recommendations proposed broader solutions to meet existing barriers to access to justice with the widely and recently adopted technologies. The Futures Subcommittee intends to build upon this momentum of rapid adoption of technology and new paradigms to better serve Oregonians by removal of barriers to justice.

SFLAC 2021 Conference. Futures Subcommittee members presented workshops in both the morning and afternoon session dealing with remote services and IDRTs/alternative dispute resolution approaches.

Any additional information you would like to share about your subcommittee experience:
The Future's Subcommittee comprehensive report to the Chief underscored both the importance and feasibility of the Futures Subcommittee work. That experience and the pandemic as a whole illustrated the practical imperatives of the more abstract aspirational goals of the Futures Subcommittee in real time. Being empowered to recommend action during that crisis was a true inspiration. The Futures Subcommittee Chair and Vice-Chair can think of no better evidence of the necessity of the Futures Subcommittee work.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

Futures has one of the larger memberships among the subcommittees that has created a broad perspective and diversity of voices. The cross committee collaboration that is currently being promoted inherently expands the perspectives to inform and assist Futures Subcommittee initiatives.

Any suggestions for improved management or operation of the SFLAC at large?

Use of remote meetings by the SFLAC is both leadership by example and has eased participation. Continuing recruitment of subcommittee membership will ensure continuing participation by a wider range of community partners and statewide voices which flows up to and benefits the SFLAC as a whole.

GOVERNANCE SUBCOMMITTEE – Spring Report 2023

Chair: Debra Dority (Oregon Law Center attorney, Statewide)

Members: Stephen Adams (Mediator, Wallowa County), Colleen Carter-Cox (Program Coordinator, Lane County) Hon. Karrie McIntyre (Lane County)

What has been the goal/focus of the subcommittee in 2022?

The Governance Subcommittee, formerly the Membership Subcommittee, remains committed to recommending and vetting nominees for the SFLAC membership to ensure a diverse, qualified and hard-working group. We are also working on the collection of the historical and institutional documents for placement in a handbook, and review of the materials to ensure their use as an onboarding tool for future SFLAC Members.

The Governance Subcommittee has also worked to formalize some aspects of the SFLAC, such as yearly meetings between the SFLAC Chair, Vice Chair and the Co-Chairs of each subcommittee, and the annual SFLAC Retreat.

What are the subcommittee's top short-term priorities (within the next year)?

Presently, we are working on creation of a handbook that can be utilized to better onboard and establish expectations for new members. We are also beginning to work of piloting OJD's Equity Framework (see details in long-term priorities and present timelines). Much of the foundation of this work will be the focus of this year's in-person SFLAC Retreat, which the Governance Committee is presently planning.

What are the subcommittee's top long-term priorities (within the next 5 years)?

The Membership Committee's future goals include outlining how best to engage those with expertise and interest to contribute and get involved in the SFLAC, SFLAC Subcommittees, or Subcommittee Workgroups. We are also focusing on the creation of onboarding resources for new SFLAC members. In addition, our priority will be to work toward our goal of creating a more diverse SFLAC membership.

In addition, the Membership Committee renewed its commitment to ensuring that SFLAC supports successful family law policies, reforms and programs that serve **all** individuals and families who access Oregon's courts. We recognize we can do so only with a diverse membership. We therefore reached out to a number of the affinity/diversity bars and encouraged Black, Indigenous, Latinx and persons of color; LGBTQIA2+ individuals; veterans; persons with disabilities; and persons from other traditionally underrepresented communities who may be interested in serving on the SFLAC to apply. It is with this goal in mind that we have begun work with Valerie Colas and Shalini Vivek of OJD's Office of Engagement, Equity, and Inclusion. With Valeri and Shalini's guidance, we will pilot OJD's Equity Framework with the SFLAC. (See below for current projects and timelines).

And the Governance Subcommittee has started the work of formalizing the historical and institutional knowledge of the SFLAC within a handbook to help onboard new and future members and ensure the good work of the SFLAC continues with any future changes in leadership.

What are the subcommittee's current projects and timelines for completion?

We are focused on the EDI work to ensure that the SFLAC is a welcome and inclusive space for all folks. In this way, we hope to invite new members whose voices, experiences and expertise have not yet been a large voice at the table. We have been working with Valerie Colas and Shalini Vivik of OJD's Office of Engagement, Equity and Inclusion in furtherance of these goals. After a number of meetings between Valerie, Shalini, the Chair and Vice Chair, we created a plan to pilot the OJD Equity Framework at the SFLAC. Valerie presented to the SFLAC at the March 3, 2023 meeting, and we plan to delve more deeply into this work at the SFLAC Retreat in September.

In addition, we are presently working on the handbook and continue to consider, and interview interested persons that submit Membership Inquiry Forms.

What are the challenges identified by your subcommittee in furthering your prioritized work?

In our work to ensure the SFLAC is as diverse as the families who access Oregon's family courts, we have struggled with making some meaningful connections with those who may diversify the SFLAC. We will continue to work on making a space where others feel comfortable sitting at the table but could use some additional support in identifying new members. We intend to have better plans for this recruitment after our work with Valerie, Shalini and OJD's Office of Engagement, Equity and Inclusion.

What are the challenges for courts in implementing the recommendations from the subcommittee?

None.

What additional support would lend itself to improving the work of your subcommittee?

We appreciate the work of Valerie and Shalini to pilot OJD's Equity Framework at the SFLAC and we hope they are able to continue their guidance of this process.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

In working to become as diverse as those who access Oregon Courts, we center all litigants, including and especially self-represented litigants.

What are the subcommittee's top accomplishments over the past five years?

The Governance Subcommittee has enlisted and recommended top-quality candidates to the SFLAC. The SFLAC Chair and Vice Chair meet with the co-chairs of each of the subcommittees to help support their work and discuss what membership needs they have. The Governance Subcommittee has begun the work of formalizing the historical and institutional knowledge of the SFLAC within a handbook to help onboard new and future members and ensure the good work of the SFLAC continues with any future changes in leadership.

CHILD SUPPORT SUBCOMMITTEE – Report Spring 2023

Chairs: Kate Cooper Richardson (Director Oregon Child Support Program, DOJ), Claudia Groberg Garcia (Chief Counsel, Civil Enforcement Division, DOJ). No OJD Admin staff; Support provided by DOJ.

Members: The Hon. Maureen McKnight (Sr. Judge, Multnomah), The Hon. Keith Raines (Sr. Judge, Washington), The Hon. Donna Moursund Brann (Presiding ALJ, Lane & Statewide), James E. Belshe (TCA Linn), Trena Klohe (Oregon Law Center Attorney, Washington), Elizabeth Vaughn (Court Operations Analyst, Clackamas), Shannon L. Richard (Assistant Attorney-in-Charge Civil Recovery Section, DOJ, Lane/Statewide), Michael L. Ritchey (General Counsel, Oregon Child Support Program, Statewide), Dawn Marquardt (Deputy Director, Division of Child Support, DOJ, Statewide), Karen L. Coleman (Business & Tech Services Chief, Division of Child Support, DOJ, Statewide), Sabrina Owen (CSP Liaison ODAA), Chris Hill (CSP Analyst OJD JFCP), Amber Greitas (Prog. Coord, OJD, Remote Child Support Court), Kristi Willis (Family Law Program Coord., Benton),

Invited: Paul Charas (CS Referee, OJD, Remote Child Support Court) Child Support Program Analyst, JFCP, OJD and Child Support Referee, OJD.

Vacant positions: Field Services Chief (CSP, DOJ), Private family law bar, current Circuit Court Judge, public defender representative.

What has been the goal/focus of the subcommittee in 2022?

The Child Support Subcommittee had been on hiatus for a few years due to the demands on the Department of Justice and Oregon Child Support Program with its system modernization project, which was immediately followed by the demand on the program with the pandemic. The subcommittee has now re-formed, and began a cadence of bi-monthly meetings commencing in September. The September and November meetings were spent (1) making introductions and background, (2) identifying our respective connections to the subject of child support, (3) discussing the purpose and focus of the subcommittee, (4) coming up to speed on “hot topics” in child support and on OJD’s child support initiatives, and (5) sharing initial thoughts and suggestions on potential projects and priorities.

What are the subcommittee’s top short-term priorities/projects (within the next year) and any expected dates for completion for ongoing projects?

One short-term priority is to provide support and operate as a resource and “sounding board” for the expanding OJD child support efforts, specifically the child support analyst and the remote child support court. Another short-term priority is to assist in putting together a child support session for the SFLAC Family Law Conference in June. Finally, the other priority for 2023 is narrowing the focus and developing a specific workplan for some educational projects related to child support.

What are the subcommittee’s top long-term priorities/projects (within the next 5 years)?

The subcommittee is in the process of developing its long-term project priorities, so they cannot yet be identified with specificity. However, the subcommittee has clearly identified that the development and establishment of child support-specific education and CLEs for target audiences, especially the bench, family court facilitators, and trial court administrators, is needed and should be a top priority. Another evident long-term priority is development of support materials (including videos) for self-represented child support parties navigating the judicial process. The subcommittee will use these priorities to identify *specific* projects and deliverables, recommend them, and as supported develop and deliver them.

What are the challenges identified by your subcommittee in furthering your prioritized work?

The subcommittee is still building and identifying its work, therefore challenges in this regard have not yet been encountered. The greatest challenge at this moment is just *establishing* that prioritized work—we expect the challenges in *furthering* it will show up in next year’s report!

What are the challenges for courts in implementing the recommendations from the subcommittee?

Because the subcommittee has not reached the point of making specific recommendations, there are none at this time.

Does your subcommittee evaluate the needs of self-represented litigants within the framework of your projects?

Yes, it has, and it will continue to do so. Because the large majority of child support parties are self-represented—and for some it may be their only encounter with the judicial system—it remains foremost in this subcommittee's commitment to education efforts. That might manifest in deeper training and connections for court staff, for instance, or in direct support for self-represented parties through development of self-help aids or other materials.

What are the subcommittee's top accomplishments over the past five years?

Because the subcommittee was in hiatus and only reconstituted this past fall, the top accomplishment is just getting a few meetings under our belt.

Any additional information you would like to share about your subcommittee experience:

Not at this time.

Given SFLAC's (and its subcommittees) commitment to supporting a family law system that serves all families, is there a perspective, voice, or subject matter expertise that you believe is missing from the SFLAC or your subcommittee?

As a necessary part of reviving this subcommittee, member representation was a primary consideration. We believe we do not have a “hole” in the subcommittee right now, other than the vacancy or two in active recruitment, which includes a member of the defense bar. After the subcommittee has a year or so of experience and activity behind us, it is a question we should re-examine.

We are also mindful of the principle of “nothing about us without us” relative to self-represented parties and those with lived experience, and evaluating if and how we are bringing those voices and perspectives to the table through meaningful representation.

What additional support would lend itself to improving the work of your subcommittee?

Eventually, we may wish some assistance or suggestions for additional members, but do not want to rush that in the subcommittee's re-establishment and early development. We have welcomed the chair and vice-chair's counsel and support to date.

Any suggestions for improved management or operation of the SFLAC at large?

Not at this time.

FUTURE WORK OF THE SFLAC

At our quarterly meetings, the SFLAC continues to diligently vet the work that is being done by the active subcommittees with the goal of providing useful and practical recommendations to the Oregon Judicial Department. Our work continues to significantly and positively shape family law policy for the State of Oregon to benefit the families who interact with the Court system. We have learned in recent years about what is possible when those dedicated to serving children and families within the court system think creatively. The future work of the SFLAC will include considering what advances in technology can best serve the family law programs and policies, how they should be improved, and what other processes should and can be implemented. We continue to actively engage in the work necessary to improve the judicial system for all Oregon's families.