

Daniel R. Murphy
Presiding Judge



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CIRCUIT COURT OF THE STATE OF OREGON
TWENTY THIRD JUDICIAL DISTRICT
LINN COUNTY

March 9, 2017

Joint Committee on Ways and Means / Subcommittee on
Public Safety, 79th Legislative Assembly
Salem, Oregon

SENT BY EMAIL ONLY

Re: Legal Representation for parents and children in juvenile court cases

Dear Co-Chairs Winters and Stark and Members of the Subcommittee:

I am the Presiding Circuit Court Judge in Linn County and have served as a circuit court judge in Linn County since 1994. The comments contained within this document are my own; I am not providing testimony as a representative of or on behalf of the Oregon Judicial Department or the Chief Justice.

The purpose of this testimony is to provide information on the impact of competent and effective legal representation for parents and children within the juvenile court system. Access to a skilled legal advocate is more than just the cornerstone of a just and fair system, it is fundamental to protecting the constitutional and statutory rights of parents and children. Through legal representation, the voices of indigent Oregonians are heard in the courtroom and child welfare system.

Additionally, attorneys improve the functioning of the juvenile court system. Prior to the implementation of the Parent Child Representation Program, defense attorneys were rarely present at shelter hearings and mothers and fathers, when present, typically attended the hearings without legal representation. As a result of the PCRCP, attorneys are present at all shelter hearings and, in many cases, have an opportunity to meet with clients before the proceedings begin. My observation is that competent and effective legal representation, initiated at the earliest possible opportunity, promotes efficiency in the legal process.

In 2015, the Legislative Assembly established the Governor’s Task Force on Legal Representation in Childhood Dependency to “to recommend models for legal representation in juvenile court proceedings that will improve outcomes for children and parents served by the child welfare system, to ensure that parties in juvenile court cases are prepared to proceed and to enable courts to resolve juvenile court proceedings as quickly and efficiently as possible.”¹ As a member of the Task Force, I participated in the thorough examination and assessment of current systems and business models used to provide legal representation for parents, children and the State of Oregon. The Task Force considered several models of representation for parents and children and ultimately recommended statewide expansion of the Parent Child Representation Program.²

Sincerely yours,

/s/ Daniel R. Murphy

Daniel R. Murphy
Circuit Judge

cc: Phil Lemman, OJD

¹ Oregon Task Force on Dependency Representation Final Report 5 (July 2016), https://www.oregon.gov/gov/policy/Documents/LRCD/Oregon_Dependency_Representation_TaskForce_Final_Report_072516.pdf.

² *Id.* at 21.