

To: Joint Committee on Ways and Means SubCommittee on Public Safety, 79th
Legislative Assembly

From: Judge John L. Collins, Yamhill County Circuit Court

Date: March 30, 2017

Re: Parent Child Representation Program

Co-Chair Winters, Co-Chair Stark, and Members of the SubCommittee,

I am a Circuit Court Judge in Yamhill County, previously served as the Presiding Judge in Yamhill County, and have presided over all types of legal matters including the juvenile dependency docket. The comments contained within this document my own; I am not providing testimony as a representative of or on behalf of the Oregon Judicial Department.

Although a scheduling conflict prevents my in-person attendance, I want to provide testimony to the committee on the impact of the PCRCP program in Yamhill County and comment on the importance of quality representation for parents and children in juvenile dependency cases.

In Yamhill County, the PCRCP has had a number of positive impacts. First, parents are represented at the initial shelter hearing which protects the rights of parents, promotes efficient early problem-solving, and encourages parent engagement at the critical beginning of the process. Second, as a result of manageable, focused caseloads, attorneys are able to be more effective through litigation and negotiation. Third, attorneys have developed an expertise in what I consider one of the more complex yet critical areas of the law. Fourth, attorneys are able to not only be effective advocates in court, but also often even more importantly, effective advocates in out-of-court DHS and CRB meetings and counseling of clients that translates into better outcomes sooner for children and parents. The attorneys representing children have been able to provide critical advocacy for the child and to engage the child directly, where appropriate, in the process and outcomes. Last, dependency cases which might otherwise proceed to termination of parental rights, are being resolved sooner with much better outcomes – return to parents, guardianship or other resolution that provides a safe and stable future for children.

Recent dependency case management reports reflect that the Yamhill County Circuit Court has established jurisdiction within the statutory 60 day requirement in or near 100% of the cases.¹ Permanency, to be established within 12 months of jurisdiction, has likewise been established at or near the 100% mark. I am confident the PCRCP has played a significant role in that record.

¹ Includes a few cases where unusual circumstances supported a good cause finding to exceed the 60 days.

The number of termination of parental rights petitions filed in Yamhill County has decreased substantially since the inception of the PCRCP. In 2014, 23 petitions were filed, in 2015, 16 were filed, and by 2016, 3 were filed. Each filing requires the appointment of attorneys for the parent and child(ren). Under the pre-PCRCP case credit model, the contract rate of for a TPR appointment was \$2711 regardless of whether the case proceeds to termination trial – and many did not.

The PCRCP appears to generate cost efficiencies in several ways, including: through increased safe and effective return to parents, fewer and/or shorter foster home placements, reduced termination filings, better outcomes sooner, and through contracting with attorneys on a workload, rather than case credit basis.

Attorneys with the PCRCP are able to provide representation throughout the life of the case and can even, when necessary, be re-engaged in representation if problems develop, often avoiding re-removal which can be particularly difficult for kids. The attorney and client have already developed the trust relationship that can be critical to effective interventions without starting over with a new attorney unfamiliar with the case and the client. Access to case managers also appears to be a great asset in problem solving and marshalling services to clients that might not have otherwise been able to make those connections.

The January 2017 PRCP Annual Report documents substantial reduction in foster care placements compared to non-PRCP jurisdictions and improved outcomes.² In those cases where children are freed for adoption, adoption has been achieved significantly sooner. More children are safely returned to one or both parents.

As a long time drug court judge, and a judge engaged in evidence based decision making processes, I firmly believe in the power of collaborative problem solving. As you likely know, juvenile dependency court was the original problem-solving court. That focus has been enhanced by the PCRCP approach with resulting better outcomes sooner for children. The protection and advancement of children is a critical priority for the court and, I know, for the legislature.

It is necessary for parents and children to have access to skilled legal advocates within the juvenile court system. Attorneys serve fundamental roles: they protected the rights of parents and children and ensure that the voices of marginalized and disenfranchised Oregonians are heard in the courtroom and child welfare system. Through the Parent Child Representation Program, legal representation has been enhanced, efficiencies have been realized, and outcomes have improved.

Respectfully,

John L. Collins
Circuit Court Judge

² Parent Child Representation Program Annual Report 2015-2016,
https://www.oregon.gov/OPDS/docs/Reports/PCRCP_report_PDSC_Jan_2017.pdf.