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TESTIMONY ON SENATE BILL 371 For the Senate Judiciary Committee March 6, 2019

Presented by:

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This testimony is presented in support of Senate Bill 371, with two suggested amendments.

How This Bill Changes Current Law

Senate Bill 371 establishes a pilot program to appoint legal counsel for children in any contested domestic relations proceeding. SB 371 directs the Department of Justice to develop and implement the pilot programs. The Oregon Child Support Program supports SB 371, with a request for two amendments.

First, remove the responsibility for administering the pilot programs from the Department of Justice. It is my understanding that there is an amendment request to shift the responsibility to another agency better suited to manage this pilot program. Second, limit application of the bill to “contested custody or parenting time proceedings,” rather than “contested domestic relations proceedings,” the latter of which is broad enough to apply to the child support administrative processes. The protections and safeguards for children put forth in this bill would not be furthered by extending such requirements to child support proceedings. Child support proceedings are generally based on calculations established by the guideline rules predetermined to be in the best interest of the family, rather than based on testimony from the children.

Amendments Requested:

1. Remove the Oregon Department of Justice as the agency responsible for administering the pilot programs.
2. Limit SB 371 to contested custody or parenting time proceedings.

Recommended Action

The Oregon Department of Justice recommends adoption of Senate Bill 371 with the adoption of the two suggested amendments.