

HB 3047 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Addie Smith, Counsel

Meeting Dates: 3/20, 3/28

WHAT THE MEASURE DOES:

Requires that any party issuing a summons or requesting the court issue a summons bears the financial responsibility for cost of the service of summons and for payment of associated costs.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Pursuant to the recommendations of the 2016 Governor's Task Force on Dependency Representation, the Department of Justice has rolled out the provision of full representation of the Department of Human Services (DHS) in dependency cases across the state, including in those counties where the District Attorney's Office may have previously provided representation of the state in lieu of DHS at the shelter hearing and adjudicatory phase of the proceedings.

ORS 419B.827 requires each party issuing a summons or requesting the court to issue a summons to bear the cost of service and associated costs. It provides an exception for DHS, making the county responsible for the cost associated with a summons when DHS issues the summons or requests the court to issue the summons.

House Bill 3047 removes the exception for DHS summons and requires DHS to bear the burden of service and associated costs.