

A-Engrossed
Senate Bill 318

Ordered by the Senate April 19
Including Senate Amendments dated April 19

Sponsored by Senator THATCHER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Creates rebuttable presumption that equal parenting time is in best interests of child. Requires rebuttal of presumption by clear and convincing evidence.]

Permits court to order equal parenting time when developing detailed parenting plan. Permits court to deny request for equal parenting time in parenting plan if court determines, by written findings, that equal parenting time is not in best interests of child or endangers safety of parties.

A BILL FOR AN ACT

1
2 Relating to parenting time in family law proceedings; creating new provisions; and amending ORS
3 107.102.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 107.102 is amended to read:

6 107.102. (1) In any proceeding to establish or modify a judgment providing for parenting time
7 with a child, except for matters filed under ORS 107.700 to 107.735, there shall be developed and
8 filed with the court a parenting plan to be included in the judgment. A parenting plan may be either
9 general or detailed.

10 (2) A general parenting plan may include a general outline of how parental responsibilities and
11 parenting time will be shared and may allow the parents to develop a more detailed agreement on
12 an informal basis. However, a general parenting plan must set forth the minimum amount of par-
13 enting time and access a noncustodial parent is entitled to have.

14 (3) A detailed parenting plan may include, but need not be limited to, provisions relating to:

- 15 (a) Residential schedule;
16 (b) Holiday, birthday and vacation planning;
17 (c) Weekends, including holidays, and school in-service days preceding or following weekends;
18 (d) Decision-making and responsibility;
19 (e) Information sharing and access;
20 (f) Relocation of parents;
21 (g) Telephone access;
22 (h) Transportation; and
23 (i) Methods for resolving disputes.

24 (4)(a) The court shall develop a detailed parenting plan when:

- 25 (A) So requested by either parent; or
26 (B) The parent or parents are unable to develop a parenting plan.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) In developing a parenting plan under this subsection, the court may consider only the best
2 interests of the child and the safety of the parties.

3 (c) **In developing a parenting plan under this subsection, the court may order equal par-**
4 **enting time. If a parent requests that the court order equal parenting time in the parenting**
5 **plan, the court may deny the request if the court determines, by written findings, that equal**
6 **parenting time is not in the best interests of the child or endangers the safety of the parties.**

7 **SECTION 2. The amendments to ORS 107.102 by section 1 of this 2019 Act apply to pro-**
8 **ceedings commenced on or after the effective date of this 2019 Act.**

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