



March 22, 2021

Re: [House Bill 3366](#) (Family Treatment Courts)

Dear Chair Williams, Vice Chairs Leif and Ruiz, and members of the House Committee on Human Services:

The Office of Public Defense Services (OPDS), the administrative agency of the Public Defense Services Commission (PDSC), seeks to move our criminal and juvenile legal systems towards practices that improve outcomes for clients, their families and communities, and all Oregonians. Though the agency is neutral on House Bill (HB) 3366, we provide this testimony to explain how this bill would expand access to high-quality multidisciplinary defense for low-income families in our communities.

HB 3366 – Section 1(1) and (2), and Section 2:

Section 1(1) of HB 3366 establishes Family Treatment Court (FTC) programs in seven Oregon counties. Section 1(2) generally describes the purpose of FTC programs as improving outcomes in child welfare cases related to a parent’s or caregiver’s alleged substance use disorder by minimizing or eliminating the amount of time a child requires protective custody.

Section 2 of HB 3366 requires the PDSC to develop and maintain a Parent-Child Representation Program (PCRP) in the counties in Section 1 to provide program services to financially eligible persons. The PCRP is an evidence-based model of high-quality parent and child representation that leads to improved child welfare outcomes, including reducing both a child’s time in foster care and the time to achieve permanency in dependency proceedings.

Parent-Child Representation Program:

The PCRP provides court-involved families with multi-disciplinary legal teams of juvenile lawyers and social work case managers.¹ These teams are equipped to provide strong in-court legal representation as well as tailored support and engagement outside of court. The PCRP model consistently demonstrates that a multi-disciplinary approach is vital to achieving timely and positive outcomes for children and their families in dependency proceedings. The PCRP currently operates in 10 counties.²

¹ The PCRP includes four key attributes: (1) reasonable attorney workloads and compensation (2) attorney-social work case manager defense teams in 10-15% of cases; (3) enhanced OPDS oversight and accountability; and (4) regular OPDS training and program support.

² PCRP is operational in 10 Oregon: Linn (2014), Yamhill (2014), Columbia (2016), Coos (2018), Lincoln (2018), Multnomah (2020), Benton (2021), Clatsop (2021), Douglas (2021), and Polk (2021).



PCRCP has been shown effective in achieving the following outcomes:

- o Reducing the use of foster care;
- o Expediting permanency for children;
- o Improving representation quality at all stages of the case;
- o Increasing client engagement and perception of fairness; and
- o Stabilizing families by addressing their interrelated needs.

Avoiding social and fiscal costs associated with foster care placement:

The PCRCP achieves measurable impacts on children and families in its operational counties. After two years of implementation, foster care use in PCRCP counties declined by 27% while non-PCRCP counties declined by only 3%.³ The rate of decline is 10 times greater in PCRCP counties. Significantly, children in PCRCP counties spend 3.5 fewer months in foster care than children statewide.⁴

The PCRCP positively impacts timely permanency. A child in a PCRCP county is 13% more likely to achieve permanency within 12 months of removal than a child in a non-PCRCP county.⁵ The PCRCP aligns with research demonstrating that the entire legal system benefits from providing all parties with high-quality legal representation and supports.⁶

The OPDS would be happy to answer any questions you have.

Sincerely,

Bridget Budbill

Bridget Budbill
Legislative Director
Cell: 503-779-7329
Email: bridget.budbill@opds.state.or.us

³ Oregon Child Welfare Data Set, OR.04 Count of Children in Foster Care – total served during period, 2012-2020.

⁴ Oregon Child Welfare Data Set, CM.15 Median Length of Stay at Exit, 2015-2020.

⁵ Oregon Child Welfare Data Set, OR PA.07 Permanency in 12 months (of those entered foster care 12 months ago).

⁶ See U.S. Children’s Bureau, [Information Memorandum](https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf), ACYF-CB-IM-17-02, January 17, 2017 available at <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1702.pdf>.