

House Bill 3617

Sponsored by Representative JAVADI

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 **as introduced**.

Creates procedure for minor who is at least 14 years old to intervene and move court to suspend or terminate parenting time of parent against whom Department of Human Services substantiated allegation of abuse.

A BILL FOR AN ACT

1
2 Relating to parenting time.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 109.**

5 **SECTION 2. (1) A child who is 14 years of age or older and the subject of a parenting time**
6 **order may, in accordance with ORCP 27 A, file a motion for intervention with the court**
7 **having jurisdiction over the parenting time order and move the court to suspend or termi-**
8 **nate the parenting time order.**

9 **(2) The court may suspend or terminate a parent's parenting time with the child if the**
10 **court finds, after a hearing described in subsection (3) of this section, that:**

11 **(a) The Department of Human Services has substantiated an allegation of abuse against**
12 **the child's parent; and**

13 **(b) The court determines that suspension or termination of the parent's parenting time**
14 **with the child is in the child's best interests.**

15 **(3)(a) Prior to the entry of an order suspending or terminating a parent's parenting time**
16 **under this section:**

17 **(A) The court shall take testimony from a Department of Human Services child welfare**
18 **case worker familiar with the substantiated allegation of abuse against the parent; and**

19 **(B) The court may, on its own motion or on the motion of the child, take testimony from**
20 **or confer with the child or other children in the child's household and may exclude from the**
21 **conference the child's parents or other persons if the court determines that such action**
22 **would be likely to be in the best interests of the child.**

23 **(b) If the court excludes a parent or other person from a conference under this section,**
24 **the court shall permit an attorney for each party to attend the conference and question the**
25 **child, and the conference shall be reported.**

26 **(4) If the court has suspended or terminated a parent's parenting time with a child for**
27 **reasons described in this section, the court may not grant the parent future parenting time**
28 **until the parent has shown that the reasons for the suspension or termination are resolved**
29 **and that reinstated parenting time is in the best interests of the child.**

30

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.