

I am NEUTRAL on [SB 816].

[SB 816 (2023)]-" Modifies duration of certain restraining orders when restrained person requests hearing within relevant time frame."

*The "Text of [SB 816], [Page (1), Lines (10-15)] states, "... (1) When a person files a petition under ORS 107.710, the circuit court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day. Upon a showing that the petitioner has been the victim of abuse committed by the respondent within 180 days preceding the filing of the petition, that there is an imminent danger of further abuse to the petitioner and that the respondent represents a credible threat to the physical safety of the petitioner or the petitioner's child..."

Background:

*Look at the time line and urgency in the language, "... Upon a showing that the petitioner has been the victim of abuse committed by the respondent ***within 180 days preceding the filing of the petition***, that there is an ***imminent danger of further abuse to the petitioner*** and that the ***respondent represents a credible threat*** to the physical safety of the petitioner or the petitioner's child..."

*Observe the "Time Line of possible event(s)."

****Question:** Why does the Court allow approximately six(6) months for petitioner to file when the aforementioned *italicized* text above indicates a "credible threat" and "Imminent danger" to petitioner?

****Question:** Does the language in [ORS 107.710] need to be amended?

David S. Wall

Mr. Oregon Concurr...Six(6) months is a long time to be under, "credible threat" and "imminent danger" from respondent to petition the Court for a protective order.

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