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**TO: Senate Committee on Human Services**  
**FROM: Mae Lee Browning, Oregon Criminal Defense Lawyers Association**  
**DATE: March 6, 2023**  
**RE: SUPPORT for SB 757**

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Chair Gelser Blouin, Vice Chair Robinson, and members of the Senate Committee on Human Services:

My name is Mae Lee Browning. I represent the Oregon Criminal Defense Lawyers Association. OCDLA's 1,200 members statewide include public defense providers, private bar attorneys, investigators, experts, and law students. Our attorneys represent Oregon's children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and appellate level, as well as civil commitment proceedings throughout the state of Oregon. Our mission is championing justice, promoting individual rights, and supporting the legal defense community through education and advocacy.

**OCDLA SUPPORTS SB 757.**

The letter informing alleged perpetrators of the disposition of a child protective services investigation often is not made available by the department until weeks or even months after the CPS investigation begins. The notice of disposition is one of the single most important documents generated during the case, yet challenging a founded disposition requires meeting a very tight time frame of 30 days from the date of receipt of the notice. Further, the significance of these notices is often overlooked by alleged perpetrators and the importance of an immediate challenge goes unrecognized. If a founded disposition leads to a petition and court filings, these notices become one of many official documents given to the alleged perpetrator. They are easily misplaced or discarded by parents who are confused and overwhelmed by the process, perhaps experiencing housing instability which makes organizing and retaining records difficult, and unprepared to understand the significance of these letters. Only very rarely do these notices make their way into the hands of the attorney representing an alleged perpetrator in a child protective services action, and even more rarely do they reach that attorney in time to file a challenge.

The solution is to institute a requirement that dispositional notices be delivered to the alleged perpetrators' attorney of record, if there is one, as well as to the alleged perpetrator. Currently, ODHS is already required to deliver founded notices to the attorneys of record for alleged perpetrators who are juveniles.

One suggestion we would make, in order to avoid confusion and vagueness, is to delete "if applicable" on line 6 and replace with "if the person has an attorney."

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