

**TESTIMONY ON SB 816 A  
BEFORE THE HOUSE COMMITTEE ON JUDICIARY  
APRIL 24, 2023**

**PRESENTED BY: CYNTHIA DOMINGO-FORASTE, SENIOR ASSISTANT GENERAL  
COUNSEL  
OREGON JUDICIAL DEPARTMENT**

Chair Kropf, Vice-Chairs Andersen and Wallan, and Members of the Committee:

My name is Cynthia Domingo-Foraste, Senior Assistant General Counsel at the Oregon Judicial Department (OJD). I am here on behalf of OJD to testify in support of SB 816 A. I want to start by thanking Senator Manning, Senator Thatcher, and the many other legislative sponsors for bringing this bill forward. I would like to also thank Sybil Hebb with the Oregon Law Center for her leadership and efforts to include the community and system stakeholders in discussions to ensure the intent of this bill can be implemented. OJD is grateful to have been included in those discussions and to have the opportunity to provide its unique perspective and offer technical and operational insights as to OJD processes.

SB 816 A seeks to modify the duration of the Family Abuse Protection Act (FAPA) restraining order from one year to two years. To provide context, litigants seeking a FAPA restraining order are currently granted a one-year restraining order upon the initial filing and an ex parte determination by the court. If, however, the respondent requests a hearing within 30-days from the date of service of the initial order, the parties must appear for a hearing so a judge can determine whether the order should continue. While our courts seek to expedite scheduling of the hearings and resolve these matters, in some instances, the necessary due process requirements can result in a litigant appearing in court multiple times throughout the one year of protection, only to have to return to court to renew the order for another year. This means that, if the litigant seeks to renew the protective order, they will need to return to court only months later to begin that process.

By extending the duration from one year to two years, litigants seeking ongoing protection through a restraining order will have a longer period of time before needing to seek renewal. SB 816 A will decrease the frequency with which litigants will need to appear in court and reduce the cost, time, and trauma of frequent trips to court for a protection order.

SB 816 A's effort to extend the duration of a FAPA restraining order from one year to two years aligns with OJD's [2020-2022 Strategic Campaign](#) – specifically, Commitment 2, Initiative 2.1, which seeks to improve access to justice by eliminating barriers and better serving self-represented individuals. OJD's circuit courts see on a daily basis that access and affordability of legal services continue to present very real challenges across Oregon. In 80% of protection order filings in Oregon, at least one party is self-represented.

Again, we are grateful to be included in the development of SB 816 A and OJD welcomes future opportunities to collaborate and provide the unique perspective of the courts. Thank you for your time and the opportunity to provide testimony.