

SB 1123 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/11, 3/17, 3/20

WHAT THE MEASURE DOES:

This measure renders an appointed court visitor immune from liability for good faith conduct within the scope of their role as a court visitor.

FISCAL: Has minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Lack of insurance coverage
- Liability protections for others similarly placed

EFFECT OF AMENDMENT:

-1 The amendment corrects a technical error.

BACKGROUND:

"Oregon State Law requires the court to appoint a 'visitor' when a petition is filed in a protective proceeding which seeks the appointment of a guardian (See ORS 125.150). The role of the visitor is to interview persons who are familiar with the circumstances of the alleged incapacitated person for whom the appointment of a guardian has been requested, including interviewing the alleged incapacitated person, and provid[ing] a report to the court which includes factual findings and a recommendation regarding the appropriateness of the requested guardianship."

Oregon Judicial Branch. *Programs and Services*,

<https://www.courts.oregon.gov/courts/deschutes/programs-services/Pages/court-visitor.aspx>