

SB 815 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 1/23, 3/25

WHAT THE MEASURE DOES:

The measure modifies the criteria for the Department of Human Services (ODHS) to be a party in juvenile dependency proceedings. The measure specifies that ODHS is a party in the proceedings when the department is the petitioner, has taken the child into protective custody, has been granted temporary custody of the child, or the child has been committed to the legal custody of the department. The measure specifies that a child-caring agency is a party only if the agency has temporary custody of the child or ward.

Detailed Summary:

- Specifies that ODHS is a party in juvenile dependency proceedings when:
 - ODHS is the petitioner;
 - ODHS has taken the child or ward into protective custody;
 - the court has granted DHS temporary custody of the child; or
 - the ward has been committed to the legal custody of ODHS.
- Specifies that a child-caring agency is a party only if the agency has temporary custody of the child or ward.

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Provisions of the measure
- Role of tribes in dependency cases involving tribal children
- Consultation with tribes
- Conditions when child-caring agencies are parties to dependency cases

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When the Department of Human Services intervenes in response to reported abuse or neglect of a child, the department will file a petition with the local juvenile court to begin dependency proceedings that will govern the child's case, including placements in substitute care when necessary. Oregon law recognizes the following as parties to proceedings in juvenile court: the child or ward; their parents or guardian; a putative father; the state; the juvenile department; a court appointed special advocate; and a tribal representative and custodian if the child is determined to be covered by Oregon's Indian Child Welfare Act ([ORS 419B.875](#)). Under current law since the passage of [Senate Bill 93 \(2023\)](#), the department or another child-caring agency may only be a party to juvenile court proceedings if they have temporary custody of a child or ward or if the department has taken the child or ward into protective custody.