

SB 1123 A STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 4/23, 4/30

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.

SENATE VOTE: Ayes, 26; Nays, 0

FISCAL: Has minimal fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Shortage of court visitors and chilling effect of potential liability
- Insurance coverage
- Low compensation
- Court visitors' role
- Immunity received by protected person special advocates

EFFECT OF AMENDMENT:

No amendment.

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."

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