

HB 3322 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Meeting Dates: 5/20

WHAT THE MEASURE DOES:

The measure allows a child who is at least 14 years old and the subject of a parenting time order to file a motion for intervention with the court to move the court to suspend or terminate the parenting time order. It allows the court to suspend or terminate the parent's parenting time if the court finds that the Department of Human Services (DHS) has substantiated an allegation of abuse against the child's parent and that the suspension or termination of the parent's parenting time is in the child's best interest.

Detailed Summary:

- Allows a child who is 14 years of age or older and the subject of a parenting time order to file a motion for intervention with the court having jurisdictions over the order and move the court to suspend or terminate the parenting time order.
- Permits the court to suspend or terminate a parent's parenting time with the child if the court finds:
 - that DHS has substantiated an allegation of abuse against the child's parent; and
 - the suspension or termination of the parenting time with the child is in the child's best interest.
- Specifies procedures for the court to take testimony and confer with parties prior to an entry of an order suspending or terminating a parent's parenting time.
- Prohibits the court from granting the parent future parenting time until they have shown the reason for the suspension or termination has been resolved and that the reinstatement of parenting time is in the best interests of the child.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

[ORS 107.102](#) requires a parenting plan to be included with any proceeding to establish or modify a judgement providing for parenting time with a child. Parenting plans may be general or more detailed. Plans must specify the minimum amount of parenting time and access a noncustodial parent is entitled to have. [According to the Oregon Judicial Department \(OJD\)](#), parenting plans may be modified by agreement of the parties or by returning to court seeking a modification. [OJD's webpage](#) contains information on parenting plans, including guides for basic parenting plans and guides for safety focused plans.