

**TESTIMONY IN SUPPORT OF SENATE BILL 97
BEFORE THE SENATE COMMITTEE ON JUDICIARY
FEBRUARY 3, 2025**

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Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

SB 97 will provide the Oregon Judicial Department (OJD) with critical information for addressing statewide funding gaps in mediation services, allow counties to improve access to essential mediation services for their communities, and strengthen relationships between counties and courts.

Mediation Benefits Families and Improves Judicial Efficiency

Family law mediation provides short and long-term benefits to children and families. Mediation provides parents with opportunities to work together for their children's benefit and to resolve emotionally challenging and highly contentious issues.

Mediation helps judges resolve cases more efficiently and reduces court filings and hearings. This also reduces the time children are exposed to co-parenting disputes, the likelihood of adverse childhood experiences, and the cost of litigation for families.

Mediation Promotes Access to Justice for Self-Represented Parents

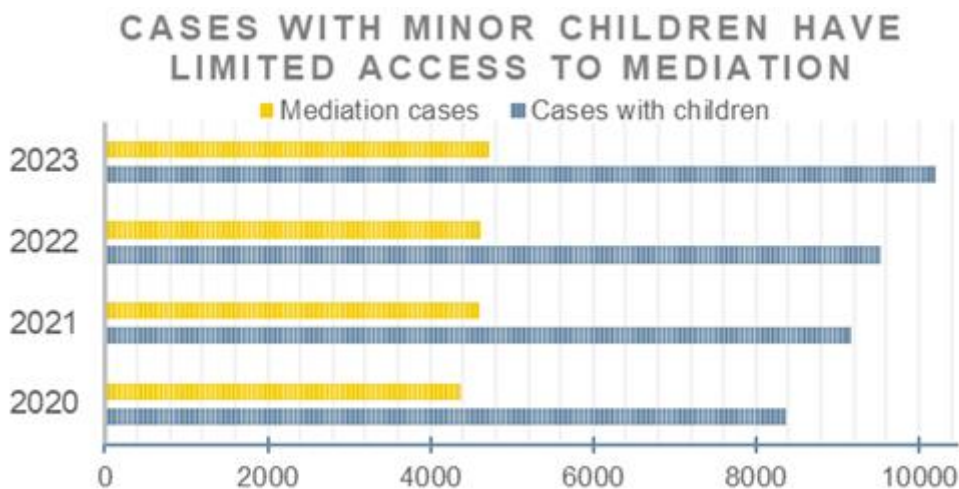
In 2023, 86% of family law cases had at least one self-represented party by the time of final judgment. Mediation provides these parents with an accessible out-of-court pathway to resolve their disputes and an opportunity for greater participation in crucial family decisions.

Access to Custody and Parenting Time Mediation Across Oregon is Inconsistent

The legislature recognized the importance of mediation by requiring each judicial district to provide mediation when child custody, parenting time, or visitation is in dispute. ORS 107.755. Courts and counties work together to provide these statutorily required mediation services. Counties receive state funds passed through OJD. Historically, some counties have supplemented service costs with county funds. State funding for mediation has been relatively flat over the last decade. Many counties have also discontinued local funding and others have indicated forthcoming service cuts due to budget constraints.

Meanwhile, the cost of and demand for these services has increased.

As a result, there are significant disparities and deficits in the mediation services provided, clients served, costs charged for services, and access to mediation services in cases involving minor children across the state.



Regular Reporting Will Help OJD Identify and Address Funding and Service Disparities

There is no reporting requirement regarding how funds for mediation services are used. SB 97 will require counties to provide quarterly reports on account balances and how funds are spent. It also directs presiding judges of judicial districts to use that information to prepare an annual report to the Office of the State Court Administrator. Implementing a formal financial reporting process will strengthen the relationships between counties and courts by creating a predictable feedback loop regarding mediation funding needs.

The information will allow the Chief Justice and OJD to identify gaps and disparities in funding and work collaboratively with counties to improve the quality of and access to these services so every parent in Oregon can access mediation services, no matter where they live.

Allowing Counties to Increase Fees will Enable Local Efforts to Make Improvements

One of the ways counties can raise revenue for mediation is by imposing a fee of up to \$10 on marriage licenses and domestic partnership registrations, as authorized by ORS 107.615. Authorization for this optional fee was first enacted 48 years ago in 1977 and has never been increased. Adjusted for inflation, the maximum fee would exceed \$50. SB 97 will give counties the option to increase the maximum fee authorized under ORS 107.615 up to \$50 and provides a mechanism to periodically increase the maximum fee to account for inflation. This will allow counties to act at the local level to improve access to essential mediation services for their communities.