



CIRCUIT COURT OF THE STATE OF OREGON

FOR THE 2nd JUDICIAL DISTRICT
LANE COUNTY COURTHOUSE
125 E. 8TH AVENUE
EUGENE, OREGON 97401-2926

KARRIE K. McINTYRE
CIRCUIT COURT JUDGE
(541) 682-4218

February 21, 2025

Oregon State Legislature
Joint Committee on Ways & Means Public Safety Subcommittee

RE: Support for POP 129 - Court Connected Mediation Services in Domestic Relations Cases

To Whom it May Concern,

I am a Circuit Court Judge in Lane County and currently the Chief Civil Judge there. I am the current chair of the Statewide Family Law Advisory Committee (SFLAC). The SFLAC is a statutorily developed multi-disciplinary committee that provides advice to the Chief Justice and State Court Administrator to better assist families navigating their matters in Oregon Courts (ORS 3.436). I do not write on behalf of the SFLAC or my colleagues on the Lane County court but to provide the information by way of introduction.

The State of Oregon has a growing population of parents who are self-represented for their domestic relations matters. Currently, 72% of all domestic relations matters have at least one party who is self-represented at the time of filing their initial Petitions and that number grows to 86% being self-represented by the time their case is completed. In 2024, approximately 23,000 domestic relations matters were filed (does not include protective order matters). While not all of those cases involve children, most do. In each domestic relation case filed that involve children, there are at least two parents, and sometimes grandparents or other psychological parents to a child. Therefore each year, thousands of parents and children are seeking resolution to their family dynamics through the court system. I mention these statistics to lend a context for the information provided below.

Beginning in 1983 and over the years, Oregon legislators and the Judicial Branch have sought to establish resources to help separating parents reach resolutions regarding their children. Parents are required to seek court orders to establish things like custody, parenting time and child support. Court orders are necessary for parents and third parties to define the parenting roles and responsibilities when parents do not reside together. Each parent is motivated by love and affection for their child but many times they are not able to reach agreements with the other parent without an unbiased mediator to assist them in having difficult conversations. Children can thrive when parents are able to establish a collaborative process to discuss the needs of their children and work together to ensure their health, safety and wellbeing.

Legislators recognized early on that providing court connected mediation was a research based, and outcome supported, remedy to diffuse conflict and improve communication and parenting

relationships. ORS 107.755 “Establishing Court Connected Mediation” was created and improved upon over the years. Education and mediation services have provided enormous benefit to children and families and results in healthier outcomes for children. When parents are able to access court connected mediation to navigate hard decisions (custody and parenting time) during a particularly difficult and emotionally charged time in their lives, they generally engage and put forth diligent efforts to resolve their cases. Parents desperately want help to resolve disputes.

I routinely hear the following from litigants in Court:

- 1) “I don’t want to go to trial. If we could just talk to someone, we might be able to figure this out.”
- 2) “We were able to resolve most things at mediation, we only have a couple of things left to decide.”
- 3) “Mediation was great. We had no idea about what a parenting plan was or could look like.”
- 4) “I have a restraining order, and the mediator was really helpful. They talked to us separately and we were able to work out the case.”

Not only does court connected mediation remove or limit the number of things heard on court dockets (freeing judges up to hear more matters), most importantly it improves parenting relationships which is fundamental to improving lives for children.

Participation in court connected mediation has both long-term benefits and short-term benefits for children and families. First, the parents learn about the impact of parental conflict and adversarial court proceedings can have on children and they learn to enhance their skills for managing this by establishing clear and organized parenting plans. Parents have shared with me in the course of their cases how appreciative they are for the opportunity to participate in mediation and stating that it has really helped them with navigating the new co-parenting dynamics. An immediate and short-term benefit of mediation is that parents can discuss and commit to concrete ways of problem-solving immediate needs of children by establishing methods of improved communication, among others.

The long-term benefit is measured in the reduction of conflict for the children. By now most professionals who deal with children in the course of their work have become familiar with the concept of long-term effects on children from Adverse Childhood Experiences (ACE) which can include trauma experience from parental conduct that occurs when parent child relationship is changing to a significant degree. Mediation reduces conflict. Conflict reduction improves children’s lives. Court connected mediation remains essential to assisting families in custody and parenting time disputes.

VERY TRULY YOURS,

/s/ signed electronically only

Karrie K. McIntyre
Circuit Court Judge, Chief Civil Judge
Chair Statewide Family Law Advisory Committee – Oregon