

**TESTIMONY ON SENATE BILL 875  
BEFORE THE SENATE COMMITTEE ON HUMAN SERVICES  
FEBRUARY 25, 2025**

**PRESENTED BY: CHANNA NEWELL, SENIOR STAFF COUNSEL FOR  
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OREGON JUDICIAL DEPARTMENT**

Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Committee:

Thank you for the opportunity to provide feedback on Senate Bill 875. The Oregon Judicial Department (OJD) is neutral on this bill, but as it impacts court practices concerning children and families in the child welfare system who come before the court, we would like to submit testimony to clarify the intention of certain parts of the bill.

In section 3(10), the bill states that the child has the right, “To be present at court hearings unless the court determines, by written findings, that the child’s absence from the hearing is in the child’s best interests.” In following up with Chair Gelser Blouin, we understand the intention of this provision is to provide additional support for the already codified right for children in Oregon Department of Human Services (ODHS) custody to attend hearings, as provided by ORS 419B.875(2). This will clarify that the child or ward, and not ODHS nor anyone else, can make that decision. As children already have the right to be present at court hearings, we suggest amending the language in section 3(10) to read, “To be present at court hearings.”

Likewise, section 5(10) requires foster children be “informed that the right to have contact and visitation with siblings is presumed and may not be limited, denied or prohibited without written findings by the court detailing why restrictions are necessary to ensure safe and appropriate contact.” Section 5(11) then follows to ensure that foster children have a right to be informed of why a request for communication or visitation of a sibling has been limited, denied, or restricted. Again, Chair Gelser Blouin made clear to us that the intention was to require the state to foster connections amongst siblings to the extent it is available and to leave determinations as to whether sibling contact should be limited to the court, not to ODHS, the resource parent, or another party to the case. Chair Gelser Blouin also clarified that the intention is not to place an obligation on the courts to exercise jurisdiction over siblings that the court does not have authority over. With this in mind, OJD suggests that children will need to be made aware that in certain circumstances, such as if the child has a half sibling in the care of a parent over whom the court does not have jurisdiction, the court will not be able to make that order.

We appreciate the effort in this bill to continue to protect the rights of children in the child welfare system. With the emergency clause, OJD will work quickly to ensure that our juvenile judges are aware of these newly enumerated rights and their obligations under this bill.

We are happy to review any amendments that may be incorporated and provide feedback as requested.