

Submitter: Angela Plowhead
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: SB1123

The work of court visitors is essential to protect the constitutional rights of individuals for whom others are seeking guardianship and for protecting some of the most vulnerable in our society. In Oregon anyone can file a petition for guardianship. Court Visitors are the “eyes and ears” of the court to investigate each petition without bias and make determinations about the safety of the Respondent’s situation and the suitability of the nominated guardian to serve in that role. This is a safety net to prevent abusers and those who would seek to exploit vulnerable persons from gaining predatory access to the vulnerable person or their assets.

While most understand the utility of the Visitor’s role, when someone seeking to harm either the person or estate of a vulnerable person is denied that access due to the due diligence of the Court Visitor, this leaves the Visitor at risk for litigation. Visitor’s are highly trained professionals, most having advanced degrees and maintaining the highest of professional standards, who are considered expert witnesses by the court. The nuanced training and experience that Visitor’s possess offer crucial insight into the domain of decision making capacity and provide collateral investigation that offers the Oregon Judicial system an in depth objective look into a person’s life and circumstances that the Judge would not otherwise be privy to, before making a determination on the removal an individual’s autonomy.

In order to keep these standards high and ensure that qualified professionals are willing to continue to perform this function, it is critical that Court Visitor’s have protection from retribution. Please ensure that the judiciary has access to an unbiased investigations by voting in support of SB 1123.