

Sensitive Review Committee
12-27-06

Potential Legislative Issues Identified:

1. Limit ability of DHS to seek TPR under ORS 419B.498 until the Court has approved plan of adoption.

This is a legislative concept being introduced by legislators – LC #303

2. Modify 419A.106 to require CRB review within 6 months of initiation of a dependency case and permit no waiver of CRB unless Court makes same findings required by the CRB.

This is a legislative concept being introduced by legislators – LC #304

3. Modify *de novo* standard of review for appeal of TPR.
4. Amend 419B.349 to give Court the authority to order DHS to place child in a “relative or parent-child relationship placement” per 419B.192, in addition to the other designations already in 419B.349.

This is a legislative concept being introduced by legislators – LC #305

5. The CASA statute, 419A.170, requires CASA appointment in all cases but the actual practice varies. Modify to require appointment of CASA when DHS moves to change plan to adoption or when TRP filed; Resource issues; Review prior task force reports re: this topic.
6. Modify Family Decision Meeting statute, 417.365, to clarify original intent of requiring DHS to accept family’s safety plan if it meets prescribed criteria.

No legislation needed. Current statutes allow this.

7. Modify/clarify appeals process for appeal of DHS determination re: placement or change in permanent plan. Should ORS 183.484 apply?
8. Codify conflict of interest rules for caseworkers re: relationships with clients and placement resources.
9. Codify grievance process.
10. Codify process for reconsideration of child's out of home placement.
11. Limit discretion of caseworker/bullying issue.
12. Indigent defense.

Judiciary Counsel formed a work group to review and make recommendations.

13. Authority to remove -- make child welfare the exception to removal.

This is a legislative concept being introduced by legislators – LC #306 – DHS also has a legislative concept in this regard – LC #385