

A-Engrossed
Senate Bill 1034

Ordered by the Senate June 14
Including Senate Amendments dated June 14

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes criteria for court to dismiss commitment of ward to Department of Human Services.

A BILL FOR AN ACT

1
2 Relating to juvenile dependency; amending ORS 419B.337.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 419B.337 is amended to read:

5 419B.337. (1) When the court determines it would be in the best interest and for the welfare of
6 a ward, the court may place the ward in the legal custody of the Department of Human Services for
7 care, placement and supervision. When the court enters an order removing a ward from the ward's
8 home or an order continuing care, the court shall make a written finding as to whether:

9 (a) Removal of the ward from the ward's home or continuation of care is in the best interest and
10 for the welfare of the ward; and

11 (b) Reasonable efforts, considering the circumstances of the ward and parent, have been made
12 to prevent or eliminate the need for removal of the ward from the home or to make it possible for
13 the ward to safely return home. In making this finding, the court shall consider the ward's health
14 and safety the paramount concerns.

15 (2) The court may specify the particular type of care, supervision or services to be provided by
16 the Department of **Human Services** to wards placed in the department's custody and to the parents
17 or guardians of the wards, but the actual planning and provision of such care, supervision or ser-
18 vices is the responsibility of the department. The department may place the ward in a child care
19 center authorized to accept the ward.

20 (3) Uniform commitment blanks, in a form approved by the Director of Human Services, shall
21 be used by all courts for placing wards in the legal custody of the Department of **Human**
22 **Services**.

23 (4) If the ward has been placed in the custody of the Department of **Human Services**, the court
24 shall make no commitment directly to any residential facility, but shall cause the ward to be deliv-
25 ered into the custody of the department at the time and place fixed by rules of the department. A
26 ward so committed may not be placed in a Department of Corrections institution.

27 **(5) Commitment of a ward to the Department of Human Services continues until dis-**
28 **missed by the court or until the ward becomes 21 years of age.**

29 **(6) A court may dismiss commitment of a ward to the Department of Human Services if:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(a) Dismissal is appropriate because the ward has been safely reunited with a parent or**
2 **because a safe alternative to reunification has been implemented for the ward; or**

3 **(b) The ward is over 14 years of age and if the court finds that:**

4 **(A) The department has provided case planning pursuant to ORS 419B.343 that addresses**
5 **the ward's needs and goals for a successful transition to independent living, including needs**
6 **and goals relating to housing, physical and mental health, education, employment, commu-**
7 **nity connections and supportive relationships;**

8 **(B) The department has provided appropriate services pursuant to the case plan;**

9 **(C) The department has involved the ward in the development of the case plan and in the**
10 **provision of appropriate services; and**

11 **(D) The ward has safe and stable housing and is unlikely to become homeless as a result**
12 **of dismissal of commitment of the ward to the department.**

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