

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 766

An ordinance to amend MCC 5.10.430 to allow collection of a fee for mandatory child custody evaluations provided by Department of Community Corrections Family Services Division for Multnomah County Circuit Court.

Multnomah County ordains as follows:

(Language in brackets [] is to be deleted; underlined language is new)

Section 1. Findings.

1. Pursuant to ORS 107.425, in domestic relations suits involving minor children, the Multnomah County Circuit Court requires mandatory child custody evaluations, which are provided through the Family Services Division.

2. ORS 107.425 authorizes costs of the child custody evaluation to be charged against either or both parties to the domestic relations suit.

3. Current funding levels for the Multnomah County Family Services Division budget are insufficient to support the level of mandatory custody evaluation services provided.

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4. The Family Law judges of the Circuit Court of Multnomah County have authorized a fee of \$100.00 be charged against the parties to a domestic relations suit involving minor children to fund the present level of service.

Section 2. Amendment.

MCC 5.10.435 is amended to read as follows:

(A) The Multnomah County portion of the fee for filing a domestic relations suit in the circuit court of Multnomah County shall be \$137.00. Total receipts from these filings shall be utilized to fund conciliation and mediation services provided by the family services division.

(B) A child custody evaluation case opening fee of \$150.00 shall be assessed in domestic relations suits in the Circuit Court of Multnomah County involving minor children, at the time court ordered custody investigation is instituted. Both parties to the suit are responsible for payment of the fee. The fee may be assessed as costs at the time of the Decree.

(C) A child custody evaluation case opening fee of \$150.00 shall be paid at the time of filing a motion for modification of child custody or visitation, and shall be paid by the moving party.

(D) Total receipts from the case opening fee shall be utilized to Fund the Family Services Division. Persons eligible for legal aid counsel may have the custody evaluation case opening fee deferred, upon application to and approval of the Director of Family Services, or that person's designee.

(E) The Director of Family Services shall establish written criteria to be used in reviewing application for fee deferral, consistent with local court rules regarding deferral of filing fees.

ADOPTED this 3rd day of June, 1993, being

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the date of its second reading before the Board of County Commissioners of
Multnomah County, Oregon.



H. C. Miggins, Acting Chair
Multnomah County, Oregon

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
John L. DuBay
Chief Assistant County Counsel

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