

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 05-139

Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 05-077

The Multnomah County Board of Commissioners Finds:

- a. Chapter 17, Community Justice, of the Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. On May 12, 2005, the Board adopted Resolution 05-077 establishing fees for MCC Chapter 17 and increasing the surcharge on Domestic Relations filing fees authorized by MCC § 17.101.
- c. Subsection 17.101(C) was inadvertently not deleted in Resolution 05-077, and it is necessary to make this technical correction.
- d. All other fees established by Resolution 05-077 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 17, Community Justice, of the Multnomah County Code are set as follows:

Section 17.003. ALTERNATIVE CORRECTIONS PROGRAM; FEE.

Multnomah County community corrections shall charge a fee of \$35.00 to any offender sentenced to a community service sentence of 40 hours or more. In the case of documented indigence, the fee shall be waived. All fees collected under this section shall be used to fund services provided by the alternative community service program. An offender under obligation to repay may petition the sentencing court for waiver of the fee under conditions of manifest hardship. No offender may be held in contempt for failure to pay if the default is not attributable to intentional refusal to pay.

Section 17.100. MARRIAGE LICENSES; FEES.

A fee of \$10.00 shall be charged for the issuance of a marriage license in addition to that fee prescribed by subsection (7) of ORS 205.320. Fees collected pursuant to this section shall be used to finance the cost of conciliation services provided under ORS 107.510 to 107.615.

Section 17.101. DOMESTIC RELATIONS SUIT; FILING FEE.

(A) The Multnomah County portion of the fee for filing a domestic relations suit in the circuit court of Multnomah County shall be \$200.00 for filing an Annulment or Separation, Dissolution, Filiation, Custody or Support of a Child or Modification. The Multnomah County portion of the fee to respond to any of those filings shall be \$100. The Multnomah County portion of the fee for filing an expedited parenting time enforcement petition is \$41 and \$50 to respond. Total receipts from these filings shall be utilized to fund conciliation and mediation services provided by the family court 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.

(1) Total receipts from the case-opening fee shall be utilized to fund the Family Court 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 Court Services, or that person's designee.

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

Section 17.102. PARENTING EDUCATION PROGRAM; FEE FOR PARTICIPATION.

(A) Effective September 1, 2003, a fee of \$60.00 shall be collected from each parent participating in the parenting education program of the Department of Community Justice, Family Court Services. However, if registration occurs within 45 days of the date of filing an action, or 45 days after service is received, the fee shall be reduced to \$45.00. A \$15 rescheduling fee shall be applied when original registrations are not kept. Fees collected pursuant to this section shall be used to finance the cost of the Parent Education Program.

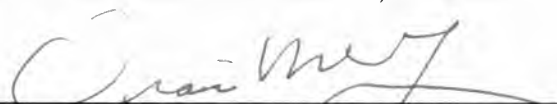
(B) The Department of Community Justice, Family Court Services shall establish policy and procedures whereby persons who are in financial difficulty may apply for a deferral of the fee, a waiver of the fee, or both.

2. This resolution takes effect and Resolution No. 05-077 is repealed on August 4, 2005.

ADOPTED this 4th day of August 2005.

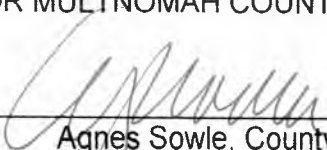


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney