

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 2010-156

Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 09-035

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 April 9, 2009, the Board adopted Resolution 09-035 updating the fees for MCC Chapter 17.
- c. The Board is concurrently authorizing by ordinance an adult services laboratory drug testing fee, and it is necessary to set such fee by resolution.
- d. All other fees established by Resolution 09-035 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 COMMUNITY SERVICE; 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 17.005 LABORATORY DRUG TESTING FEE.

A urinalysis fee of \$9.50 will be charged to clients who tested positive on an instant test, request a laboratory test for verification, and the laboratory test result confirms the instant test.

Section 17.100. CONCILIATION SERVICE FEE.

A fee of \$10.00 shall be charged for the issuance of a marriage license or registering a Declaration of Domestic Partnership under the Oregon Family Fairness Act in addition to the fees prescribed in 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 107.610.

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:

Annulment or Separation, Dissolution, Filiation, Custody or Support of a Child or Modification:	7/1/2009— 6/30/2010	7/1/2010— 6/30/2011	7/1/2011— 6/30/2012	7/1/2012— 6/30/2013
Filing	\$224	\$237	\$252	\$267
Response	\$112	\$119	\$126	\$133
Expedited parenting time enforcement petition:				
Filing	\$46	\$49	\$52	\$55
Response	\$56	\$59	\$63	\$67

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 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 and shall be:

Child Custody Evaluation Case-Opening Fee	7/1/2009— 6/30/2010	7/1/2010— 6/30/2011	7/1/2011— 6/30/2012	7/1/2012— 6/30/2013
	\$168	\$178	\$189	\$200

(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) A fee of \$70.00 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 60 days of the date of filing an action, or 60 days after service is received, the fee shall be reduced to \$55.00.

Program attendance may be rescheduled as follows:

- if notice is given at least 24 hours prior to the start of the registered program, no additional fee is assessed;
- if less than 24 hours notice is given, a \$25.00 rescheduling fee is assessed.
- if no notice is given, the rescheduling fee is \$70.00.

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. SUPERVISION FEE. The Supervision Fee set by the County, as the supervising community corrections program under OAR 255-065-0020, is \$35.00.
3. INTERSTATE COMPACT APPLICATION FEE. The Application Fee set by the County for each transfer application prepared under the Interstate Compact for Adult Offender Supervision (OAR 291-180-0465), is \$50.
4. Resolution 09-035 is repealed and this resolution takes effect on December 4, 2010.

ADOPTED this 4th day of November 2010.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____

Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Scott Taylor, Director of the Department of Community Justice