

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 05-168

Designating the DUII Evaluation Program of the Multnomah County Department of County Human Services Mental Health and Addiction Services Division as the Agency to Perform Screening Interviews and Diagnostic Assessments for Purposes of the Driving Under the Influence of Intoxicants Statute and Approving of Evaluation Fees and Fee Waivers

The Multnomah County Board of Commissioners Finds:

- a. The legislatively approved fees associated with screening interviews and diagnostic assessments for purposes of the driving under the influence of intoxicants statute has been the same for approximately 15 years. The 2005 Oregon Legislature enacted Chapter 303, 2005 Oregon Laws (SB 114) effective July 1, 2005, increasing the fees from \$90 to \$150.
- b. As amended, ORS 813.021(1)(b) provides that when the court requires a person to complete a screening interview and treatment program, the court shall order the person to pay directly to the agency or organization conducting the screening interview a fee of \$150.
- c. As amended, ORS 813.240(2) provides that when a person files a petition for a driving under the influence of intoxicants diversion agreement, the court shall order the person to pay directly to the agency or organization providing the diagnostic assessment a fee of \$150.
- d. Pursuant to ORS 813.021(2) and ORS 813.260(1), the Multnomah County Circuit Court has designated the DUII Evaluation Program of the Multnomah County Department of County Human Services Mental Health and Addiction Services Division ("DUII Evaluation Program") as the agency to perform the screening interviews and diagnostic assessments required under the driving under the influence of intoxicants statute.
- e. Because of its experience and expertise in doing the screening interviews and diversion program assessments, the Board wishes to have the DUII Evaluation Program continue to do the interviews and assessments on behalf of the Circuit Court.
- f. It is the policy of the Board that people who are convicted of driving under the influence of alcohol or who file a petition to enter a diversion program should pay the legislatively approved fees associated with required screening interviews and diagnostic assessments unless they are financially unable to do so.

- g. Multnomah County currently supplements the budget of the DUII Evaluation Program with county general funds. If the DUII Evaluation Program does not collect the statutorily approved fee, the Board would be required to provide additional funding to the DUII Evaluation Program with funds that are needed for other programs.
- h. The Board does not wish to provide additional funding to the budget of DUII Evaluation Program unless the DUII Evaluation Program determines that the person requiring the screening interview or diagnostic assessment is financially unable to pay the required fee.

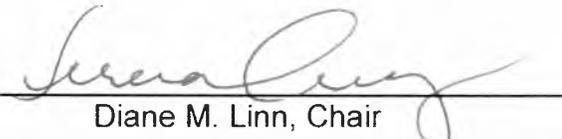
The Multnomah County Board of Commissioners Resolves:

- 1. To the extent that the Multnomah County Circuit Court continues to designate Multnomah County as the agency or organization to perform screening interviews and assessments, the DUII Evaluation Program shall do the screening interviews and assessments on behalf of the Circuit Court.
- 2. DUII Evaluation Program shall charge and collect a \$150 fee prior to conducting screening interviews and diagnostic assessments unless the DUII Evaluation Program determines that the person requiring the screening interview or diagnostic assessment is financially unable to pay the required fee.
- 3. DUII Evaluation Program shall develop and implement appropriate criteria for granting partial or complete fee waivers in relation to screening interviews and diagnostic assessments.

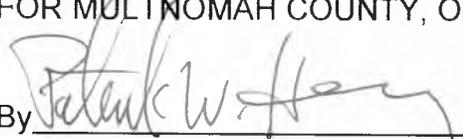
ADOPTED this 6th day of October, 2005.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Patrick W. Henry, Assistant County Attorney