

Gilliam County Court  
Work Session  
3/20/2019

Judge Farrar opened a special work session of the Gilliam County Court at 9 a.m. at the Gronquist Building in Arlington, Oregon. Present were Judge Elizabeth Farrar, Commissioner Leslie Wetherell, Commissioner Sherrie Wilkins, Sandy McKay, Court Administrator; Mary Dyer, Recorder; and Amy Nation, Gilliam County Juvenile Director. Marion Weatherford, Gilliam County District Attorney; and Candy Humpheys, Frontier CASA Executive Director were also present.

**IN THE MATTER OF GILLIAM COUNTY JUVENILE COURT**

The purpose of the work session was to receive information and discuss operations of the Gilliam County Juvenile Department and Juvenile Court.

**PRESENTATION: AMY NATION**

Juvenile Director Amy Nation presented a slide show regarding operations of the Juvenile Court. She explained the primary differences between delinquency, which is the violation of a law prior to a youth's eighteenth birthday; and dependency, which ensures the safety and well-being of a child who is at risk of abuse or neglect. She outlined step-by-step processes involved in each, and then discussed the pros and cons of transferring juvenile court jurisdiction to Circuit Court.

Public concern includes potential difficulties or delays in scheduling hearings, loss of personal connection between the judge and children and their families, and the use of hearings via videoconference. She pointed out that thus far, only one review hearing was delayed (by 24 hours), and that the Circuit Court has made judges available either in person or via videoconference within the statutorily required 24-hour period. She commented that thus far, judges have been generous with their time and have made every effort to schedule in-person hearings, although some, particularly emergency hearings, have been conducted via videoconference.

Other considerations:

- Circuit Court judges have law degrees, training and experience.
- Court orders prepared by the Circuit Court allow the juvenile director to spend more time with children and families.
- The county judge is able to supervise and support the juvenile director without creating inappropriate ex parte contacts.
- The Circuit Court covers the cost of attorney and translator fees for cases under their jurisdiction. Additionally, the juvenile department currently pays for conference calls, as well as training for the county judge. Transferring the jurisdiction of cases to the Circuit Court would save Gilliam County taxpayers approximately \$33,000 per year.

Commissioner Wilkins asked about the number of foster homes in Gilliam County. Nation responded that the number of foster homes is currently very low, with only one foster home available. It was later clarified that the one foster home was only able to take in a single family member currently in need and was not able to foster any other youth in need.

Commissioner Wetherell commented that partnerships between entities usually begin well but sometimes deteriorate over time. She asked if a decision to turn cases over to Circuit Court is permanent, and Nation said that once control is given over it can't be taken back. Commissioner Wetherell also expressed concern about loss of local control. Nation said the County would still have a certain degree of control, and that while Circuit Court judges have no personal knowledge or bias, the juvenile department is able to provide recommendations. Commissioner Wetherell then asked if Justice Court Judge Cris Patnode can take on any juvenile court cases. Judge Farrar said that Patnode is unable to handle most juvenile court cases, including dependencies.

When Commissioner Wetherell asked Judge Farrar how transferring cases to Circuit Court would affect her workload, Judge Farrar said that thus far, she spends 45 to 50 hours per week in the office, which includes no juvenile court work other than reviews and information provided by Nation, but that her workload could change, depending on how many large projects the Court takes on and the time involved. Nation noted there would be minimal effect on her workload.

Commissioner Wilkins asked Nation about her background. Nation responded that she has a Bachelor's degree in Psychology, as well as experience with CASA and other juvenile programs within the county.

Commissioner Wetherell asked Nation if the Juvenile Court could turn one type of case (dependency or delinquency) over to Circuit Court and retain the other. Nation said that is an option.

### **MARIAN WEATHERFORD, GILLIAM COUNTY DISTRICT ATTORNEY**

Weatherford said he is "mostly neutral" on the possibility of turning juvenile cases over the Circuit Court, although he feels there is value in keeping judicial services local. He said the work is usually meaningful for judges, but suggested that a commissioner should supervise the juvenile department if jurisdiction remains in Gilliam County. He went on to say that, in his experience, local judges tended to take the impact of criminal activity on our communities more seriously than Circuit Court judges. Weatherford agreed that more cases may eventually be conducted by video, and pointed out that the presence of a judge is essential for substantive hearings. He also agreed that Circuit Court attention to Gilliam County may decrease in the future, but stated he thinks there

may be merit if Circuit Court takes on dependency cases, which are complicated and time-consuming. He is more neutral, however, regarding delinquency cases. In response to a question posed by Commissioner Wetherell, Nation said that Gilliam, Wheeler and Sherman Counties are the only counties that retain juvenile judgeship within the county.

**CANDY HUMPHREYS, FRONTIER CASA EXECUTIVE DIRECTOR**

Humphreys described the function of the CASA (Court-Appointed Special Advocates) program, including the process of recruitment and training. While acknowledging the benefit of legally trained judges, Humphreys said she doesn't like videoconferencing, and related that CASA volunteers are uncomfortable with video conference hearings. She also said local judges understand the uniqueness and individuality of local youth more than Circuit Court judges, and noted that Circuit Court judges, who cover five counties, have tremendous workloads. Humphreys cautioned the Court about losing local control.

Commissioner Wilkins asked Humphreys what happens to juveniles if there is only one foster home in Gilliam County. Humphreys said that Gilliam and Wheeler County juveniles are currently residing in four states, and that some are in foster care in The Dalles. She also said that many are home placements, meaning they reside with one parent, a grandparent, or another family member.

**IN THE MATTER OF LISTENING SESSIONS**

Judge Farrar announced that the first of two listening sessions regarding the county's juvenile program will be held at the Gronquist Building in Arlington on April 4, at 6 p.m. A second session to be held in Condon, previously scheduled for April 17, will be rescheduled.

**IN THE MATTER OF ADJOURNMENT**

Judge Farrar adjourned the work session at 10:25 a.m.

**GILLIAM COUNTY COURT**

By \_\_\_\_\_  
Elizabeth Farrar, Judge

By \_\_\_\_\_  
Leslie Wetherell, Commissioner

By \_\_\_\_\_

Sherrie Wilkins, Commissioner

Mary H. Dyer/Recorder \_\_\_\_\_