

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Sitting/Acting as (if applicable) Policy Session Worksheet

Presentation Date: 11/26/19 **Approx. Start Time:** 11:00 am **Approx. Length:** 30 minutes

Presentation Title: Launch of Family Law Clinic

Department: Resolution Services

Presenters: Lauren Mac Neill, Chandra Emery & Emily Shannon

Other Invitees: Stephen Madkour

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Approval for new service offering and for the current fee structure to include these new services.

EXECUTIVE SUMMARY:

Resolution Services plans to expand our family mediation services to include a family law clinic. With this expansion, we will keep more families in transition outside of the courtroom, promote greater healing and health for parents and children and reduce the burden on the court.

In addition to mediation services, which now including the drafting of mediated agreements, we will offer to prepare (without establishing any attorney-client relationship) the court pleadings necessary to obtain a stipulated judgment from the court. Through the clinic and under the supervision of our three licensed attorneys on staff, we will offer the clinic to self-represented clients who reach full agreement on all issues before the court.

By offering a family law clinic, Resolution Services will be joining many other similar comprehensive family law “self-help” programs across the country. Santa Clara County in California for example, offers an office staffed by a supervising attorney and many staff members who assist pro se clients in review and filing services. Similar services can be found in Nevada and Florida. (http://www.scscourt.org/self_help/shcflfo.shtml)

This new offering will enable clients to bring family disputes to full resolution through mediation and reduce the burden on the County Court.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? \$ 0 What is the funding source? Full cost recovery

The parties will be charged for this service at our pre-approved rate for mediation services.

There will be a minimal increased risk under the County’s umbrella liability policy in connection with providing this new service. While we don’t have data quantifying the risk, based on our research and consultation with the Oregon State Bar and discussions with County Counsel, This

is based on our discussions with County Counsel, we are confident that the increased risk is far outweighed by the benefits.

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?

The family law clinic will close the gap between mediation services we currently provide and reaching final resolution for clients involved in the court system. This is in keeping with our agency's mission of providing conflict resolution services and building safe, healthy relationships and communities.

- How does this item align with the County's Performance Clackamas goals?

This item is aligned with the goals of building public trust through good government and ensuring safe, healthy and secure communities.

LEGAL/POLICY REQUIREMENTS:

We have reviewed this proposal with the Oregon State Bar, County Counsel, the Clackamas County Circuit Court presiding judge, local bar, and court staff. Our consultations revealed no barriers or concerns. Rather the conversations affirmed that expanding our services to the public in this manner would be at a minimal cost and very low risk.

There are no ongoing legal or policy requirements.

PUBLIC/GOVERNMENTAL PARTICIPATION:

As already described, we have spoken to other partners.

The public are the clients to be served.

The Court will accept pleadings and the program will bridge the gap for many clients we serve who struggle to navigate from mediation to resolution and final disposition at court.

OPTIONS:

- 1) Approve the program as recommended by staff and the expansion of fees.
- 2) Approve the Program and expansion of fees with modifications or
- 3) Do not approve the program at this time.

RECOMMENDATION:

We request the Board approve option 1) Approve the program as recommended by staff and the expansion of fees.

- **ATTACHMENTS:** N/A

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval _____
County Administrator Approval _____