

LC 451
2025 Regular Session
44300-016
10/3/24 (LAS/ps)

D R A F T

SUMMARY

Digest: The Act creates the Task Force on Fitness to Proceed in Juvenile Proceedings. (Flesch Readability Score: 69.9).

Establishes the Task Force on Fitness to Proceed in Juvenile Proceedings. Requires the task force to submit a report and recommendations to the interim committees of the Legislative Assembly related to the judiciary on or before September 15, 2026.

Sunsetts the task force January 2, 2027.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to fitness to proceed in juvenile proceedings.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Task Force on Fitness to Proceed in Juvenile**
5 **Proceedings is established.**

6 **(2) The task force consists of 13 members appointed as follows:**

7 **(a) The Governor shall appoint:**

8 **(A) One member who represents the child and family behavioral**
9 **health unit of the Oregon Health Authority;**

10 **(B) One member who represents the Department of Justice;**

11 **(C) One member who represents the Department of Human**
12 **Services' developmental disabilities services program;**

13 **(D) One member who represents public defense service providers;**

14 **(E) One member who represents the Oregon Juvenile Department**
15 **Directors' Association;**

16 **(F) One member who represents Disability Rights Oregon;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (G) One member who represents the federally recognized Indian
2 tribes in Oregon;

3 (H) One member with expertise in forensic evaluations;

4 (I) One member who, as a youth, was found unfit to proceed in a
5 juvenile proceeding; and

6 (J) One member who is a family member of an individual who, as
7 a youth, was found unfit to proceed in a juvenile proceeding.

8 (b) The Chief Justice of the Supreme Court shall appoint:

9 (A) One member who represents the Judicial Department;

10 (B) One member who represents the Oregon Judges Association;
11 and

12 (C) One member who represents the Oregon District Attorneys As-
13 sociation.

14 (3) When appointing members under subsection (2) of this section,
15 the Governor and the Chief Justice shall consider geographic, racial,
16 ethnic and disability diversity. All of the members of the task force
17 must be residents of this state.

18 (4) The task force shall study Oregon laws regarding fitness to
19 proceed in juvenile proceedings and prepare a report that includes
20 recommendations related to:

21 (a) Overall statutory clarity regarding fitness to proceed programs
22 in juvenile proceedings;

23 (b) Updates to the terminology used to describe such programs;

24 (c) Research-based best practices in such programs;

25 (d) The roles and responsibilities of each party involved in such
26 programs;

27 (e) The length of time that services are provided under such pro-
28 grams; and

29 (f) Methods for tailoring such programs to the specific youth's
30 medical needs, including paths to move from inpatient to
31 community-based services if clinically appropriate.

1 (5) A majority of the members of the task force constitutes a quo-
2 rum for the transaction of business.

3 (6) Official action by the task force requires the approval of a ma-
4 jority of the members of the task force.

5 (7) The task force shall elect one of its members to serve as chair-
6 person.

7 (8) If there is a vacancy for any cause, the appointing authority
8 shall make an appointment to become immediately effective.

9 (9) The task force shall meet at times and places specified by the
10 call of the chairperson or of a majority of the members of the task
11 force.

12 (10) The task force may adopt rules necessary for the operation of
13 the task force.

14 (11) The task force shall submit the report described in subsection
15 (4) of this section in the manner provided in ORS 192.245, and may
16 include recommendations for legislation, to the interim committees
17 of the Legislative Assembly related to the judiciary no later than
18 September 15, 2026.

19 (12) The Oregon Health Authority shall provide staff support to the
20 task force.

21 (13) Members of the task force described in subsection (2)(a)(I) and
22 (J) of this section are entitled to compensation and expenses as pro-
23 vided in ORS 292.495. Other members of the task force are not entitled
24 to compensation or reimbursement for expenses and serve as volun-
25 teers on the task force.

26 (14) All agencies of state government, as defined in ORS 174.111, are
27 directed to assist the task force in the performance of the duties of the
28 task force and, to the extent permitted by laws relating to
29 confidentiality, to furnish information and advice the members of the
30 task force consider necessary to perform their duties.

31 **SECTION 2.** Section 1 of this 2025 Act is repealed on January 2, 2027.

1 **SECTION 3. This 2025 Act takes effect on the 91st day after the date**
2 **on which the 2025 regular session of the Eighty-third Legislative As-**
3 **sembly adjourns sine die.**

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