

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Establishing Fees)
for Mediation Services in Certain)
Domestic Relations Cases)
_____)

ORDER NO. 4-06
(Amending Order No. 128-98)

WHEREAS, ORS 107.755 requires each judicial district to provide mediation services in any case in which child custody, parenting time and visitation are in dispute; and

WHEREAS, ORS 107.775(1) provides that a circuit court may provide such mediation services with the prior approval of the governing body of the county by (a) using personnel already performing conciliation services for the court under ORS 107.510 to 107.610; (b) contracting with public or private agencies to provide such mediation services to the court; or (c) employing or contracting with the mediators directly; and

WHEREAS, ORS 107.775(3) provides that the compensation and expenses of personnel performing such mediation services for the circuit court and other expenses of mediation services provided by the court shall be paid by the county; and

WHEREAS, the Circuit Court of the State of Oregon for Columbia County also wishes to provide or make available mediation services generally in (a) proceedings for dissolution of marriage, annulment of marriage or separation; (b) filiation proceedings under ORS 109.124 to 109.230; (c) proceedings to determine custody or support under ORS 109.103; and (d) proceedings for modifications of orders issued in the proceedings described in paragraphs (a) through (c); and

WHEREAS, the Circuit Court wishes to provide those services by employing or contracting with the mediators directly; and

WHEREAS, ORS 21.112 provides that the governing body of a county may establish fees to pay the expenses of providing conciliation or mediation services in the types of domestic relations cases listed above; and

WHEREAS, pursuant to Order No. 128-98, effective September 1, 1998, the Board of County Commissioners gave prior approval to the Circuit Court to obtain mediation services and established fees to pay the expenses of providing such mediation services; and

WHEREAS, there is a cost incurred by the County in administering the fees raised pursuant to Order No. 128-98; and

WHEREAS, the Circuit Court would like to use the fees established pursuant to Order No. 128-98 to provide educational programs under ORS 3.425; and

WHEREAS, in addition, due to the nature of the relationships involved which have created a need for such educational programs, there is a need to provide security for the educational programs; and

WHEREAS, when the court finds that a party does not have the ability to pay in full for education classes ordered by the court, it is appropriate that the funds raised by this order be available to pay the cost of such classes; and

WHEREAS, there is a need to amend Order No. 128-98 to clarify the purposes for which the funds raised by the order may be used;

NOW, THEREFORE, IT IS HEREBY ORDERED that paragraphs 1 through 5 of Order No. 128-98 are amended to read as follows:

1. The Board of County Commissioners approves the proposal by the Circuit Court of the State of Oregon for Columbia County to provide mediation services in (a) cases in which child custody, parenting time and visitation are in dispute; (b) proceedings for dissolution of marriage, annulment of marriage or separation; (c) filiation proceedings under ORS 109.124 to 109.230; (d) proceedings to determine custody or support under ORS 109.103; (e) proceedings for modifications of orders issued in the proceedings described in paragraphs (b) through (d); and (f) for education programs under ORS 3.425, by employing or contracting with the mediators and education program providers directly.

2. The Board adopts the following fees to pay the expenses of providing such mediation services, proceedings and programs:

a. Proceedings for dissolution of marriage, annulment of marriage or separation:

Petitioner's fee	\$81.00
Respondent's fee	\$79.00

b. Filiation proceedings under ORS 109.124 to 109.230:

Petitioner's fee	\$81.00
Respondent's fee	\$79.00

c. Proceedings to determine custody or support under ORS 109.103 when a child is born out of wedlock and paternity is established:

Petitioner's fee	\$81.00
Respondent's fee	\$79.00

d. Proceedings for modifications of orders issued in such proceedings:

Petitioner's fee	\$55.00
Respondent's fee	\$55.00

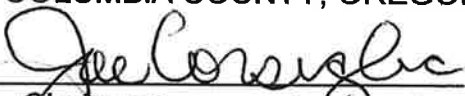
3. The Trial Court Administrator for Columbia County shall collect the petitioner's fee in the types of domestic relations cases listed above at the time the proceeding is filed in addition to all other fees that are collected by the Administrator at the time of filing. The Administrator shall collect the respondent's fee at the time the respondent's first appearance is filed in addition to all other fees that are collected from the respondent.

4. Fees collected by the Administrator under this order shall be paid to the Columbia County Treasurer within the first 25 days of the month following the month in which they are collected and shall be used by the county to pay the expenses of such mediation services, proceedings and educational programs. The cost of administering the fees collected pursuant to this order shall be considered one of the expenses of providing such conciliation and mediation services, proceedings and programs, and the County shall be entitled to keep five (5%) percent annually of the fees collected to help defray the cost of such administration. The cost of providing security for educational programs, shall also be considered one of the expenses of providing such conciliation and mediation services, proceedings and programs. In addition, when the court finds that a party does not have the ability to pay in full for an educational program ordered by the court, the funds raised by this order may be used to pay an amount not to exceed \$175.00 per person to attend such educational programs, based on a sliding scale approved by the court.

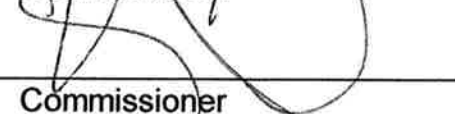
5. This order shall become effective on January 25, 2006.

DATED this 25th day of January, 2006.

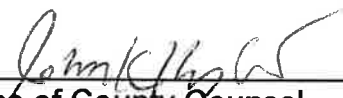
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Chairman

By: 
Commissioner

By: 
Commissioner

Approved as to form

By: 
Office of County Counsel