



## SENATE MAJORITY OFFICE

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### NEWS RELEASE

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#### **Fit non-custodial parents should have a say in their kids' lives**

*SB 356: Allows parenting plans to require notification, input on certain decisions*

SALEM – More non-custodial parents in custody arrangements should have a greater voice in the lives of their children, according to a bill that passed the Oregon State Senate.

[Senate Bill 356](#) – which passed the Senate on a 25-0 vote today – allows parenting plans to include a requirement that the custodial parent notify a non-custodial parent about specific matters concerning the child. The non-custodial parent would have opportunity to comment on those matters. The matters falling under the notification requirement would be identified in the parenting plan.

“Non-custodial parents are still parents and they have rights,” said Sen. Shemia Fagan (D-Portland), who carried the bill on the Senate floor. “This bill allows more parents who don’t win custody for whatever reason the ability to have a greater voice in the decision-making regarding their children. It creates greater flexibility for judges to make orders about notification by one parent to another regarding certain types of parenting decisions. It’s good for parents, good for children and good for Oregon’s families.”

The bill is one of several produced by a work group convened by the Senate Committee on Judiciary to explore concerns regarding Oregon custody and parenting time statutes. The work group comprised advocates, expert practitioners, judges and affected stakeholders. As part of its work, the group surveyed current Oregon law and practice, state statutes nationwide, relevant case law and academic research on child custody and parenting time best practices.

Under current law, courts must include parenting plans with any judgements regarding parenting time, except for situations involving abuse. These parenting plans are developed and submitted by the parents or developed by the court when requested by either parent, or in cases when the parents are unable to agree to a parenting plan.

Parenting plans put forth the minimum amount of parenting time and access that the non-custodial parent has to the child. The provisions in these plans can include residential schedule; holiday, birthday and vacation planning; weekends; decision-making responsibility; information sharing and access; relocation of parents; telephone access; and other aspects of parenting and visitation.

Senate Bill 356 allows for parenting plans to include requirements that custodial parents notify non-custodial parents regarding specific matters concerning their children and provide input on those decisions. Those provisions will not be mandatory for every parenting plan.

“While this authority is already inherent in Oregon statutes, the fact that the bill makes this explicit will perhaps facilitate greater use of this authority,” Oregon Law Center Director of Policy Advocacy Sybil Hebb testified in writing. “The bill is in keeping with the state’s parenting time policies ... in which on-going communication and involvement between fit parents and children is a priority when it is in the best interests of the children.”

Senate Bill 356 now goes to the House of Representatives for consideration.

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