

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE FIFTEENTH JUDICIAL DISTRICT

FILED

IN THE MATTER OF DISCOVERY)
OF DEPARTMENT OF HUMAN)
SERVICES CHILD WELFARE)
SERVICES FILES)

Amended 2009 JUL 15 AM 10:43
General Order 99-1A
07/15/09 COOS COUNTY COURT
COQUILLE, OREGON

This matter having come before the court on its own motion to expedite the discovery of Department of Human Services Child Welfare Services (DHS) files by attorneys for children, parents, defendants and the state in juvenile and criminal cases involving the alleged abuse of a child and the court recognizing that the files are confidential under ORS 419A.255 and 419B.035 and not in the custody of the District Attorney's Office for Coos or Curry County, but the state has a duty to disclose under ORS 135.805 to 135.873 and 419B.881 and the Constitutions of Oregon and the United States and attorneys for children, parents, defendants, and the state need access to the files in an expeditious manner;

It is hereby ordered that DHS make its files available for inspection by attorneys for children, parents, defendants, and the state involved in juvenile and criminal proceedings at a time during normal business hours specified by an attorney in a letter, but no sooner than seven (7) judicial days from the date of mailing of the letter from the attorney indicating that the attorney represents children, parents, defendants, or the state involved in juvenile or criminal proceedings and wants to inspect the file;

It is further ordered that an attorney requesting inspection by letter must send a simultaneous copy of the letter to all parties in the case;

It is hereby further ordered that if an attorney wants to make copies of the file, DHS shall allow the attorney to make copies at the time of inspection or shall allow a member of the attorney's staff to make copies at that time or another time that is mutually convenient for DHS and the member of the attorney's staff, said files to be kept in the same condition and order as presented by DHS to the staff member or attorney for copying;

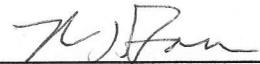
It is hereby further ordered that neither DHS nor the District Attorney's Office for Coos or Curry County shall delete or redact the name of any person named in any report or record if such person will be a witness in a juvenile or criminal proceeding;

It is further ordered that if DHS or a party objects to disclosure of a file or portion thereof, the objections shall be made by letter within five (5) judicial days from the date of the attorney mailing the letter seeking disclosure, after which DHS shall deliver to the court the file within fourteen (14) judicial days from the date of mailing the letter from an attorney requesting inspection;

It is further ordered that if the attorney's office is located outside of Coos or Curry County, Oregon the above time periods shall be ten (10) and seventeen (17) days respectively;

It is hereby further ordered that the court shall review the file delivered to it within two (2) judicial days of the delivery to determine what material, if any, must be disclosed to the parties.

Dated at Coquille, Oregon this 15th day of July, 2009


Richard L. Barron, Presiding Judge
Fifteenth Judicial District