



CIRCUIT COURT OF OREGON
THIRD JUDICIAL DISTRICT
MARION COUNTY COURTHOUSE
P.O. BOX 12869
SALEM, OR 97309-0869

CHERYL A. PELLEGRINI
Circuit Court Judge
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Mr. Troy Gregg, Director
Marion County Juvenile Dept.
3030 Center Street NE
Salem, OR 97301

Re: Court Appointed Special Canine Advocate Initiative (Lilly Mae, the CASA Dog)

Mr. Gregg;

I appreciate your willingness to seek an Exception to Marion County Administrative Policy 525 (restricting animals in county owned facilities) to allow Lilly Mae to attend Court hearings in her official capacity. I thought it might be helpful to provide the reasons for the Court's endorsement of this initiative and to set out the Court's expectations for Lilly Mae as she dispatches her duties as a CASA.

I have served as presiding juvenile court judge for almost two years now. Nearly half of the cases before me are dependency cases involving young children who have been removed from their home due to a condition or circumstance created by their parent(s). In many cases, the child has been exposed to drug use, domestic violence or physical abuse. Some children have suffered abuse at the hands of a parent or were subjected to abuse by a parent's partner while the parent stood by. In other cases, the child has been exposed to significant risks while in the care of a parent with serious, untreated mental health issues.

Once a child is removed from home and placed in care, whether with a relative or certified foster parent, they are a ward of the court in the legal custody of DHS. The law requires DHS to make a plan for the family, and to provide services in furtherance of the plan. The court sets periodic reviews for the family, to see how the parents are progressing and to make sure the child is in a safe and nurturing environment. As part of the review process, federal law¹ requires the court to consult with the child "in an age appropriate manner" to make sure the current plan is meeting the child's needs, that they are being well cared for, are in school and are having the sorts of experiences and opportunities typical for the child's age and circumstances. In practice, neither I

¹ See 42 U.S.C. § 675

nor Judge Strauch, have the opportunity to do this very often because children fear the courtroom and the courtroom experience. Some children have had only supervised visits with a parent; in some cases, a child hasn't had any contact with a parent since coming into care. Almost all of the children we see have experienced significant trauma as a result of their home life.

The courtroom is a large, formal setting with bright lights, lots of strangers - and their parent(s). We have tried to make juvenile court less intimidating by design - the judge's bench is lower and counsel table is semi-circular rather than side-by-side. However, court appearances are inherently stressful due to the types of issues we address and the interests at stake. In the very few cases in which a child has appeared in court, they have struggled to answer questions and in some cases are unable to speak at all. This is not helpful for the court and it likely reinforces all of the child's fears.

There is now research to support the proposition that the presence of a trained animal can reduce anxiety and inhibit the activation of the sympathetic nervous system (our "fight, flight or freeze" response). Some jurisdictions are using canines to assist children as they appear before grand juries, in criminal trials, and in juvenile court proceedings.² Besides counteracting the effects of stress, the presence of a trained canine can make it easier for a child to speak - if not directly to the judge, then to the dog. Additionally, it gives the child a positive memory of their court experience, thereby increasing the chances that the child will appear in the future.

In addition to fulfilling the legal requirement to confer with a child, court appearances also provide the judge with an opportunity to observe the child's reaction to and interactions with their parents, the caseworker and their attorney. We are able to observe their general physical condition and note changes, either positive or concerning. This information is invaluable and cannot be communicated through the caseworker's court report.

I have spoken at length with Shaney Starr, CASA's Executive Director, about this initiative and the court's expectations. Lilly Mae has had special training to prepare her for court appearances and Ms. Starr has been working with her in the CASA office to provide experience working with children.

Like any other CASA, Lilly Mae will be assigned to work with specific children for the purpose of enabling them to appear for hearings and speak with the court. Lilly Mae will be accompanied at all times by an adult handler in the courtroom and will sit, stand or lay by the child at counsel table during the hearing

For these reasons, I believe that the CASA Dog program is worthy of the court's support and I greatly appreciate your willingness to seek the necessary exception to County Policy 525 in

² The San Bernadino CA District Attorney created a special "victims canine unit," consisting of two trained dogs assigned to accompany children in court hearings. See https://www.youtube.com/watch?v=cNI5qsvFr_U

order to allow Lilly Mae to appear in court. I believe Lilly Mae's training, experience and the role she will play qualifies her as a working animal under Policy 525.4(2).

Please let me know if you'd like more information about the program, and again, thank you so much for your support.

Sincerely,



Circuit Court Judge