



**INTERGOVERNMENTAL AGREEMENT (IGA)
BETWEEN DESCHUTES COUNTY AND
THE OREGON JUDICIAL DEPARTMENT**

PARENTAL CUSTODY MEDIATION FUNDS

**OJD CONTRACT NO. 230034
DESCHUTES COUNTY Document # 2022-854**

This Intergovernmental Agreement (IGA or Agreement) is entered into between Deschutes County (County), a political subdivision of the State of Oregon, and the Oregon Judicial Department (OJD).

RECITALS:

- A.** Each biennium, OJD distributes to County legislatively determined funds for certain county-provided programs, including the County Law Library, County Mediation/Conciliation, and Local Court Security programs.

- B.** The Mediation/Conciliation fund distribution (Mediation/Conciliation Distribution) is based on the 2021 HB 5012, Section 6. For the 2021-23 biennium (July 1, 2021 – June 30, 2023), County received \$442,659 (\$221,329.50 per fiscal year) for the Mediation/Conciliation Distribution. For FY 20-21, County allocated the \$221,329.50 as follows: 37.5% or \$82,999 to Saving Grace and 62.5% or \$138,330.50 was transferred to the Deschutes County Health Services Department to provide Parental Custody Mediation Services on behalf of the Deschutes County Circuit Court (Parental Custody Mediation Service Funds).

IT IS, THEREFORE AGREED:

TERMS OF AGREEMENT

1. Effective Date/Duration.

This agreement will be effective as of signature of both parties to the IGA. This IGA will remain in place until June 30, 2023.

2. Oregon Judicial Department Obligations.

- a.** The OJD is responsible for providing Parental Custody Mediation Services, either directly or via a contractor. Through County, OJD had been using the Deschutes County Health Services Department to provide Parental Custody Mediation Services for the Deschutes County Circuit Court. OJD now desires to use a contractor to provide these services. OJD has and continues to maintain the right to determine how Parental Custody Mediation Services are provided.

3. County Obligations.

- a.** For FY 22-23, County will allocate a total of \$150,122.50 (\$138,330.50 from the Mediation/Conciliation Distribution and \$11,792.00 from the Law Library Distribution) to OJD for OJD to contract for Parental Custody Mediation Services for the Deschutes County Circuit Court.

4. General Terms.

- a.** This Agreement, and each party's rights and responsibilities may not be assigned by either party without the prior written consent of the other party.
- b.** This Agreement sets forth the entire agreement of the parties with respect to the subject matter of the Agreement and supersedes any and all prior negotiations, discussions, agreements and understandings of the parties.

- c. The Recitals are incorporated into and made part of this Agreement.
- d. The parties shall attempt to resolve any disputes related to this Agreement by first holding a meeting between the Deschutes Circuit Court Trial Court Administrator and County Administrator within 14 calendar days after one party gives notice to the other party of such dispute. In the event dispute resolution is unsuccessful, this Agreement will be construed, applied and enforced in accordance with the laws of the State of Oregon. Any action or proceedings arising out of this Agreement will be initiated within the circuit court of Marion County for the State of Oregon.
- e. If any provision of this Agreement is held illegal or unenforceable in any respect, the remaining provisions remain in full force and effect to the greatest extent possible.
- f. Either party may end this agreement with written notification to the other party with 90 days' notice.

OJD

By 
State Court Administrator

Date November 28, 2022

Deschutes County

By 
Nick Lelack, County Administrator

Date November 16, 2022

for