

REVENUE: Revenue statement issued

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass and Be Referred to the Committee on Revenue by prior reference
Vote:	8 - 0 - 0
Yeas:	Boone, Esquivel, Freeman, Komp, Matthews, Riley, Weidner, Cowan
Nays:	0
Exc.:	0
Prepared By:	David Molina, Administrator
Meeting Dates:	2/5, 2/19

WHAT THE MEASURE DOES: Establishes a \$1,000 personal or corporate income tax credit per twelve month calendar year to members of the Oregon State Bar in exchange for *pro bono* service to a service member and their family who is on or within 180 days of active duty status. Applies retroactively to tax years beginning on or after January 1, 2009.

ISSUES DISCUSSED:

- *Pro bono* services utilized by family members of the citizen-soldier to be deployed
- Military Assistance Panel members increasingly overwhelmed in specific legal fields
- Legal service sought by junior ranking military personnel families unable to afford standard legal charges
- Increasing demand for *pro bono* service due to military high operations tempo missions overseas

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Oregon State Bar (OSB) was established in 1935 by the Legislative Assembly to license and discipline lawyers, regulate the practice of law, and provide a variety of services to bar members and the public. Membership is mandatory for lawyers who wish to practice law in Oregon. The OSB has more than 16,000 active and inactive members, each of whom is encouraged to provide 80 hours of *pro bono* service per year in accordance with its aspirational standard (OSB Statement of Professionalism Section 4.4). Since 2004, a group of dedicated legal professionals and many former veterans have provided 320 individual *pro bono* legal referrals to Oregonian citizen-soldiers on active duty and their families, with over half accounted in family law. The 113-member Military Assistance Panel (MAP) is an OSB committee focused on families of service members deployed overseas, providing professional legal expertise, in the areas of: bankruptcy, consumer, criminal, family, labor/employment, real property, taxation, estate planning, immigration, landlord/tenant, and other legal fields. Any member of the OSB can request to be a member of MAP under agreement that he/she will provide two-hours *pro bono* per twelve month calendar year.

The launch of the Global War on Terrorism (GWOT) has placed a greater demand on the Oregon National Guard (ORNG) and U.S. Army Reserve (USAR) citizen-soldiers and their families. As a result of evolving from a strategic ready reserve to an operational ready force, increased multiple deployments have created a greater demand and strain on the families of these deployed service members often demanding diverse legal services not already provided by military in-house legal services. The Judge Advocate General's Corps, the judicial arm of the United States Armed Forces, provide legal services to the deploying service member in areas such as wills, but excludes families.

While the request caseload on MAP has increased, the available MAP membership is stagnating or decreasing due to the increased demand. MAP not only anticipates an exponential growth in the number of requests due to the call-up of 3,500 Oregon National Guardsmen scheduled to deploy in mid-2009, but foresees possible decreases in available legal services the family members of the deployed service member already enjoy.

House Bill 2032 provides a state incentive to recruit, retain and increase MAP membership in order to continue to serve mobilized ORNG/USAR citizen-soldiers and their families. The measure is retroactive and applies to tax years beginning on or after January 1, 2009.

2/24/2009 12:56:00 PM

This summary has not been adopted or officially endorsed by action of the committee.