

REVENUE: Revenue statement issued

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 4 - 0
Yeas:	Barton, Lininger, Tomei, Williamson, Barker
Nays:	Cameron, Hicks, Krieger, Olson
Exc.:	0
Prepared By:	Channa Newell, Counsel
Meeting Dates:	2/6, 2/12

WHAT THE MEASURE DOES: Authorizes court to order unclaimed class action settlement damages to be paid to Legal Aid Supplementary Account. Specifies interest from Account is to be distributed to Oregon State Bar for use in funding Legal Services Program. Specifies process for payment of damages. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Importance of Legal Aid services for low-income Oregonians
- Balancing priorities in funding
- Effects of amendments

EFFECT OF COMMITTEE AMENDMENT: Establishes Legal Aid Supplementary Account and specifies interest earned from Account is to be distributed to Oregon State Bar for use in funding Legal Services Program. Specifies measure applies only to class actions where judgment has been entered after effective date.

BACKGROUND: Often, when an award of damages is made in favor of the injured parties in a class action suit, a large percentage of the injured parties do not file a claim. Under current Oregon law, damages are set aside for all affected injured parties in a class action suit, including the percentage that did not file a claim, and all unclaimed damages are returned to the defendant.

House Bill 4143-A directs courts to order all unclaimed damages of a class action suit to be deposited in the Legal Aid Supplementary Account. The interest earned on the money in the Account may only be distributed to the Oregon State Bar for use in funding the Legal Services Program. It also authorizes courts to approve the process that is used in order to pay damages to the injured party.