

House Committee on the Judiciary

HB 2329

Testimony of Beverly Pearman, Oregon Law Center

March 26, 2015

Chair Barker, members of the Committee, my name is Beverly Pearman. I am the president of the board of directors of Oregon Law Center (OLC), one of the statewide legal aid programs in Oregon. I live in Portland. Thank you for the opportunity to testify in support of HB 2329 to provide increased revenue for legal aid.

Increasing Client Need. As you know, legal aid plays a critical role providing access to justice and a level playing field for low income people statewide. Our clients need legal aid's help keeping themselves and their children safe from domestic violence, protecting their homes, getting food, finding medical care and supporting their families. About 40% of the cases handled by legal aid are family law, almost all of which involve domestic violence, about 24% are housing law, and 10% consumer. The need is great, and the need is growing as the effects of the great recession continue. The number of people eligible for services grew by 61.5% between 2000 and 2011 -- from 525,000 to 850,000. The most recent data from October 2014 confirms that 850,000 people in Oregon are eligible for legal aid. We have 90 legal aid lawyers working out of offices located in 17 communities serving clients living in all 36 counties. Legal aid offices report an increased incidence and severity of domestic violence. Seniors and other vulnerable populations need help on matters related to foreclosure and medical bills.

Decreasing Revenue. During this same period when the client need was increasing due to the recession, decreased revenue forced legal aid to eliminate 20% of the staff positions statewide and close two offices. I was chair of the committee that made the extremely difficult decision to recommend layoffs to the board. The decision was especially heartbreaking because studies show that the presence of a legal aid office in a county is the single largest factor in reducing domestic violence.

Service Delivery Structure. Four nonprofit corporations work as integrated statewide service delivery system to provide civil legal services to low income clients through offices located in 17 communities. Oregon Law Center and Legal Aid Services of Oregon are statewide. Lane County and Jackson County have countywide programs. We use outreach, circuit riding, collaboration with community partners and toll free telephone numbers to provide relatively equal access in all 36 counties. The Oregon State Bar provides government standards, guidelines, oversight, evaluation, and enforcement pursuant to ORS 9.572 to regulate the work done by the four nonprofit corporations that provide legal aid. One of the standards requires us to provide relatively equal access to low income clients regardless of where they live. Another standard requires joint planning and coordination among the programs. Legal aid also works to stretch

limited resources through self-help materials, public education, pro bono programs, and an informational website.

Legal aid routinely conducts needs assessments to identify and prioritize the needs of clients. We survey low-income clients, judges, private attorneys, nonprofit organizations and other stakeholders to determine the most serious legal needs in the communities that we serve and we then target our services to address the most serious legal needs. Since legal aid only has the revenue necessary to serve about 15% of the need, it is important to engage the community to prioritize the use of these scarce and valuable resources.

Strategic Planning. In order to increase the efficiency and effectiveness of the legal aid programs in Oregon and to be responsive to changing client demographics and needs, these four programs, together with representatives from the Oregon State Bar, Lawyers' Campaign for Equal Justice, and client groups routinely engage in strategic planning. Legal aid started to implement the most recent strategic plan in January of 2014. The planning process took almost two years. After gathering and studying information about client demographics and needs, the planning committee adopted findings of fact and created a list of ways that legal aid can improve services for clients.

Goals. The strategic plan establishes specific goals to increase the efficiency and effectiveness of legal aid using existing revenue. It created a list of positions that are priorities to be filled if legal aid can obtain additional revenue from any source. The plan recommits legal aid to the goal of providing "minimum access" to justice statewide. National standards have defined minimally adequate access as two legal aid lawyers for every 10,000 clients. In 2000, legal aid had two lawyers for every eleven thousand four hundred and thirteen (11,413) people eligible to be clients. Currently, we only have two legal aid lawyers for every eighteen thousand eight hundred and eighty nine (18,889) people eligible to be clients.

It costs approximately \$300,000 per year to operate a smaller legal aid office. Legal aid lawyers' salaries start at less than \$50,000. Each lawyer carries a case load of 35 to 50 cases. On average, for each legal aid lawyer, more than 200 clients receive some type of direct service each year. Many of these cases involve physical safety, housing and medical care, where the consequences can be severe. Legal aid already has about 80 sources of revenue, which are a combination of federal, state, and private sources. We use the more stable government sources of revenue to leverage private grants and contracts to expand service for clients. But these sources are not enough to meet the growing need.

The increased revenue created by HB 2329 would assist us in our efforts to increase our existing sources of revenue. The revenue would be distributed through the Oregon State Bar Legal Services Program and would be spent to hire additional attorneys because the strategic planning process made this the highest priority statewide. The plan called for hiring additional attorneys in offices where the eligible population has grown the most. These hires would start the process of bringing total statewide staffing back after the 20% cuts in 2011 as well as begin to address the 61.5% increase in the number of clients eligible for legal services.

Thank you for giving me an opportunity to testify today and thank you, Chair Barker and members of the committee, for your support of legal aid through the years. I am happy to answer any questions.