

**Testimony of  
Elizabeth Inayoshi  
In Support of House Bill 2764-A  
Senate Workforce Committee  
May 13, 2015**

Dear Chair Dembrow and Members of the Committee:

My name is Elizabeth Inayoshi and I am here today to tell you my story to illustrate why the statutory fees available for attorneys for workers comp need to increase.

Law is a second career for me. I worked for Intel Corporation for 30 years. I took early retirement in July of 2010 when the company reorganized the group in which I worked and offered an early retirement incentive. In reality, I was too young to retire and I debated what to do next. I wanted my second act to involve something beneficial to people and my community. I took a leap of faith and applied and was accepted to law school.

I had been a manager throughout my career at Intel, and really felt fulfilled when working to help my employees. With that experience, I made the choice to study and work in employee-side employment and labor law. I opened my own practice right out of law school, stating as my mission “assisting individuals in their working lives”. I signed up with the Oregon State Bar Lawyer Referral Service and started getting frequent referrals.

Most of the people referred to me had wrongful discharge complaints. A disconcertingly high percentage of them had on-the-job injuries in the year prior to their discharge, were often still dealing with the after-effects of those injuries, and their inability to perform to their prior levels contributed to their discharge. I called a friend in workers comp a couple of times to ask how to help my clients. As much as he tried to keep his information relatively simple for me, it quickly became clear

that this was a complex system and I ended up referring my clients to workers comp attorneys.

I eventually realized that because of the contingent nature of employment law cases, I would have long stretches between income. In August of last year, I moved my office from Portland to Hillsboro to reduce my expenses. In setting up my office, I bought a file cabinet from a retiring attorney. It turned out that she was the last workers comp attorney in the Hillsboro area, and it started me thinking. I had sat in on a CLE that two workers comp attorneys, one plaintiff, one defense, had given to the New Lawyers Division and they had talked about the shortage of workers comp attorneys. I wondered if I should revisit the possibility of adding workers comp to my practice. I had heard that workers comp cases moved relatively quickly. Ideally I would then be able to handle all the issues that my employment clients brought to me, so they wouldn't have to run from one attorney to the next.

I started asking people more about workers comp, but virtually across the boards attorneys waved me off, talking about how poorly workers comp attorneys were compensated. On the legal listservs, people commented on case where ALJ's had given plaintiff's attorneys a fraction of their requested fees and how nothing could be done about it. I was shocked when I found out how low the cap is for attorneys fees in workers comp. Even for a relatively low cost new attorney like me, I concluded that adding workers comp to my practice would add a tremendous amount of work with inadequate compensation, and I once again walked away from it.

Please vote Yes on House Bill 2764 to ensure that attorneys can be paid sufficiently to making representing injured workers attractive again.