

A-Engrossed
Senate Bill 357

Ordered by the Senate March 6
Including Senate Amendments dated March 6

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Board of Governors of the Oregon State Bar)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Oregon State Bar to include in Legal Services Program methods of evaluation of legal services providers and support for Judicial Department's efforts to improve public access to and information about court system.

Modifies distribution from Legal Aid Account to Oregon State Bar from amounts collected as fees and charges in circuit courts. Directs State Court Administrator to adjust distribution annually based on changes in cost of living.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to legal aid; amending ORS 9.572 and 9.577; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 9.572 is amended to read:

5 9.572. (1) The Oregon State Bar shall by rule establish a Legal Services Program. The program
6 shall provide standards [*and*], guidelines **and methods of evaluation** for legal service providers
7 receiving funding from the program **and support the Judicial Department's efforts to improve**
8 **public access to and information about the court system.** [*The rules shall also provide methods*
9 *for evaluating legal service providers.*] Funding received under the program may be used only for the
10 provision of legal services to the poor without charge and for expenses incurred by the Oregon State
11 Bar in the administration of the Legal Services Program.

12 (2) The Oregon State Bar shall appoint a director of the Legal Services Program established
13 under this section. The bar shall prescribe the duties of the director and fix the salary of the di-
14 rector.

15 (3) The Oregon State Bar may establish any advisory or technical committees it deems necessary
16 to advise the bar in establishing and operating the Legal Services Program.

17 **SECTION 2.** ORS 9.577 is amended to read:

18 9.577. (1) The Legal Aid Account is established in the General Fund of the State Treasury. All
19 moneys in the account are continuously appropriated to the State Court Administrator for the pur-
20 pose of the distributions required by this section. Interest earned by the account shall be credited
21 to the General Fund.

22 (2) Each month, the State Court Administrator shall transfer to the Legal Aid Account, from
23 amounts collected by the State Court Administrator as fees and charges in the circuit courts, the
24 amounts necessary to make the distributions required by subsection (3) of this section.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (3) Each *[biennium]* **quarter**, the State Court Administrator shall distribute to the Oregon State
2 Bar *[\$11.9 million]* **the amount prescribed by subsection (4) of this section** from the Legal Aid
3 Account. *[Distributions under this section shall be made by the State Court Administrator in eight*
4 *quarterly installments of equal amounts, with the first distribution to be made as soon as possible after*
5 *July 1, 2011.]* Amounts distributed to the Oregon State Bar under this subsection may be used only
6 for the funding of the Legal Services Program established under ORS 9.572.

7 **(4)(a) Beginning July 1, 2019, the amount the State Court Administrator shall distribute**
8 **to the Oregon State Bar under subsection (3) of this section each quarter is \$1.875 million.**

9 **(b) Beginning January 1, 2020, the amount the State Court Administrator shall distribute**
10 **to the Oregon State Bar under subsection (3) of this section each quarter is \$1.875 million**
11 **multiplied by any positive percentage amount determined as described in paragraph (c) of**
12 **this subsection.**

13 **(c) Each subsequent year, the State Court Administrator shall determine the percentage**
14 **increase or decrease in the cost of living for the previous calendar year, based on changes**
15 **in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published**
16 **by the Bureau of Labor Statistics of the United States Department of Labor. If the State**
17 **Court Administrator determines that there is an increase in the cost of living for the previ-**
18 **ous calendar year, on or before July 1 of the year in which the State Court Administrator**
19 **makes the determination required by this paragraph, the State Court Administrator shall**
20 **adjust the amount to be distributed to the Oregon State Bar under subsection (3) of this**
21 **section each quarter of the following calendar year by multiplying the amount applicable to**
22 **the quarter in which the adjustment is made by any positive percentage amount determined**
23 **under this paragraph.**

24 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
26 **on its passage.**