

**Testimony before the
Senate Interim Committee on Judiciary and Ballot Measure 110 Implementation**

December 7, 2022

Chair Prozanski and members of the committee:

My name is Kamron Graham and I am speaking to you today as the 2022 Oregon State Bar President. It is a pleasure to be here today and I welcome the opportunity to talk with you about the Oregon State Bar.

The Oregon State Bar – The Oregon State Bar (OSB) is a public corporation and an instrumentality of the Oregon Supreme Court with over 15,000 active members. The mission of the OSB is to serve justice and the public interest by regulating the legal profession and improving the quality of legal services; supporting the judiciary and improving the administration of justice; and advancing a fair, inclusive and accessible justice system. Under the direction of the Oregon Supreme Court, the bar licenses and disciplines lawyers and performs other functions to benefit the public. Bar operations are primarily funded by license fees from its members and revenue from a variety of member services programs. The CEO of the bar oversees approximately 100 staff members not including the Professional Liability Fund.

Governance – The bar is administered by a 19-member volunteer Board of Governors. Fifteen of the members are lawyers and four are non-lawyers appointed based on their areas of interest and expertise. Attorney board members are elected by the membership from different regions to ensure geographic diversity. The OSB House of Delegates (HOD) serves as the representative assembly of the membership, and is also elected based on geographic region. The HOD votes on proposed ethics rules, fee increases and policies. It helps set policy direction for the bar. Composed of approximately 230 delegates, the HOD meets annually.

Key Traits – The Oregon State Bar has a number of traits that stand out among state bars.

- **Open Disciplinary System** – It is the only bar in the country which allows public access to disciplinary complaint files from the time the complaint is filed with the bar.

- **Mandatory Malpractice Coverage** – It is one of the only bars in the nation that requires attorneys to have malpractice insurance and that has a self-insuring organization to provide that coverage – the Professional Liability Fund.
- **Public Member Involvement** – The bar encourages public participation in all aspects of its operations. Four of the 19 members of the Board are public members. Public members also participate throughout the Oregon lawyer discipline system. Non-lawyers sit on the State Professional Responsibility Board, trial panels and the Unlawful Practice of Law Committee.
- **Pro Bono** – Oregon lawyers spend an average of 10.8 hours per month providing pro-bono legal services. This does not include those working for legal aid organizations or non-profit groups that regularly provide legal services on a free or reduced fee basis. (2017 OSB Economic Survey).
- **Loan Forgiveness** - The Oregon State Bar Loan Repayment Assistance Program (LRAP), funded by Oregon lawyers, provides forgivable loans up to \$7,500 a year for three years to aid attorneys in the repayment of law school debt. Over the last seventeen years, 180 public service attorneys in Oregon have been selected to participate in the program.
- **Campaign for Equal Justice** – Oregon is one of the few states that has developed a non-profit fundraising campaign to raise money from the legal community for legal services to the poor. Since 1991, CEJ has raised \$32 million for legal aid.

Thank you for your time, and I'd be happy to answer any additional questions you may have.

For more information contact:

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Oregon State Bar Public Services

Lawyer Referral Service

In 2021 the Lawyer Referral Service (LRS) referred over 50,000 potential clients to member lawyers. In operation since 1971, LRS is a non-profit program that provides referrals statewide in every major area of law. Lawyers agree to provide LRS-referred clients with an initial, half-hour consultation for no more than \$35. Members of the public may submit an online referral request at www.osbar.org/public/ris/ris.html#referral, or call us during business hours.

Modest Means Program

The Modest Means Program is a reduced-fee referral program designed to make Landlord-Tenant, Foreclosure, Family Law, and Criminal Defense legal services accessible to lower-income people who are ineligible to receive such help through Legal Aid or court-appointed counsel. In 2021 we referred over 1,200 modest means clients to lawyers around the state. Lawyers who accept Modest Means referrals agree to charge no more than \$35 for an initial, half-hour consultation, and no more than \$60, \$80 or \$100 per hour (depending upon the applicant's income and assets) for any additional services. Modest Means Program applications can be downloaded at <http://www.osbar.org/docs/public/diy/modestmeansapp.pdf>. Members of the public may also call during business hours to request that an application be mailed to them.

Military Assistance Panel

The Military Assistance Panel provides legal assistance to deployed military personnel and their families in Oregon. Lawyers volunteer to give at least one hour of advice and counseling to a client free of charge. Lawyers help clients with the Servicemembers' Civil Relief Act and general legal issues such as Family Law, Consumer/Credit Law, Real Property/Landlord-Tenant Law and Estate Planning. Potential clients first contact the Oregon Army National Guard at (503) 584-3571 for an authorization (military reference or "MR") number, and then contact the Oregon State Bar's Lawyer Referral Service during business hours for a referral to a participating lawyer.

Problem Solvers

This legal advice program features lawyers who volunteer to help younger Oregonians (ages 13-17) with their legal questions. Lawyers agree to provide a free 30-minute consultation, usually concerning Family Law issues, emancipation and other areas of law pertinent to teens and young adults. To participate, the young adult must call Referral & Information Services during business hours.

Additional information and resources, including streamable LegalLinks™ Cable Television programs, can be found at: www.oregonstatebar.org

**Phone: (503) 684-3763 (Portland metro area)
(800) 452-7636 (toll-free elsewhere in Oregon)**

Hours: Monday – Friday, 8 am to 5:00 pm



Client Assistance Office

The bar's Client Assistance Office reviews all inquiries and complaints about lawyer conduct. Complaints that present sufficient evidence of a violation are referred to Disciplinary Counsel's Office. If the inquiry or complaint does not involve misconduct, the Client Assistance Office may be able to provide some assistance or a referral to another resource. Bar resources include the Fee Arbitration Program, the Client Security Fund and the Professional Liability Fund. For more on information on the Client Assistance Office, see: www.osbar.org/cao.

Client Security Fund

The Client Security Fund of the Oregon State Bar was created in 1967 to help reimburse clients who suffer a financial loss as a result of dishonest conduct of their lawyer. Oregon lawyers developed the program and fund it with a portion of the mandatory dues paid by all active members of the Oregon State bar. The fund represents an effort by members of the Oregon State Bar to compensate for the misdeed of a few lawyers. Claims for reimbursements are reviewed by a committee of volunteers, including a public member. All reimbursements are made by the Oregon State Bar Board of Bar Governors. For more information on the Client Security Fund, see: www.osbar.org/csf or call 503.620.0222 ext. 334.

Fee Arbitration and Fee Mediation

The Oregon State Bar's Fee Arbitration Program is a program for resolving fee disputes between an Oregon attorney and a client, between Oregon clients with out-of-state attorneys, or between Oregon attorneys. All parties must voluntarily agree to participate. For more information, see: www.osbar.org/feearbitration or contact Jerri Shay by phone at 503.431.6334 or via e-mail at jshay@osbar.org.