



## Oregon Consumer League

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April 28, 2021

TO: House Judiciary Subcommittee on Civil Law  
RE: Testimony of Joel Shapiro, Vice President, Oregon Consumer League  
in support of SB 181

Chair Power and Members of the Subcommittee on Civil Law:

The Oregon Consumer League strongly supports SB 181, which will expand the access to justice for consumers across the state of Oregon by encouraging *pro bono* representation with the availability of attorney fees to be awarded when prevailing in a case.

The Oregon Consumer League, established over 50 years ago, is Oregon's oldest consumer rights nonprofit organization. One of the pillars of consumer rights is access to legal representation in the civil justice system. However, most consumers lack the financial resources to challenge corporations and hold them accountable for improper, illegal conduct. Oregon, like other states, has recognized that – in order to remedy this imbalance and even the scales of justice – consumers' attorneys must be entitled to have their fees paid by the opposing party if the consumer prevails under certain prevailing party statutes.

To be clear, when attorneys take cases on a *pro bono* basis, it means that they will not charge their client for their time. It does not mean that they must renounce the right to seek fees from the opposing party if the consumer attorney prevails in the representation. SB 181 would make clear that undertaking representation on a *pro bono* basis should not be used as a rationale to reduce the reasonable attorney fees awarded to a prevailing party's attorney.

Instead, the court should understand that *pro bono* representation expands access to justice. SB 181, if enacted, will provide an incentive for attorneys to take on a greater number of *pro bono* cases. That will better serve the interests of consumers all across Oregon and encourage compliance with Oregon's laws by deterring violations of consumer rights that are subject to enforcement through the civil justice system.