

SB 1543 -2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary and Ballot Measure 110 Implementation

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/9, 2/10

WHAT THE MEASURE DOES:

Establishes the Universal Representation Fund in the State Treasury to provide a statewide, integrated, universal navigation and representation system for immigration matters. Requires an established Oregon nonprofit to serve as the fiscal agent to award grants to organizations to provide services related to immigration matters through a universal representation program, at no cost to the client. Describes the types of services the funds are allocated for, including attorneys from community-based organizations, immigration-matter filing fees, costs, and a statewide universal navigation and support system. Requires individuals receiving services through the program to be financially eligible. Directs the Chief Justice of the Oregon Supreme Court to transfer funds to the Oregon State Bar's Legal Services Program. Directs fiscal agent to create an advisory committee for the program, and to conduct performance and financial audits. Requires fiscal agent to report by August 31 of each year to the interim committee of the Legislative Assembly related to legal services, the Department of Administrative Services (DAS) and the Legislative Fiscal Officer. Specifies content of report. Appropriates \$10.5 million from the General Fund to DAS and \$4.5 million to the Judicial Department. Designates Oregon Worker Relief as a fiscal agent. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. Establishes the universal representation fund in the State Treasury, for the purposes of providing a statewide integrated, universal navigation and representation system to provide services to victims of crimes committed by noncitizens who are subject to deportation and for immigration matters. Requires an established Oregon nonprofit to serve as the fiscal agent to award grants to organizations for the above purposes. Specifies permissible use of funds, including services for victims of crimes committed by noncitizens subject to deportation, culturally-responsive attorney services, and community-based navigators.

Requires individuals receiving services through the program to be financially eligible. States a person is ineligible if they did not reside in the state on December 31, 2021 or is currently charged with or has been convicted of a felony or class A misdemeanor. Directs the Chief Justice of the Oregon Supreme Court to transfer funds to the Oregon State Bar's Legal Services Program. Directs fiscal agent to create an advisory committee for the program, and to conduct performance and financial audits. Requires fiscal agent to report by August 31 of each year to the interim committee of the Legislative Assembly related to legal services, the Department of Administrative Services (DAS) and the Legislative Fiscal Office. Declares emergency, effective upon passage.

BACKGROUND:

Respondents appearing in Immigration Court do not have guaranteed access to counsel, because deportation is a civil, not criminal matter. Unrepresented respondents are almost five-and-a-half times more likely to lose their deportation case than those who have an attorney. Nationally, from 2007 -2012, 37 percent of all immigrants were able to secure counsel in their removal cases. In addition, persons involved in deportation proceedings often have difficulty accessing other needed resources.

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Senate Bill 1543 would create a statewide universal representation program to provide for certain immigration services, including legal services, access to community-based navigators, and referral coordination.

PRELIMINARY