

Senate and House Judiciary Committee Testimony

December 11, 2024

Chair Prozanski, Chair Kropf, and Members of the Committee:

My name is Helen Hirschbiel, and I am speaking to you today as the CEO of the Oregon State Bar. I welcome the opportunity to talk with you about the Oregon State Bar's core functions and innovative programs to expand legal access.

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 promoting respect for the rule of law, improving the quality of legal services, and increasing access to justice. Under the direction and oversight of the Oregon Supreme Court, the bar licenses and disciplines legal professionals and performs other functions to benefit the public.

Governance – The bar is governed by a 19-member volunteer Board of Governors. Fifteen are lawyers and four are members of the public 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 membership assembly and is largely elected based on geographic region. The HOD also includes bar section chairs, local bar presidents, and members of the public.

Key Traits – The Oregon State Bar has several 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. They sit on the State Professional Responsibility Board, trial panels and the Unlawful Practice of Law Committee.

Over the last several years, the Oregon State Bar has also worked diligently and in close partnership with the Court to expand access to justice through several key programs and regulatory changes. These include the following:

16037 SW Upper Boones Ferry Road, PO Box 231935, Tigard, Oregon 97281-1935

(503) 620-0222 toll-free in Oregon (800) 452-8260 fax (503) 684-1366

www.osbar.org

Legal Providers Expansion Initiatives

Supervised Practice Pathway Examination (SPPE) - The SPPE is the first of two new pathways to becoming a licensed attorney in Oregon that supplement the option of the traditional bar exam. The SPPE is now available to students who graduated from Oregon law schools in the spring of 2024.

The SPPE pathway allows a law school graduate to commit to a period of supervised hours of entry level practice along with the submission of a portfolio examination after completion of the supervised hours. The graduate will have a provisional license similar to that held by a certified law student while in the program. Approximately 100 legal employers have applied to employ SPPE applicants in 2024 and 50 students have already been placed with offices.

Oregon Experiential Pathway Examination (OEPE) – The OEPE will be another new admissions pathway whereby applicants can be licensed without taking the traditional bar exam. Interested law school students will focus their law school coursework on specific areas, and spend considerable time working in clinics or other programs gaining practical legal experience.

The bar is currently working with Oregon law schools on curricular requirements, and other practical considerations to make this program a reality.

Licensed Paralegals (LPs) – In 2024, the Oregon State Bar also licensed its first paralegals. These legal professionals are licensed to provide limited-scope legal advice and services in some cases. This new license is expected to result in lower cost legal services in some areas of practice with especially high unmet legal needs. LPs are required to have “substantially equivalent” malpractice insurance and the Legislature requested a report back on any claims. To date, no malpractice claims have been filed against licensed paralegals.

Direct Legal Service Initiatives

Oregon Law Help- Oregon Law Help is a coordinated, statewide, user-centered, web-based portal that uses guided interviews to help Oregonians identify their legal problems and connect them with resources tailored to their situation – including interactive forms, self-help materials, legal aid and modest means representation. The OLP portal was funded by a one-time legislative appropriation of \$2.3M and financial support from the Oregon Law Foundation. It soft-launched in January 2024 and is currently under expansion. In 2025, OSB will roll out the updated version that will provide a centralized and simple pathway for Oregonians to understand their

legal rights and connect with resources that can help. Through its design and platform, it will both expand the reach of existing resources and offer new and responsive content for its target users.

Free Legal Answers- In 2022, OSB launched a pro bono virtual legal advice clinic. Oregonians can log onto the website, answer some eligibility questions, and if qualified, they can post a civil legal question to a secure messaging system. Registered pro bono attorneys log into the system anytime twenty-four hours a day, select a client's question, and then provide a brief legal answer and any other recommended resources. This unbundled model allows lawyers to decide when they have time to volunteer and what type of issues they feel competent to address. It also provides a one-stop hub for the public to access legal advice without having to worry about the credibility of the source.

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

For more information please contact:

Dominique Rossi, OSB Public Affairs Director - drossi@osbar.org