

**Testimony before the House Judiciary Committee  
in support of HB 2325  
On behalf of the Oregon State Bar  
January 19, 2023**

Chair Kropf and Members of the Committee:

My name is Lee Ann Donaldson. I am the current President of 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 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 President is selected by the rest of the board from among the 15 attorney-members. 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.

### **House Bill 2325**

Most sessions the Oregon State Bar comes forward with a bill to make changes to ORS Chapter 9 to address concerns or new issues that have arisen in the last two years. This year, that bill is HB 2325.

HB 2325 was requested by our board and makes a single change to the Oregon State Bar Act to allow public members of the OSB Board of Governors to serve as OSB President. As I mentioned earlier, the OSB President is selected by the other board members. Anyone who becomes OSB President must have the support of the majority of the board.

Throughout its history the OSB has had many exceptional public members on the board whose experience and insight helped guide the bar through many difficult decisions. Allowing public members to serve as bar president will give the board additional flexibility to make the best possible choice when selecting a future OSB President.

Thank you for your consideration of HB 2325. I am happy to answer any questions.