

March 10, 2023

Oregon Senate Judiciary Committee

RE: SB 306

This testimony is provided in support of SB 306. I am an Oregon paralegal with over thirty years of experience in the Portland area. I have a BS in Justice from Portland State University, and a Paralegal Certificate from the College of Legal Arts. I am also a Registered Paralegal (RP) with the National Federation of Paralegal Associations (NFPA) and a certified eDiscovery Specialist (CEDS). I am the current President for the Oregon Paralegal Association (OPA). Since 2007, I have served as OPA's Pro Bono Chair, promoting access to justice and volunteerism in our community.

I personally know there are thousands of Oregonians being denied access to justice in the area of family law because hiring an attorney is too expensive. As the OPA Pro Bono Chair, I am listed on the Oregon State Bar Pro Bono Resources website page. Over the last fifteen years, I received weekly calls from desperate Oregonians seeking legal assistance. I estimate that 90% of those calls were people with domestic relations matters who could not afford the current rates and retainers of Oregon attorneys. As a paralegal I am not able to offer legal advice, even though I worked as a family law paralegal for three years and I have all of the education and experience listed above. I am only able to help guide them to services currently available in Oregon. Sadly, most of my efforts are unsuccessful and these people go without representation.

The denial of affordable family law assistance is a long-term, consistent problem. Not all people who call me for assistance are poverty level. Many are just hard-working Oregonians going through a divorce or custody case, and unable to pay \$300-\$600 an hour for legal services, or the \$3,500+ retainer requested by all of the attorneys they called before reaching out to me. When a person calls me for assistance, I know I cannot refer them to any attorneys who will not ask for a large retainer or charge high hourly rates for a domestic relations case. It is difficult to even get them a free consultation. Having worked in the legal field in Oregon for 30 years, my resource list in this area is surprisingly limited. I attempt to refer them to one of the legal aid programs available. They call again stating that Legal Aid Services of Oregon is only taking domestic violence cases right now, or they exceeded the income level for programs like St. Andrew Legal Clinic, or the attorney they were referred to by the Modest Means Program wants a \$2000 retainer. I then send them to court supported family law assistance in the appropriate county for their matter. They call back discouraged that the court gave them a stack of papers that they have no idea how to complete. It is a frustrating and hopeless process.

The passing of SB 306 is not going to take business away from attorneys in Oregon. The attorneys objecting to SB 306 do not want clients who cannot pay large retainers, or can only pay \$100 an hour for domestic relations assistance. I know this because I am well-connected in the legal community and have been trying to refer people for 15 years, with little to no success. If I am wrong about this, I encourage those attorneys interested to reach out to me today so I can

create a list of affordable service available when these distressed people call me, worried about losing their children or homes.

As far as any objections to paralegals being qualified to assist with family law matters, I have confidence in the vetting process that the developers of the licensing program created. As a family law paralegal, I was charged with drafting dissolution petitions, motions and orders to show cause, trial briefs, deposition questions, debt and asset division proposals, parenting plans and other domestic relations pleadings for an attorney's use. I challenge anyone objecting to SB 306 to find family law firms in Oregon that do not rely on paralegals or legal assistants to prepare these materials for them. To say that attorneys are the only professionals qualified enough to manage a domestic relations case is an inaccurate representation of how the process works at law firms.

I realize that the lack of affordable family law services in Oregon is a multi-layered problem that will not be completely resolved by one program. However, taking the step to pass SB 306 is a step towards providing affordable family law services to Oregon residents who are desperate to avoid the life-long consequences of not having suitable legal assistance. Please vote to pass SB 306.

Thank you for your consideration.

Kelley Chaney, RP CEDS