



## COLORADO ACCESS TO JUSTICE COMMISSION

1290 Broadway, Ste. 1700

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• 720.306.1022

March 15, 2023

The Honorable Jason Kropf, Chair, House Committee on Judiciary  
The Honorable Tom Andersen, Vice Chair, House Committee on Judiciary  
The Honorable Kim Wallan, Vice Chair, House Committee on Judiciary  
Oregon House of Representatives  
900 Court St. NE, H 271  
Salem, Oregon 97301

Dear Members of the Oregon House Committee on Judiciary,

I am the Executive Director of the Colorado Access to Justice Commission, and I am writing to submit support for SB 306, the bill on licensing paraprofessionals to provide legal assistance in appropriate circumstances.

The lack of legal representation in civil matters that involve basic human needs like housing, employment, custody, and protection against domestic abuse, is well researched and documented.<sup>1</sup> So, too, are the disparate outcomes between *pro se* litigants and those who benefit from legal representation.<sup>2</sup> Yet only a small fraction of those who cannot afford an attorney will seek and receive full legal-aid assistance.<sup>3</sup>

Across the nation, momentum continues to build toward the common-sense programmatic solution of mid-level professional licensure in the legal profession, much like that of the medical and other professions. At present, sixteen programs similar to that proposed in SB 306 are in varying stages of implementing such programs.<sup>4</sup>

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<sup>1</sup> Nat'l Ctr. for State Cts., Family Justice Initiative: The Landscape of Civil Litigation in State Courts IV (2015) [https://www.ncsc.org/\\_data/assets/pdf\\_file/0015/25305/civiljusticereport-2015.pdf](https://www.ncsc.org/_data/assets/pdf_file/0015/25305/civiljusticereport-2015.pdf).

<sup>2</sup> Gillian K. Hadfield and James Heine, Life in the Law-Thick World: The Legal Resource Landscape for Ordinary Americans 37 (2015), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2547664](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2547664).

<sup>3</sup> Legal Services Corporation, *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans* 28 (2017) <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/2017-justice-gap-report>.

<sup>4</sup> Michael Houlberg and Janet Drobinske, The Landscape of Allied Legal Paraprofessional Programs in the United States 7 (2022) [https://iaals.du.edu/sites/default/files/documents/publications/landscape\\_allied\\_legal\\_professionals.pdf](https://iaals.du.edu/sites/default/files/documents/publications/landscape_allied_legal_professionals.pdf).



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As the Institute for the Advancement of the American Legal System (IAALS) noted in its most recent survey of these programs, due consideration should be dedicated to admissions and regulatory requirements, and grievance processes, and program costs.<sup>5</sup> However, the existing data and the longstanding history of success in the medical field support this type of programmatic shift to expand access to fair and equal outcomes at a time of great need.

As legislator, you serve a uniquely vital role as you contemplate your support of this bill. When our justice system is inaccessible, unusable, or unfair, it undermines public confidence in our government's institutions and indeed in democracy itself. I urge you to embrace this opportunity to build greater equity into Oregon's justice system so it may better deliver on its promise to deliver justice for all.

Sincerely,

Elisa Overall  
Executive Director  
Colorado Access to Justice Commission

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<sup>5</sup> *Id.* at 48-51.