



Oregon
Community
Brokerages

March 29, 2023

To: Sen Prozanski, Chair, Senate Committee on Judiciary
From: Katie Rose, Executive Director, Oregon Community Brokerages
Re: SB 528-2

Chair Prozanski and members of the committee,

Oregon Community Brokerages is comprised of the 14 Support Service Brokerages across Oregon. Collectively, we provide case management services to more than 7,500 adults with intellectual and developmental disabilities living in their own or family homes in every community throughout the state. We connect people to what matters to them and support them to make the important decisions and choices that make up a life.

We all want to make our own decisions and chart the course of our own lives. People with intellectual and developmental disabilities are too often presumed to be unable to build the skills necessary for self-direction and decision-making. SB 528-2 ensures that people with intellectual and developmental disabilities are fully informed of their right to representation prior to a protective proceeding and makes sure that properly equipped representation is available to support a person's independence and self-determination prior to legal appointment of a guardian or conservator.

SB 528-2 will make it possible for Disability Rights Oregon (DRO) to act as the appointed representative for a protected person in hearings determining their guardianship status. DRO has an extensive record of supporting people through guardianship cases and maintains a strong relationship with the intellectual and developmental disability advocacy community. The bill also requires that notification to a protected person be made "in plain language and in a format that ensures accessibility to the respondent or protected person." A simple act, but one that is fundamental to protecting the rights of people with disabilities.

SB 528-2 builds on another bill passed in 2021, SB 578. SB 578 gave protected persons the right to free representation during the protective proceeding. Initial roll-out of this policy has raised concerns about the qualification standards for and availability of those attorneys who accept these cases. SB 528-2 will address these concerns by identifying DRO as the statewide resource for these services, assigning attorneys that have the appropriate skills to represent protected persons, and assuring that each county is not tasked with having to replicate this resource locally.

Oregon Community Brokerage asks you to pass SB 528-2 and secure the right for every person to have access to clear communication and representation prior to the legal appointment of a guardian or conservator.