

Requested by Representative ALONSO LEON

**PROPOSED AMENDMENTS TO
HOUSE BILL 3230**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete page
2 2 and insert:

3 **“SECTION 1. (1) The Universal Representation Fund is established**
4 **in the State Treasury, separate and distinct from the General Fund.**

5 **“(2) Interest earned by the Universal Representation Fund shall be**
6 **credited to the fund.**

7 **“(3) Moneys in the Universal Representation Fund are continuously**
8 **appropriated to the Oregon Department of Administrative Services for**
9 **the purpose of disbursement to the fiscal agent described in section 2**
10 **(1) of this 2021 Act for providing a statewide integrated, universal**
11 **navigation and representation system for immigration matters.**

12 **“SECTION 2. (1)(a) A nonprofit organization registered in this state**
13 **for at least the preceding six months that addresses and executes**
14 **worker relief as the organization’s primary purpose shall serve as the**
15 **fiscal agent to award grants to organizations to provide services re-**
16 **lated to immigration matters through a universal representation pro-**
17 **gram. Funds must be allocated for, but are not limited to, the**
18 **following purposes:**

19 **“(A) Attorneys working at community-based organizations to pro-**
20 **vide culturally responsive services to members of the immigrant and**
21 **refugee community;**

1 **“(B) Navigators working at community-based organizations to guide**
2 **persons who are at risk of deportation or need assistance with immi-**
3 **gration matters into the universal representation program;**

4 **“(C) Development of capacity and training to support navigation**
5 **efforts through community-based organizations into the universal**
6 **representation program and culturally responsive services carried out**
7 **by community-based organizations;**

8 **“(D) A client service fund to assist with fees associated with filings,**
9 **interpretation and related costs in immigration matters;**

10 **“(E) A statewide universal navigation and support system, including**
11 **a call center, to provide direct contacts and streamlined access for**
12 **those seeking assistance with immigration matters; and**

13 **“(F) A clearinghouse to provide logistical support, income and pro-**
14 **gram eligibility screening, navigation review, case placement and**
15 **technical assistance, and referral coordination, mentoring and super-**
16 **vision of attorneys working for community-based organizations.**

17 **“(b) All individuals seeking services through the universal repre-**
18 **sentation program must be enrolled and are subject to an income and**
19 **program eligibility screening and a priority recommendation through**
20 **the clearinghouse described in paragraph (a) of this subsection.**

21 **“(c) Information provided to the clearinghouse created under para-**
22 **graph (a) of this subsection is subject to the lawyer-client privilege**
23 **under ORS 40.225.**

24 **“(2) For all grants awarded under this section by the fiscal agent**
25 **described in subsection (1) of this section, the fiscal agent shall:**

26 **“(a) Create a uniform method of reporting grant outcomes to fa-**
27 **cilitate comparison or results between grant recipients;**

28 **“(b) Require that grant recipients provide services free of charge;**

29 **“(c) Require grant recipients to prioritize legal services to detained**
30 **individuals and individuals at imminent risk of deportation before**

1 other immigration matters when applicable;

2 “(d) Require all individuals seeking services to be enrolled and
3 subject to a uniform income and program eligibility screening and a
4 priority recommendation through the clearinghouse described in sub-
5 section (1) of this section;

6 “(e) Provide services to all income and program eligible individuals
7 subject to reasonably measured capacity;

8 “(f) Encourage the use of best practices to design the delivery of
9 legal services to the immigrant and refugee population; and

10 “(g) Ensure that a person denied services receives notice of the
11 reasons for denial and that the notice is provided to the fiscal agent.

12 “(3) The fiscal agent described in subsection (1) of this section shall:

13 “(a) Issue grants through a request for proposal process;

14 “(b) Conduct a performance audit at the conclusion of the second
15 year after the Universal Representation Fund established under sec-
16 tion 1 of this 2021 Act is operative and every two years thereafter; and

17 “(c) Conduct a financial audit at the conclusion of the second year
18 after the fund is operative and every two years thereafter.

19 “(4)(a) The Chief Justice of the Supreme Court shall transfer funds
20 appropriated for this purpose to the Oregon State Bar for use by the
21 Legal Services Program established in ORS 9.572 to provide legal ser-
22 vices to individuals on immigration matters and related matters, in-
23 cluding but not limited to the provision of general legal information
24 and legal referral services designed to increase access to the justice
25 system.

26 “(b) The Legal Services Program shall adopt standards and guide-
27 lines for the provision of services under this subsection that are simi-
28 lar to the requirements set forth in subsection (2) of this section. The
29 standards and guidelines must:

30 “(A) Require the Legal Services Program to prioritize legal services

1 to detained individuals and individuals at imminent risk of deportation
2 before other immigration matters when applicable; and

3 “(B) Require all individuals seeking services to be enrolled and
4 subject to a uniform income and program eligibility screening and a
5 priority recommendation through the clearinghouse described in sub-
6 section (1) of this section.

7 “(5) The fiscal agent described in subsection (1) of this section shall
8 convene an advisory committee for the universal representation pro-
9 gram. The advisory committee shall meet periodically and make rec-
10 ommendations relating to the coordination of services, standards and
11 guidelines, the development of best practices and other matters related
12 to universal representation. The committee shall be chaired by:

13 “(a) The administrative head or the designee of the administrative
14 head of the fiscal agent described in subsection (1) of this section;

15 “(b) The administrative head or the designee of the administrative
16 head of a grantee under subsection (1) of this section; and

17 “(c) The administrative head or the designee of the administrative
18 head of a legal services provider providing services under subsection
19 (4) of this section.

20 “(6) No later than August 31 of each year, the fiscal agent described
21 in subsection (1) of this section shall submit a report to a committee
22 or interim committee of the Legislative Assembly dealing with legal
23 services, the Oregon Department of Administrative Services and the
24 Legislative Fiscal Office on the grants awarded under this section by
25 the fiscal agent under this section. The report must specify, but is not
26 limited to:

27 “(a) How many people have entered the universal representation
28 program;

29 “(b) How many people have accepted wraparound assistance from
30 community-based organizations;

1 “(c) The number and types of cases and matters in which legal
2 services were delivered, disaggregated by grantee;

3 “(d) Which counties community-based organizations provided ser-
4 vices in;

5 “(e) A comparison of programs offering services and recommen-
6 dations to improve service delivery for both community-based organ-
7 izations receiving funds from the fiscal agent;

8 “(f) The findings of audits described in subsection (3)(b) and (c) of
9 this section; and

10 “(g) Other matters as recommended by the advisory committee.

11 “(7) In appropriating moneys for programs under this section, the
12 Legislative Assembly shall endeavor to allocate funding as follows:

13 “(a) Seventy percent of available funds to the Universal Represen-
14 tation Fund established in section 1 of this 2021 Act; and

15 “(b) Thirty percent to the Judicial Department for purposes of
16 transfer to the Oregon State Bar under subsection (4) of this section.

17 “(8) As used in this section:

18 “(a) ‘Community-based organization’ means a nonprofit organiza-
19 tion registered in this state for at least six months prior to any grant
20 award that provides culturally responsive services to immigrant and
21 refugee communities in Oregon.

22 “(b) ‘Culturally responsive service’ means a service that is
23 respectful of, and relevant to, the beliefs, practices, cultures and lin-
24 guistic needs of diverse consumer or client populations and commu-
25 nities whose members identify as having particular cultural or
26 linguistic affiliations by virtue of their place of birth, ancestry or
27 ethnic origin, religion, preferred language or language spoken at
28 home, and that has the capacity to respond to the issues of diverse
29 communities and require knowledge and capacity at systemic, organ-
30 izational, professional and individual levels of intervention.

1 “(c) ‘Immigration matter’ has the meaning given that term in ORS
2 **9.280.**

3 “SECTION 3. The fiscal agent described in section 2 (1) of this 2021
4 Act shall make the first report described in section 2 (6) of this 2021
5 Act no later than August 31, 2023.

6 “SECTION 4. (1) In addition to and not in lieu of any other appro-
7 priation, there is appropriated to the Oregon Department of Adminis-
8 trative Services, for the biennium beginning July 1, 2021, out of the
9 General Fund, the amount of \$10,500,000, for deposit in the Universal
10 Representation Fund created under section 1 of this 2021 Act.

11 “(2) In addition to and not in lieu of any other appropriation, there
12 is appropriated to the Judicial Department, for the biennium begin-
13 ning July 1, 2021, out of the General Fund, the amount of \$4,500,000,
14 for the purposes of implementing section 2 (4) of this 2021 Act.

15 “SECTION 5. This 2021 Act being necessary for the immediate
16 preservation of the public peace, health and safety, an emergency is
17 declared to exist, and this 2021 Act takes effect on its passage.”.

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