

## HB 4007 -1, -2, -3, -4, -5 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Meeting Dates:** 2/10, 2/11, 2/11

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#### WHAT THE MEASURE DOES:

Directs the State Court Administrator to study issues facing the court system and report on the results to the interim committee of the Legislative Assembly by September 15, 2023. Sunsets January 2, 2024.

#### ISSUES DISCUSSED:

- National data on attorney student loan debt
- LPRO survey on Oregon public defender student loan debt
- Types of cases handled by public defenders
- Pay scale of public defenders
- Borrowers in Oregon over the age of 65 with outstanding student loan debt
- Protecting the rights of the accused
- Balance in the criminal justice system
- Recruiting new law school graduates

#### EFFECT OF AMENDMENT:

-1 Replaces the measure. States that Oregon has an inadequate number of public defenders. Creates the Public Defense Services Student Loan Repayment Assistance Fund in the State Treasury, separate and distinct from the general fund. Appropriates \$25 million to the fund, from the General Fund. States that the program is designed to incentivize attorneys to practice as public defense attorneys. Directs the Oregon State Bar (OSB) to administer the program and adopt rules for the administration of the program, including eligibility and application requirements. Requires applicants to commit to at least one year of service as a public defender. Allows qualified applicants to receive up to \$25,000 per year, up to \$200,000 total, in loan repayment assistance. Requires the OSB to report to the Judiciary Committees annually on specific data points. Defines "public defense attorney." Declares emergency. Effective upon passage.

-2 Replaces the measure. Establishes the Public Defense Services Student Loan Repayment Assistance Program for services designed to increase access to the justice system by removing economic barriers for attorneys to practice as public defense attorneys. Modifies the definition of "public defense attorney." Changes terminology for transfer of funds from OSB to program participant from a loan reimbursement to a forgivable loan. Requires participating attorney to commit to public defense services for a minimum of 24 months. Modifies data collection requirements. Takes effect on the 91st day following adjournment sine die.

-3 Replaces the measure. Establishes the Public Defense Services Student Loan Repayment Assistance Program for services designed to increase access to the justice system by removing economic barriers for attorneys to practice as public defense attorneys. Requires participating attorney to commit to public defense services for a minimum of three years. Requires attorney to provide public defense services full time.

-4 Replaces the measure. Establishes the Public Defense Services Student Loan Repayment Assistance Program for services designed to increase access to the justice system by removing economic barriers for attorneys to practice as public defense attorneys. Requires participating attorney to commit to public defense services for a minimum of three years. Requires attorney to provide public defense services full or part time.

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-5 Replaces the measure. Establishes the Public Defense Services Student Loan Repayment Assistance Program for services designed to increase access to the justice system by removing economic barriers for attorneys to practice as public defense attorneys. Removes creation of the Public Defense Services Student Loan Repayment Assistance Fund, and instead sends the monies directly to the Oregon Judicial Department (OJD). Appropriates an unspecified amount to OJD for the program. Limits administrative fees for the Oregon State Bar (OSB) to 5% of the funds. For eligibility, adds that the attorney must: reside in Oregon, provide qualifying public defense services in Oregon, and must commit to a minimum of three years of service. Allows for full or part-time work, to be determined by the OSB. Modifies the definition of "public defense attorney." Takes effect on the 91st day following adjournment sine die.

### **BACKGROUND:**

House Bill 4007 is a placeholder measure.