



February 9, 2022

Chair Prozanski, Vice-Chairs and Members of the Committee,

My name is Britt Conroy, and I serve as Public Policy Director of Ecumenical Ministries of Oregon.

I join you today in partnership representing a statewide association of denominations, congregations and interfaith partners. In addition to the work of our members, EMO itself proudly offers direct service programs, including SOAR Immigration Legal Services, which has been providing culturally competent immigration legal representation for the last 30 years.

We affirm all of the reasons for the creation of SB 1543, the benefits its promises for the fathers, mothers, children, youth with different status who are at risk of deportation, and welcome in due time the stories of their successes.

What will help guarantee those successes will be a seamless navigation of support, a continuity and precision of legal counsel and due process under universal representation in consultation and coordination with all partners and organization involved.

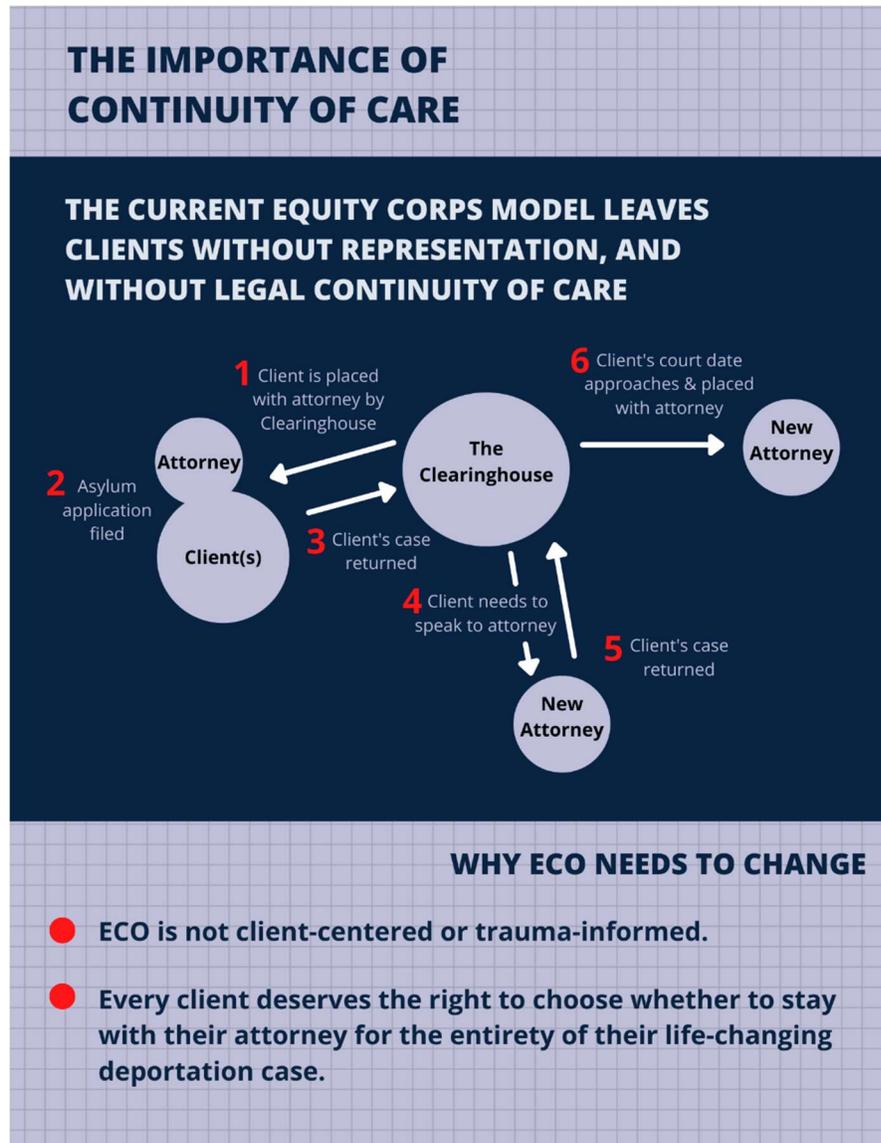
We offer three clear pathways to do so and ask this committee to consider our proposed amendments to ensure early continuous representation and the other client protections.

For the past three years, EMO and our partners have participated in the Equity Corps program, which would be expanded under SB 1543.

Last spring, we thanked our legislative partners for their tireless efforts to improve this proposal, did not oppose the bill and stated in written testimony and in every meeting with legislators since that the community deserved for the bill to be made stronger. Since the failure of HB 3230 in the 2021 session, the need for these improvements have been underscored by client testimonies, the insights of national immigrant rights partners and the rollout of ECO bridge funding that required legal service providers to push back against proposed standards and guidelines that would have harmed clients.

Clients who participate in the Equity Corps model tell us they feel they do not have agency over their deportation cases, or often even a sense of the status of their case. Under ECO, every individual with legal needs moves about in the program not in a trusted attorney-client relationship, but as a list of case tasks or phases.

The below slide shows how, once a client enters the system through the clearinghouse, they are bounced from legal service provider to provider with this task-based approach, with months or years without representation at all.



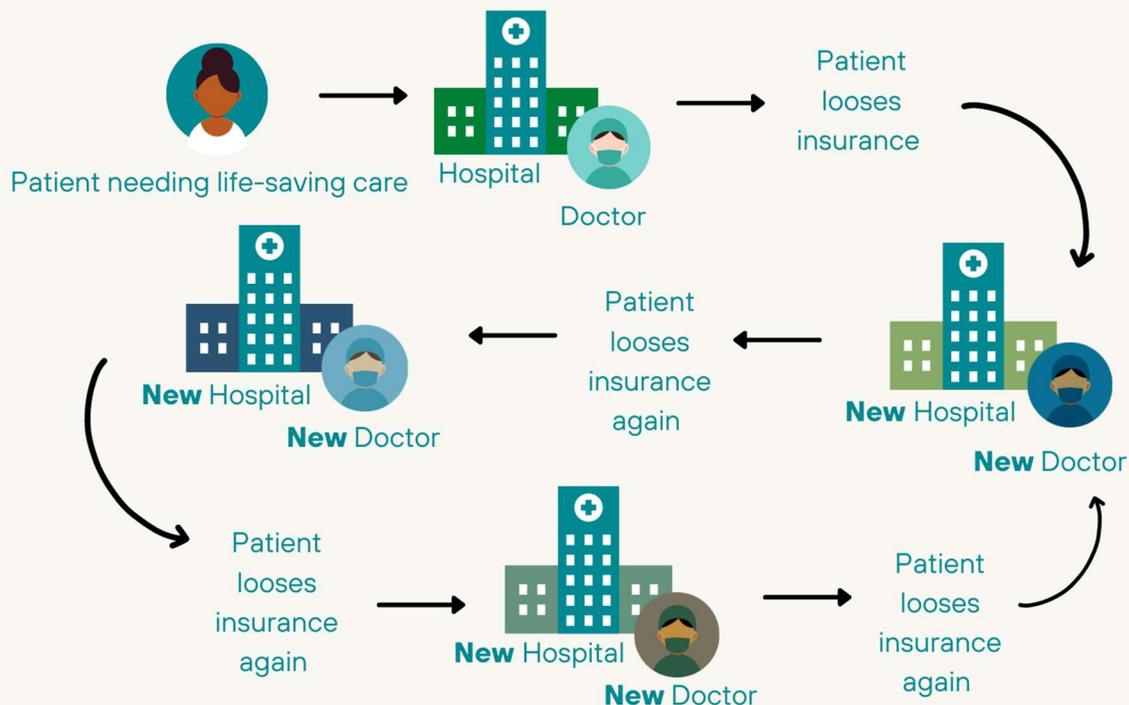
If Oregon used this approach for our low-income neighbors in as desperate need for healthcare as ECO clients are in desperate need for legal representation, this is what it would look like:

The Importance of Continuity of Care

THE CURRENT EQUITY CORPS MODEL

Bounces clients between attorneys - and periods of no representation at all

What ECO would look like as a healthcare model:



WHY ECO NEEDS TO CHANGE

- 1 ECO is not client-centered or trauma-informed.
- 2 Low-income Oregonians in deportation proceedings enrolled in this state program for free legal representation have been so concerned by this clearinghouse shuffle and losing representation that some have simultaneously been in ECO and hired their own attorney.

In Oregon, we have learned that continuity of care, started early in a patient's illness, results in better outcomes and dignifies the patient themselves.

In deportation proceedings, the same is true. The Vera Institute for Justice, the national leader in advancing locally funded universal representation programs, notes that, of the 50 state and local universal representation programs in the country, only Oregon has a program that shuffles clients and their cases in this way. As Vera outlines in the attached document, continuity of representation helps to:

- Achieve the best possible outcomes;
- Avoid retraumatizing clients;
- Achieve faster outcomes;
- Advance a more racially-equitable representation system; and
- Promote sustainable and scalable representation programs.

For EMO, no client should be removed from their attorney and placed with another attorney without deciding to do so themselves.

This morning you will hear directly from or stories about community members who benefitted from an attorney who helped navigate the legal version of the maze you see before you, victories for the community indeed.

In testimony, you will also hear from community members that need representation – including from individuals desperate for representation even though they are enrolled in ECO.

We are asking this committee to consider our proposed amendments to ensure early, continuous representation and other client protections, including: 1) continuous representation; 2) a transparent and shared intake and case distribution system, and 3) neutral and experienced oversight with the best practice standards and accountability measures.

The legislators who worked to craft SB 1543 did so with compassion and community values we share, and we want to lift up the portions of this bill that would bring new attorneys and new organizations to this work.

EMO stands ready to faithfully carry out the portions of the current bill that involve our organization, and at the same time we ask members of this committee to strengthen the bill while it is entrusted to you.

Thank you.

Sincerely,

Britt Conroy
Public Policy Director
Ecumenical Ministries of Oregon

Attachment Below

Continuity of Representation

A Critical Component of Immigration Representation Programs

Over the last fifteen years, the Vera Institute of Justice has designed, administered, and supported universal representation programs at the local, state, and federal level that advance [universal, zealous, person-centered representation](#) for people in immigration proceedings.

A key component of the programs Vera has administered and supported is **Continuity of Representation** – legal representation that begins as **early** as possible in immigration proceedings and is **continuous** with the same legal service provider, to the extent reasonably possible, through the conclusion of proceedings.

Continuity of representation helps to:

- **Achieve the best possible outcomes:** Given the complexity of immigration proceedings, legal service providers need time to build relationships with clients, investigate the facts and potential avenues for relief, and develop a strong and comprehensive legal defense. Because the facts underlying immigration proceedings are often deeply personal and traumatic, it can take time for clients to feel comfortable sharing information with their attorneys that may be critical to their defense.
- **Avoid retraumatizing clients:** Continuous representation reduces the traumatic impact on clients of having to repeatedly relive past traumas with different attorneys at each stage of proceedings.
- **Achieve faster outcomes:** The ability to identify and act on sensitive information disclosed by a client as early as possible is key to presenting a strong defense, and in some cases can result in termination of removal proceedings altogether.
- **Advance a more racially-equitable representation system:** While *Gideon v. Wainwright* established the right to representation in criminal proceedings, its [failure](#) to mandate the structural conditions necessary for zealous defense – including the resources and reasonable caseloads necessary to facilitate continuous representation – has disproportionately harmed Black and brown people in the criminal legal system. Immigration representation systems must avoid repeating those mistakes and compounding the harm already faced by Black and brown immigrants in removal proceedings.
- **Promote sustainable and scalable representation programs:** Even where funding may not be sufficient to immediately meet the entire need for representation, providing early, continuous representation for as many people as possible sets the foundation for a scalable and sustainable program.

Also referred to as “vertical representation,” continuity of representation is a best practice of federal, state, and local immigration representation programs, and is one of the American Bar Association’s [Ten Principles of a Public Defense Delivery System](#). And it is critical to avoiding the worst potential outcomes of immigration proceedings, which include family and community separation, exile from home, and forcible return to persecution, torture, or even death.