



**Testimony of the Oregon State Bar
In Support of House Bill 4007
House Judiciary Committee**

February 10, 2022

Chair Bynum, and members of the Committee,

Good afternoon, my name is Ankur Doshi and I am the General Counsel for the Oregon State Bar. Thank you for the opportunity to speak in support of HB 4007 and the proposal to create a specific loan repayment assistance and forgiveness program for public defenders in Oregon.

Overview. The Oregon State Bar (OSB or bar) is an instrumentality of the Oregon Supreme Court and a public corporation with over 15,000 active members. Under the Oregon Supreme Court rules and statutory language, the mission of the OSB is regulate the legal profession and improve the quality of legal services; support the judiciary and improve the administration of justice; and advance a fair, inclusive and accessible justice system. For the 2022 Legislative Session, the bar's legislative priorities are funding for the courts, civil legal services, and indigent defense.

The OSB is a regulatory entity within the Oregon judicial branch, similar to regulatory agencies housed in the executive branch. Under the direction and guidance of the Oregon Supreme Court, the bar licenses and disciplines lawyers and performs other functions to benefit the public. Membership is mandatory for all Oregon lawyers who must apply and be accepted for admission, participate in a two-year mentorship program, complete 45 hours of continuing mandatory legal education every three years, adhere to the Oregon Supreme Court's Rules of Professional Conduct, and, if appropriate, accept suspension or disbarment from practicing law for violation of those Rules.

Oregon State Bar Loan Repayment Assistance Program. As part of the OSB's access to justice efforts, Oregon lawyers have funded a Loan Repayment Assistance Program (LRAP) through the bar since 2007. The mission of the OSB's LRAP is to attract and retain public service lawyers by helping them pay their educational debt. Currently, the program distributes a forgivable loan of \$7,500 per year to a qualifying attorney for three years to aid in the repayment of educational debt. Attorneys who qualify to participate for the Oregon LRAP program include public defenders, private public defense contractors (if it is their full-time work), deputy district attorneys, practicing attorneys with civil legal aid organizations, and attorneys working for other private non-profit organizations providing direct legal representation of low-income individuals.

The program is now in its 16th year of providing forgivable loans to lawyers pursuing careers in public service law. Since inception, 180 public service attorneys have been selected to participate in the program and approximately \$1.5 million in loans have been forgiven.

The OSB LRAP program is overseen by the Oregon State Bar Board of Governors and the OSB Loan Repayment and Assistance Program Advisory Program Advisory Committee who provide fiscal and regulatory oversight. The program is governed in accordance to the Loan Repayment Assistance Program Policies and Guidelines.

In addition, the Oregon State Bar has been providing fiscal oversight for legislative funding for civil legal services since the late 1990s. During the last biennium, this funding totaled over \$12 million.

The bar and its leadership recognize that the public defense system in Oregon is currently facing unique challenges. Providing loan repayment and forgiveness assistance is one way to attract and retain experienced, committed, and passionate public defenders. If called upon to do so by the legislature, the Oregon State Bar, working with its partners, will manage the distribution of state funds for student loan repayments to public defenders in Oregon through a loan repayment assistance program.

Rural Public Defenders. Rural counties have often found it especially difficult to attract attorneys and public service attorneys in particular. In 2019 the OSB Board of Governors changed the LRAP eligibility rules specifically to help ensure that more public defenders, especially in rural areas, were eligible for the program. Many rural counties do not have public defender offices, and it is very often not possible for an attorney's practice to be 100% court appointed cases.

The OSB represent attorneys in all corners of Oregon, and recognizes that the realities of rural practice are often very different than urban practice. The bar supports structuring this program in a way that encourages attorneys to serve as public defenders in all parts of the state.

Thank you for allowing the Oregon State Bar to testify today, and we look forward to continuing our work together.