

**Testimony before the Senate Judiciary Committee  
in support of SB 306  
On behalf of the Oregon State Bar  
January 18, 2023**

Chair Prozanski and Members of the Committee:

My name is Ankur Doshi. I am the General Counsel for the Oregon State Bar. The Oregon State Bar (OSB) is a public corporation and an instrumentality of the court with over 15,000 active members. The Oregon State Bar serves the public interest by regulating the legal profession and improving the quality of legal services; supporting the judiciary and improving the administration of justice; and advancing a fair, inclusive and accessible justice system.

**Background**

I came here today to provide a little bit of background on the process that the Oregon State Bar went through in developing the Licensed Paralegal proposal that went to the Oregon Supreme Court, and then to explain what the bar has done since then in response to the court's directives.

As President Donaldson mentioned in her testimony, in 2017, the OSB's Futures Task Force recommended the creation of a limited-scope license for paralegals. They recommended that these licenses should be limited to family law cases and landlord-tenant cases because both see extremely high rates of self-represented litigants in our courts.

In 2019 the OSB Board of Governors authorized the creation of a Paraprofessional Licensing Implementation Committee. The committee was chaired by two senior judges, and included two paralegals, two lawyers who practice family law, two lawyers who practice landlord-tenant law, one member from the New Lawyers Division and one public member.

That group met for the first time on September 21, 2020 and proceeded to meet over 30 additional times between then and the spring of 2022. The meetings were often attended not just by the 10 official committee members, but by a diverse group of advisory members, as well as members of the public who provided invaluable insight. In addition, most of the committee members held numerous additional smaller workgroup meetings to create the initial draft recommendations.

**Reports and Public Comment**

The Committee provided a preliminary report in November of 2021, and a [final report](#) in April of 2022, both of which were presented to the OSB Board of Governors. The [final report](#) is available on the OSB website, and linked in my testimony. The BOG took in person and remote comments from other lawyers and the general public on several occasions, including at their November 2021, February 2022 and April 2022 meetings.

The Bar took public comments on the proposal in several ways. Between November of 2021 and June of 2022 the OSB had a public comment form active on our website. During that time, the bar received over 500 comments through that form. Additionally, the bar took comments by email throughout the process. We received close to 150 additional comments by email. The bar also conducted a separate survey in 2021 that primarily targeted paralegals and students that garnered about 250 responses. That survey was aimed at gauging interest and expectations from the paralegal community.

Another valuable source of input the bar received was a research report the bar commissioned Lara Media to produce in January of 2022. That report focused primarily on potential impact of the program on groups that have been historically under-represented by the legal community, including individuals for whom English is not their primary language. The report was based on focus group conversations conducted in English and Spanish, as well as on a survey conducted by Lara Media. [The report is linked in my testimony](#), and was included in the April 2022 PLIC Report.

### **Supreme Court and Rulemaking**

The proposal was submitted to the Oregon Supreme Court on July 11, 2022. The court adopted the proposal and instructed the OSB to go forward with a July 1, 2023 implementation date.

In preparation for the July 2022 meeting of the Supreme Court the OSB created draft Rules for Admission and Rules of Professional Conduct for LPs, as well as necessary amendments to the bar's MCLE rules and Rules of Procedure. These rules were posted for public comment on May 11, 2022, and the responses during that period were provided to the Court. A number of changes were made to the rules based on public feedback throughout the entire process.

The OSB Admissions Department is continuing to develop the application process for LPs, which will include many of the same steps that attorneys go through. This includes an ethics examination, as well as completion of an examination to demonstrate basic competency. Applicants will also go through the same character and fitness process required of attorneys.

Additional background information on the proposal and steps the bar has taken in development of the program can be found on the Oregon State Bar's website at [www.osbar.org/LP](http://www.osbar.org/LP).

We are looking forward to continuing to develop this new license throughout the spring and summer. Thank you for your consideration of SB 306. I am happy to answer any questions.