

**Testimony before the Senate Judiciary Committee
in support of SB 627
On behalf of the Oregon State Bar
January 26, 2023**

Chair Prozanski and Members of the Committee:

My name is Sam Palmer-Simon. I am the Immigration Legal Services Program Manager at the Oregon State Bar (OSB).

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.

Equity Corps of Oregon (ECO) Bridge Stewardship

In December 2021, OSB entered into an agreement with Innovation Law lab (ILL) “to provide fiscal and regulatory oversight for legal service providers receiving bridge funding and providing legal representation to individuals referred by the Equity Corp clearinghouse.” In January and February 2022, OSB entered into contracts with five organizations to provide removal defense representation.

Our involvement in this program, the ECO Bridge initiative, has brought us into close collaboration with Innovation Law Lab and Oregon Worker Relief, all while developing a foundation that will strengthen the quality and efficiency of organizational immigration legal service delivery under SB 1543. An abbreviated timeline of our efforts includes:

Immigration Legal Services Program Manager Onboarding (March – September 2022)

Hired Immigration Legal Services Program Manager with experience as an immigration legal services administrator and as an immigration attorney. From June through September, Manager conducted wide-ranging outreach to stakeholders across the state.

Program Design (June 2022 – September 2022)

Connected with universal representation program developers from other states including California, Maryland, and New York to learn from their efforts and share our own. Hosted a

program design session with the ECO Bridge providers to gather their feedback from the prior months of service and seek their input on the contours of SB 1543 programming

ECO Design Spring and ILL Partnership (ongoing)

Established a partnership with ILL through regular meetings and participated in ILL's "Design Sprints" to consider lessons learned from the initial stages of the ECO program and to brainstorm programmatic additions as the programming evolved. OSB continues to meet regularly with ILL to ensure SB 1543 programmatic offerings are complementary and supportive of one another.

Provider Capacity Assessment (July 2022 – August 2022)

Gathered information on organizational staffing, policies, program design and understanding of service gaps.

Operational Manual (August 2022)

Issued an operational manual for contracted providers outlining programmatic policies and procedures, including workload standards, reporting requirements, and other contractual expectations.

Standards and Guidelines (August 2022 – February 2023)

Convened workgroup of 21 Oregon immigration legal system experts to draft immigration practice standards and guidelines. The practice specific guidelines will incorporate the well-established LSP Standards and Guidelines and be used to ensure high-quality organizational delivery of services.

SB 1543 Implementation Plan

With its funding allocation, the OSB LSP is funding a continuum of coordinated immigration legal services, building capacity and stability at immigration legal aid organizations, and strengthening best practices in immigration services delivery across Oregon. OSB's goals are to:

1. Assist as many clients as possible who are facing deportation, while ensuring they receive the dignity of representation and safeguarding of their due process rights, regardless of case outcome;
2. Foster a culture of sustainable, high-quality immigration legal services delivery at both long-standing immigration non-profits and newer entities; and
3. Expand access to those high-quality services for Oregonians outside of Multnomah County.

With those goals in mind and building upon lessons from past program phases, OSB will distribute the funds over the following categories:

Full Scope Representation - A cohort of immigration civil legal aid organizations will receive funds to provide not only deportation defense, but also representation in other matters, helping growing the menu of legal assistance options available to program clients and providers.

Limited Scope Representation Clinics and Helpdesks - Brief service immigration legal clinics will provide limited scope representation and legal consultations to immigrants in Oregon. The clinics are a complement to the full scope direct representation program.

Capacity Building - The organizations that receive funding for the direct representation and/or limited scope components will also be eligible for one-time capacity grants. These short-term grants will provide the organizations with an opportunity to build capacity in a needed area of infrastructure.

Continuing Immigration Legal Needs

While SB 1543's investment in immigration legal services will allow us to build significant capacity across the State, the need to fund services will continue to exist, and almost certainly expand, for years to come.

Year over year, the Immigration Court's docket compounds and continues to be mired in gridlock. In 2022, over 4,000 new cases were docketed with the Portland Immigration Court, with 5,431 unrepresented Oregon resident cases pending at year's end. Examining this deep backlog alongside the fact that the average case remains with the Immigration Court for over two years, a client served today will require legal assistance for many years to come, even as new client needs present themselves to an overburdened service provider network.

The need for all types of representation – a prophylactic form of legal counsel intended to ensure more Oregonians are not placed in deportation proceedings – will similarly broaden and remain unmet without additional resources. Over 213,000 Oregonians are either eligible to become citizens, are eligible to change immigration status, or are undocumented. Meanwhile newly-arrived immigrant groups from the Ukraine, Afghanistan, and Haiti (amongst other nations) come to us with fresh immigration legal needs often requiring immediate attention. To reach these residents, assess their immigration eligibility, and provide the nuanced and necessary assistance that their immigration cases demand will require substantial programmatic, staffing, and infrastructural investment.

The passage of SB 627 is a necessary step towards addressing these and a great many other community needs, while safeguarding and sustaining the impactful investments brought about by SB 1543 and the programming that preceded it.

Thank you for your consideration of SB 627. I am happy to answer any questions.