

**Testimony of Sr. Judge Kirsten Thompson  
in support of SB 306**

March 16, 2023

Chair Kropf and Member of the Committee:

I submitted testimony in support of SB 306 at the time of the Senate hearing on this measure in January 2023. I write now to voice my continued support of SB 306, set for hearing before the House Judiciary Committee on March 16, 2023. SB 306 provides the necessary legislation to regulate and authorize associate members of the Oregon State Bar to provide limited service to clients in the high need and high-volume areas of Family Law and Landlord Tenant law.

As the chair of the Paraprofessional Licensing Implementation Committee from 2020-2022, I witnessed (and participated) in the incredible work and care poured into this important effort. The committee included experienced Family Law and Landlord Tenant attorneys, experienced paralegals, representation from the New Lawyers Division, a public member, Vice Chair Sr. Judge Dan Harris, and myself. Our advisory group included Community College representation, interested attorneys, LLLT licensees from Washington State, the Professional Liability Fund, public interest attorneys, Oregon State Bar staff, representation from the Oregon Trial Lawyers Association, Solo and Small Firm Section of the Bar, and others. We were tasked with creation of an implementation plan for licensure of paralegals to provide direct service to clients recommended by the Futures Task Force to the Oregon State Bar in 2017.

Survey results show that 84% of lower income Oregonians with legal needs are unable to receive assistance. Oregon Judicial Department records show that 83% of all parties

in landlord tenant (FED - eviction) cases are unrepresented, and 71% of all parties in dissolution of marriage cases are unrepresented, while 55% of all parties in “other family law matters” are unrepresented.

As a full-time judge for 17 years in Washington County (2002-2019), and continuing now as a senior judge throughout the state, I have seen countless unrepresented parties confused and overwhelmed by complex court procedures, and unable to afford an attorney. For many folks, the assistance of a trained paralegal, who can provide support in navigating the legal system, including drafting statutorily compliant orders and judgments would make a world of difference. The addition of licensed paralegals, would provide a mechanism for law firms and clinics to extend services to a larger potential number of clients, much as Nurse Practitioners are able to extend services in the world of medicine. At present there is no interim step between full representation, and no representation. Licensed paralegals would be a meaningful step toward bridging the existing gap in legal services, and would be a boon to our busy court system.

Both family law and landlord tenant law are form driven and governed by statutes and regulations which are updated on a regular basis. Trained and licensed paralegals could provide excellent client service in routine matters while reserving higher risk and more complex matters to licensed attorneys. Required training, continuing education, and insurance will help to assure consumer protection. A critical part of the training is the duty to refer cases not appropriate for limited scope service as well as cases which are outside the licensee’s area of specialty. There is broad public support for licensure of paralegals to assist the public in these areas.

The PLIC’s work was received and approved by the Board of Governors for the Oregon State Bar for submission to the Oregon Supreme Court in July 2022. The Court unanimously approved the proposed program rules in August 2022. SB 306 clarifies existing statutes to include licensed paralegals as part of the framework of client protection and attorney regulation.

I urge you to approve this proposed legislation.

Respectfully,

Kirsten E. Thompson, Sr. Judge / Mediator  
Chair Paraprofessional Licensing Implementation Committee