

February 7, 2024

Senate Committee on Judiciary

RE: Support for Senate Bill 1575

My name is Thomas Robbins representing YGH Architecture, a firm with offices located in Portland, Oregon and I am writing today in strong support of SB 1575.

'Duty to defend' clauses in professional service contracts are an unnecessary burden on Oregon's design professional community. These clauses hold architects, engineers, and other design professionals financially responsible for the legal defense of others, even when the design professional is not at fault. Additionally, professional liability insurance does not cover 'duty to defend' clauses, increasing the risk and expense design firms must consider when pursuing a project. The result is a dampening effect on Oregon's design community, reducing competition, and creating barriers to entry.

At YGH, our work is primarily focused on institutional and public projects, and we believe both our projects and our communities are strengthened by collaborating with emerging small businesses and women and minority owned firms. But 'duty to defend' contract language can be prohibitive not only for our firm, but for our partners' firms as well.

SB 1575 addresses the unfair burden placed on design professionals by 'duty to defend' clauses. Our firm supports the proposed legislation and urges this committee's consideration and support.

Sincerely,



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