



**Testimony of the Oregon State Bar  
In Opposition to SB 800  
before the Senate Committee on Finance and Revenue**

January 27, 2025

Chair Meek, Vice-Chair McLane, 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 OSB 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.

**SB 800**

SB 800 raises a number of concerns for the Oregon State Bar, and we are unable to support the bill in its current form. As we have previously discussed with the Oregon Department of Revenue, the names and physical addresses of legal professionals licensed by the bar are a matter of public record.

We understand the department's legitimate need to receive this information in a format that is more convenient to them than the database available to the public on our website. For that reason, we have no objection to providing this information either upon request, or on a regular basis. We have provided the Oregon Department of Revenue with those lists several times, including last year, without any issue.

**OSB Records**

As written however, the bill would also require the bar to provide the department with the Social Security Number or federal employee identification number of each licensee. We do not maintain this information on OSB licensees, and it is unclear that we have authority to compel our members to provide it to us once they have been licensed. One of the few circumstances in which this information must be provided, is in an applicant's original application, to be used only as part of a character and fitness background check. Those records are not maintained by the Board of Bar Examiners after the admissions process is completed, and would be

confidential under ORS 9.210(4). Such information can only be disclosed under the rules of the Oregon Supreme Court.

Additionally, the bill requires the bar provide *“Any other information as the department may by rule require, in the format and manner specified by the department.”* The OSB collects a very limited amount of additional information on our licensees, and an open-ended requirement that the bar provide unknown information in the future is concerning. We also have concerns about securely maintaining such sensitive personal data on our members, when we ourselves do not need this information. At the very least, we anticipate the bar would have to expend considerable time and resources were we required to collect Social Security Numbers or other new information for all licensees.

### **Separation of Powers**

More broadly, the bar is concerned about being included in a bill that addresses occupational licenses issued by the Executive Branch. The Oregon State Bar is a part of the Judicial Branch of state government, and operates at the direction of the Chief Justice and the Oregon Supreme Court. As in most US states, the licensure of legal professionals in Oregon managed and regulated by the Judicial Branch.

While SB 800 does not purport to require the OSB to suspend licenses of legal professionals, it would mandate that the bar collect social security numbers, and potentially other information, from our licensees based on the rules of an Executive Branch agency. We are also concerned about the continued interest in requiring suspension of the license of legal professionals in the future. Any Executive Branch authority that could be used to mandate requirements for and suspend licenses issued by the Judicial Branch raises clear and obvious concerns about impacting this longstanding separation of powers.

We understand that this is not an intended outcome of SB 800, but wish to express again for the record our longstanding concerns with what could be seen as incremental steps in that direction.

Thank you for permitting us to submit this testimony after the hearing. If the committee has any questions or would like any additional information, we would be more than happy to provide it.

Sincerely yours,



Ankur Doshi, Oregon State Bar