

## **Chair Prozanski, Vice-Chair Thatcher and Members of the Committee,**

Thank you for the opportunity to provide supportive comments on SB 474 and for your attention to public defense in Oregon. My name is Alex Walsh, and I am a current student in the Lewis and Clark Criminal Defense Clinic. I participated in this clinic to gain real-world experience representing clients and to prepare for a career in public defense. Continuing funding for this program is a way for the committee to kill two birds with one stone by addressing the public defense crisis in both the short- and long-term.

**In the short term,** this clinic is directly addressing the most glaring consequence of the public defense crisis: Oregon's list of unrepresented defendants. In the 6 months since I started at Metropolitan Public Defender (MPD), I have had the distinct honor of working with 16 wonderful clients. Of those 16 cases, 9 have reached some form of resolution since being assigned to my supervising attorney and I (not that anyone's keeping score). While not every one of these 16 cases has resolved, that is still 16 less people sitting in purgatory waiting for someone to help them understand and do something about the legal challenges they are facing.

The most important function of a public defender is to understand how to address problems our clients do not, and some of the fulfilling work I've been able to do through the clinic is to litigate complex legal issues. In the last six months I've had the opportunity to file legal memoranda, argue motions before the court, and even prepare a full trial. But while each of these endeavors has immeasurably helped my in- and out-of-court advocacy, I want to focus on two examples of cases where I got to go beyond the standard job of getting a case and seeing it through to resolution.

For one of my clients, being a public defender meant helping someone work through legal issues while simultaneously helping them work through the addictions that have plagued their personal life for decades. This client and everyone close to them knew they had a good heart, but were struggling with reliance on substances which was directly getting them into trouble with the law. Through the resources available in the office, we were able to secure this individual in-patient treatment and sober housing to help them address the root causes that contributed to their criminal charges and start building a path to rehabilitation and self-improvement.

For another client, my job was to negotiate an agreement that best suited both them and the alleged victim of their actions. Oregon law allows for certain misdemeanor offenses to be dismissed through a civil compromise, where the victim of a crime and the person charged with it get to work together to determine the best outcome for all involved. For this client, I had the opportunity to meet with a representative of a major airline who told me that all their company had suffered was the loss of a plastic sign, and agreed that simple reimbursement for the damaged property was a much preferable alternative to prosecution of someone who was already struggling.

A rising tide lifts all ships. Beyond the clients directly helped through the clinic, degumming the system benefits everyone from public defenders to judges and prosecutors as well. While 16 people may seem like few when considering the thousands of people in Oregon

still waiting for representation, I am still only one student among ten others placed at MPD from Lewis and Clark. The committee should continue to fund this program because this funding goes directly towards improving the lives of people in Oregon facing the legal system without the resources to defend themselves.

**In the long term**, giving law students the ability to hone their skills in a practical environment as early as possible creates more effective lawyers. While law school is great for developing the research and writing skills necessary for any area of practice, this clinic offers a chance for participants to further hone those two fundamental pillars while also getting a head start on the skills law school cannot effectively teach. For each of those 16 clients I've had the pleasure of working with, the process involved hours of conversation both with my client and with the phenomenal attorneys working just across the hall.

With clients these conversations allow me to practice not only effective communication of legal concepts, but also the ability to truly listen to someone talk about their lives so I can best understand what their motivations are and how best to accomplish their goals. Law schools do what they can to offer simulation-based courses where you learn from a textbook to develop client relationships, but there is simply no alternative to the real thing.

With attorneys in my office, conversations present opportunities for one-on-one teaching that law school can be scant on. Anytime I have a question or problem in one of my cases, I can walk directly to my supervising attorney's office and have a 30 minute long conversation where I learn more about the specific problem they have, hear how it compares to other similarly situated clients, and leave with an exhaustive list of possible next steps. I owe each and every one of my accomplishments through the clinic to the tireless efforts of my spectacular supervising attorney and the other incredible people in this office who invest their time and energy into my improvement.

I have loved every minute of my time working for MPD. I came into law school knowing I wanted to use my JD for a career in Public Defense, but this clinic has given me the unique opportunity to confirm my desire and start improving my skills a full 2 years before I ever thought possible. I am already feeling confident in the basic skills necessary to do the job of a public defender, and continuing to work through the clinic ensures I will have a running start once I graduate and start to work as a licensed attorney. If you have not been convinced by any other justification outlined in this letter, I would argue that the simple opportunity for future students to enjoy this same privilege should be enough in and of itself.

I urge the committee to support continued funding for the law school public defense clinics through SB 474. By doing so, the legislature will ensure that more students receive the training they need to serve as public defenders, addressing a critical shortage of qualified attorneys and strengthening Oregon's justice system.

Sincerely,  
Alex Walsh