

OREGON STATE BAR
Alternative Pathways to Becoming a Lawyer Committee
May 1, 2018, Meeting Minutes

On May 1, 2018, the Alternative Pathways to Becoming a Lawyer Committee of the Oregon State Bar met; the following people were present in person or on the phone:

Vanessa Nordyke, Oregon State Bar President
Mark Johnson Roberts, Oregon State Bar Liaison
Troy Wood, Oregon State Bar Liaison
Danny Lang, Co-Chair
Judy Parker, Co-Chair
Laurie Cantelon
Ron Cheng
Elizabeth Davis
Dallas DeLuca
John Gear
Roy Koegen
Diane Thompson
Nathaniel Aggrey
Angela Lucero
Patricia Nation
Kasia Rutledge

I. Meeting

The Meeting was called to order at 3:03 pm.

II. April Minutes. Not yet distributed, but will be available for review prior to the next meeting. Members were encouraged to review materials, articles and agendas at the website: <https://taskforces.osbar.org/alternative-pathways/>

III. Introduction of New Members Angela Lucero and Patricia Nation

IV. Timeline Discussion of Report

Roberts: Has lots of experience with developing times. October is the due date to meet the November deadline for delivery to the BOG. He will post examples of past reports and the use of mediators in the process, a Regulatory committee report about para professionals, and different state procedures and recommendations, so we can get a big picture of what we need to do in Oregon.

In June we need to hammer out the two charges and the pros and cons.

In July we need to assign who will be writing the background.

In August we need to flush things out and make recommendations for the state and finalize and hand off our report to Troy and Mark to get it to the BOG in October. The BOG meets once a month and they want a written report. We can request to be put on the agenda to answer questions that may be presented when the proposal is being recommended and may be permitted to make a presentation to the HOD to discuss rule changes.

V. Connecting with Various Section Executive Committees to Consider Changes

Nordyke suggested the committee talk to as many people as possible to see how people feel about the proposal.

Committee members made commitments to reach out to their practice sections. Parker discussed with the real estate section members who thought it was a fantastic idea. Roberts will take care of getting the word out to the bar liaison for each section committee. Rutledge will discuss with the civil rights section and APEDI. Thompson will reach out to the local and national paralegal associations. Suggestion was made to also outreach to the Trial Lawyers Association, OWLS, OGLA, the Multnomah Bar Association, OMLA, to chat with non-attorney friends, and to develop a talking points. Nate Aggrey volunteered to prepare and distribute the talking points.

VI. Report of Conversation with Washington State Bar and Best Practices

Wood reported a 4-year degree is required to enter the program. Approximately 80 to 100 people are involved in the program, and 20 take the exam annually. The pass rate fluctuates and ranges from an 86% to 1/3 pass rate. Curriculum is the same, but the mentor/mentee relationship is the key to success. Program has been in existence for nearly a decade, but State has not seen the trend for improving access to justice. General rule is mentor is a family member or a person with a long-standing relationship. Trend is that mentee tends to stay with the firm where the mentor/mentee relationship developed.

Student pays to the bar \$5,000/year for the 4-year program. The Bar is not losing money on the program. There are no materials distributed by the Washington State Bar. The Committee runs the program for the Bar, and the admissions department prepares packages for the committee to review. Student must read a minimum of 12 books listed in the packet. Mentor is responsible for providing all of the tests which are graded by the mentor and delivered to the Bar once a year.

State tried to address the backlog of the demand for people who wanted to be lawyers, but has not really marketed to the schools that the alternative path might be more successful in improving access to justice.

Downside is because there is no degree, the license is not transferable between states.

The Washington model works well, is not as time consuming as law school, but is not something that you can rush through.

If this committee's charge is to make services more accessible to the general population and to diversify the bar, there is concern this may not achieve the anticipated goals.

VII. New Business

There was discussion about what the committee wants for Oregon, including educational requirements, and the number of years in a law office. Whatever this committee proposes, the BOG will be very interested in insuring the qualifications is something that they will feel comfortable with. Suspects they will support a 4-year degree.

Gear: Proposed minimal set of requirements be high school diploma, with a GED minimum. Wouldn't kick a 2-year post-secondary or military service or equivalent demonstration of ability to apply oneself to accomplishing a goal. Law school is not working for plenty of people on the main pathway. 80% of the need is not being met. Wants to define the program and improve the current situation.

DeLuca: Supply and demand is the issue here. Oregon needs an extra 1,000 lawyers a year. Wants to protect the public from attorneys who will screw up. Need minimum standards. Passing a Bar exam does not mean they know how to write, communicate, handle clients, run a business. Those you get through life experience.

Davis and Lucero are in favor of a 4-year degree as a minimum and want to establish Mentor qualities. The students will be learning from the mentors.

Cantelon: The average citizen has \$214 to fix their legal problems. Feels this program is not going to solve the economic issues.

Rutledge: We need to be aware of barriers, not reproduce the same barriers, and utilize the research on minimum education criteria examples. There has to be an acknowledgment to encourage support and welcome these new lawyers.

Roberts: Define attrition rate among lawyers in different states and believes process might work well for working mothers who have problems with being barred from law school. Wants to make sure those who graduate through the alternative pathways are employable at more than the mentor's firm.

Lang: Concerned with how mentors will be qualified and how to get them attracted to the program and suggested outreach to private organizations to create the materials. Washington relies on CLEs and that is one of the ways that mentors do provide that specific curriculum to the mentees.

Parker: Uncomfortable with proposing a program of going to a private organization to get the education. Wants to confirm the integrity of the process has checks and balances. The mentees

reported they received training for the criminal practice through CLEs either in person or online or a CD that their mentor brought in.

Lively discussion concerning the reason why lawyers are unemployable, the difference between equity and equality, and the unbundling legal fees. Want to assure new licensee is qualified, competent and ethical, avoid creating a different classification, and not limit job opportunities.

Committee was encouraged to:

- Focus and work as hard as possible on our charge.
- Share research and materials by getting uploaded to our site to avoid duplications of efforts.

The next meeting was scheduled for June 5th

VIII Adjourn.

The meeting adjourned at 4:50 pm.