

Public Defense Caseload Forecasting



October 4th, 2023. 1:30 – 3:30
Conference Room A, L&I Building

Agenda



- Introductions
- Workgroup Overview
- Senate Bill 337 and the Office of Economic Analysis
- Office of Public Defense Services:
 - Methodology
 - Data
 - Output
 - Use in contracting and budgeting
- Discussion: what exactly should OEA be producing?
- Next Steps
- Adjourn

Workgroup Overview



- Purpose of the workgroup is threefold:
 - Identify the nature of OEA's forecast output
 - Identify the data OEA needs to accomplish this and where it should come from
 - Determine the methodology for producing the forecast output
- Anticipating three meetings between October 4th and the end of January 2024 to complete work.
- The first OEA forecast is due on April 15th, 2024.

S.B. 337 Language



SECTION 7a.

(1) The Oregon Department of Administrative Services shall issue state public defense population forecasts including, but not limited to, **expected populations of adults and juveniles eligible for appointed counsel**, to be used by:

(a) The Oregon Public Defense Commission, in preparing budget requests or for any other purpose determined necessary by the commission; or Enrolled Senate Bill 337 (SB 337-C) Page 9

(b) Any other state agency concerned with the effect of public defense populations or policy developments on budgeting.

(2) The department shall issue state public defense population forecasts on April 15 and October 15 of each year.

S.B. 337 Language (pg. 2)



SECTION 7a.

(3) When the department issues a state public defense population forecast, the forecast must: (a) **Discretely identify adult and juvenile populations that are eligible for appointed counsel categorized by either circuit or appellate court;** (b) Identify the forecast's **margin of error for adult and juvenile populations;** and (c) Attribute growth or decline in the forecast, relative to previously issued forecasts, to specific policies or to specific components of the baseline underlying the forecast.

Public Defense Services – Forecast



Methodology

- Year over year growth %
- Unrepresented caseload
- Cases standards (appointed caseload)
- Application of weighted MAC
- Contract Types: Criminal, Juvenile, PCRCP, Statewide

Public Defense Services – Forecast



Data

- OPDS Contractor Monthly Caseload Reports
 - i. Timing of data collected
 - ii. Annualize FY23
 - iii. Projected vs contracted
 - iv. Other factors:
 - i. Murder co-counsel
 - ii. Specialty Courts/Dockets
 - iii. Conflicts/withdrawals
 - iv. Dependency/Termination (multiple attorneys)
- OJD's pre-trial dashboard
- US Census Data Population Growth (2020)
- Arrest State Police Arrest (CY2020-2022)

Public Defense Services – Forecast



Output

- See dashboard: ForecastProj_ContractsJuly2023 (pbix)
- See file: Projections_Contract_072023 (excel)

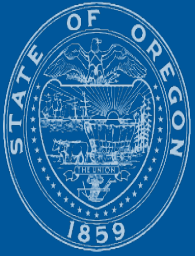
Use in contracting and budgeting – (Ralph Amador)

OEA Forecast Output

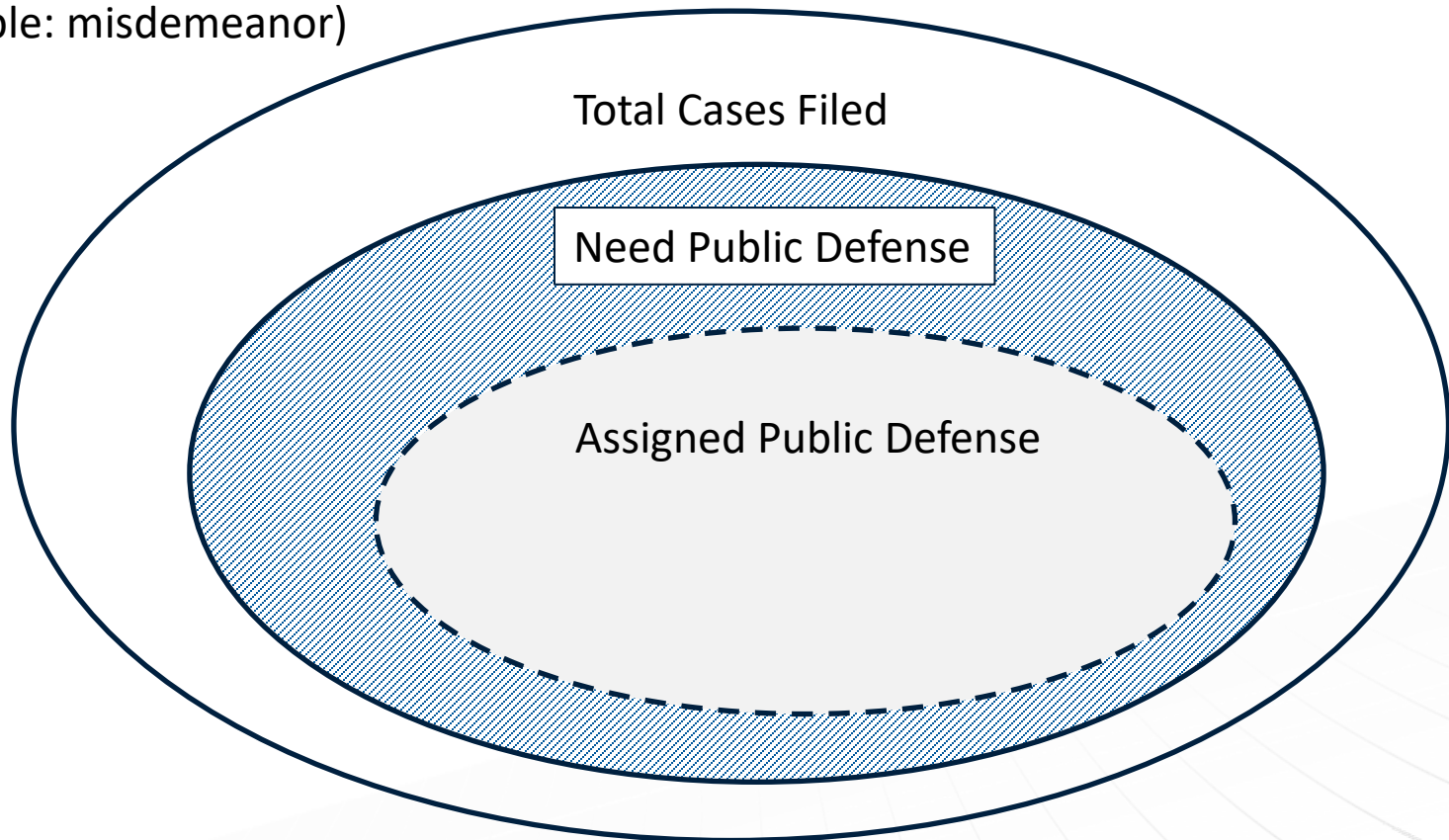



- Eligible population (juvenile vs. adult, circuit vs. appellate)
- Cases:
 - Criminal (Murder, Felony vs. misdemeanor, probation violation, court proceeding, specialty court)
 - Civil (Mental health, PSRB)
 - Juvenile (Delinquency, Dependency, PSRB)
 - Other Case Types (Habeas Corpus, Post-Conviction)?
- Other Metrics? Individuals needing representation?
- Forecast horizon and periodicity?

Conceptualization



Case Type X
(example: misdemeanor)



 Unrepresented "individuals".



Next Steps

- OEA will document the results of this meeting and distribute to the workgroup by October 13th.
- Schedule meeting 2:
 - Early December?
- Identify appropriate representation:
 - Will be delving into available data and sharing arrangements.

Contact Information

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