

Oregon Public Defense Commission

Chapter 404

Division 025

Agency Overview, Acronyms and Definitions

404-025-0300

Definitions

(1) "Case" means any action in this state in which an attorney has been appointed to represent or advise a client in a matter to which there is a right to appointed counsel at state expense.

(2) "Client" means a person determined to be eligible for representation by court appointed counsel at state expense.

(3) "Consortium" means a legal entity that subcontracts with two or more individual attorneys or other legal entities to provide legal services pursuant to a public defense services contract.

(4) "Contract" means an agreement between two parties for the purchase, lease, rental, or other acquisition or sale or other disposal of goods and services.

(5) "Contract administration" means all functions related to a given contract between OPDC and a contractor from the time the contract is awarded until the work is completed and accepted or the contract is terminated, payment has been made, and any disputes have been resolved. Contract administration includes amendments.

(6) "Contract analyst" means an employee identified as the agency's representative responsible for the Contract Administration and other related functions from the time a Contract is signed through Contract closeout.

(7) "Contractor" means any person or entity who has contracted with the Oregon Public Defense Commission (OPDC) to provide good or services.

(8) "Counsel" means an attorney authorized to represent a client in court, or before a judicial officer.

404-025-0300

Definitions

Proposed Effective Date: July 1, 2026

(9) “Counsel – Appointed” means an attorney who is identified by OPDC to represent a person at state expense, following a judicial determination that the person is financially eligible.

(10) “Counsel – Retained” means an attorney who is retained by or for a defendant, rather than appointed by the court, to provide legal services in a criminal or juvenile matter.

(11) “Defendant” means a person accused of the commission of a violation, misdemeanor, or felony.

(12) “Division” means a separate unit responsible for specific program administration or business operations, who formulate related initiatives and operational plans, and whose financial activities are tracked separately.

(13) “Executive team” means the Executive Director, Deputy Director, and Division administrators and any others as designed by the Executive Director.

(14) “Policy” means a set of doctrines intended to influence and determine decisions, actions, and achieve equitable outcomes, embracing the general goals of an organization. “Policies” indicate “what” needs to be done; “who” is responsible to execute and enforce the policy; and “why” the policy is required.

(15) “Procedure” means a set of established or prescribed methods to be routinely followed in the same order, to correctly perform a task by staff when executing activities of a business process. “Procedures” contain the details required to implement a policy.

(16) “Procurement” means the functions and procedures performed to acquire products or services, including purchasing, leasing, renting, or otherwise acquiring goods or services. “Procurement” includes functions and procedures undertaken or required to be undertaken by OPDC to enter into, administer, and obtain the performance of a public contract.

(17) “Proposal” means an offer submitted by prospective suppliers in response to a Request for Proposal (RFP).

404-025-0300

Definitions

Proposed Effective Date: July 1, 2026

(18) “Public Defense Attorney” means counsel appointed to perform legal services for financially eligible individuals as required by the Oregon Revised Statute, the Oregon Constitution, or the United States Constitution.

(19) “Request for proposals” means all documents, whether attached or incorporated by reference, used for soliciting proposals using either an informal or a competitive sealed proposal process in which award is based on a variety of factors.

(20) “Solicitation document” means a document, such as a Request for Quote, Invitation to Bid, Request for Proposal, or other document issued to invite offers from prospective contractors.

(21) “Statewide price agreement” means a contract established by the State of Oregon, Department of Administrative Services, Procurement Services (DAS/PS) for the purchase of goods or services or both by multiple state agencies and in some cases participants of the Oregon Cooperative Procurement Program.

(22) “Unrepresented person” means a person determined to be eligible for representation by court-appointed counsel at state expense and listed on the Oregon Judicial Department’s “OPDC Unrepresented” list, hereinafter referred to as the “OJD Unrepresented List.”

Statutory/Other Authority: ORS 151.216

Statutes/Other Implemented: ORS 151.216

History: