



PRESS RELEASE

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OPDC's action plan leads to sharp decline in unrepresented defendants

Unrepresented individuals dropped 66% over last 12 months due to special dockets, policy changes, targeted funding, Roberts ruling, and the hard work of public defenders

Salem, OR – The number of unrepresented defendants in Oregon has decreased significantly, and two former crisis counties have resolved their backlogs, thanks in part to a [seven-part plan](#) that the Oregon Public Defense Commission (OPDC) began implementing last year, and the dedicated work of public defenders across the state.

As of Aug. 31, there were 1,104 people waiting for an attorney, which is a drop of 66% compared with a year earlier, according to an [Oregon Judicial Department dashboard](#).

“The strategies in the plan have contributed to more stability within the public defense system and have improved access to counsel across much of the state,” said OPDC’s director, Ken Sanchagrin, adding, “Hard work by the extremely dedicated public defense community and collaboration with the courts and district attorneys’ offices have also helped bring down the numbers.”

Sanchagrin appeared before the [House Interim Committee on Judiciary](#) and the [Joint Emergency Board Interim Subcommittee on Public Safety](#) on Sept. 9 to provide an update on progress in reducing the number of unrepresented defendants. His presentations drew from a legislatively required [Status Report](#) that OPDC submitted to the Legislative Fiscal Office in August.

To reduce the number of unrepresented defendants and meet Governor Tina Kotek’s expectations, in June 2025 the agency unveiled the seven-part plan, which includes strategies to: expand the use of early resolution dockets; strengthen oversight of contracts; deploy OPDC’s public defenders where needed; and compensate experienced attorneys for voluntarily taking cases beyond their contractual caseload if they have the capacity to do so. Some of the actions in the plan could not be implemented until new, two-year contracts with public defense providers took effect in October 2025.

Below are key accomplishments since the plan's release:

- Coos and Marion counties are no longer considered crisis counties because they have maintained a status of zero to few unrepresented defendants.
- Only four of Oregon's 36 counties have high numbers of unrepresented individuals: Multnomah, Washington, Jackson and Douglas.
- 101 people were without an attorney in Washington County, eight of whom were in custody, as of Aug. 31, 2026.
- In the past 12 months, 16,479 cases entered unrepresented status and 20,399 exited unrepresented status. There have been more exits than entries in 11 of the past 12 months.

Reasons for the statewide decline include:

- Special dockets in Coos, Jackson, Marion and Multnomah counties helped, or are helping, to quickly resolve cases via plea offers. As of Aug. 31, 2026, these dockets had handled 1,012 cases, 615 of which were either resolved on the day of the docket or were assigned to a lawyer for continued representation.
- OPDC's [state-employed public defenders](#) have taken 2,733 cases in 22 counties since the start of the biennium on July 1, 2025. With four additional attorneys starting in OPDC's Northwest office between August and October, two of whom will focus on early resolution dockets, the agency expects to see continued improvement in Multnomah County.
- OPDC's assignment coordinators have found attorneys for 9,100 unrepresented cases since July 1, 2025, including 2,176 time-sensitive Betschart cases.
- OPDC and its providers have increased both the amount of Maximum Attorney Caseloads (MAC) in the system and MAC utilization rates. This was accomplished through a new program that compensates experienced attorneys for voluntarily taking cases beyond their contractual caseload; adding new providers and MAC to contracts; and clarifying contract policies to preserve MAC.
- OPDC is committed to growing the public defense workforce. It has worked with providers to hire cohorts of newly licensed attorneys; partnered with law schools on public defense law clinics; and developed policies to ensure sustainable success and growth of the Supervised Practice Portfolio Examination program.
- On Feb. 5, the Oregon Supreme Court ruled in [State v. Roberts](#) that courts must dismiss criminal cases when the defendants have been unrepresented for more than 60 days in misdemeanor cases and 90 days in felony cases. The cases can be refiled. According to OJD data, 2,296 cases had been dismissed due to Roberts and 529 had been refiled as of the end of August. Fifty-six percent of those dismissals occurred in February.

"While Roberts unquestionably has had an impact on the reduction of unrepresented cases and individuals statewide, the majority of the decline can be attributed to non-Roberts factors," Sanchagrin said.

He added that although progress has been made, much work remains. Going forward, OPDC will continue keeping a close eye on county-level numbers so it can quickly adjust should the number of unrepresented defendants increase.

"In the coming months," Sanchagrin said, "we will build on our progress and continue our efforts to create a more sustainable, accountable and data-driven public defense system while protecting Oregonians' constitutional right to counsel."