

# Oregon Public Defense Commission

## Key Performance Measures (KPM)

November 6, 2025

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# **2027-2029 Recommended Key Performance Measures (KPM)**

# 2027-2029 KPMS from 2026

- #1 **Appellate Case Processing** – Median number of days to file opening brief.
- #2 **Customer Service** – Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent", overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
- #3 **Best Practices for Boards and Commissions** – Percentage of total best practices met by Commission.
- #4 **REMOVED Trial Level Representation** – During the term of the OPDC contract, percent of attorneys who obtain at least 12 hours per year of continuing legal education credit in the area(s) of law in which they provide public defense representation.

# 2027-2029 KPMS from 2026 cont'd

- #4 Parent Child Representation Program (PCRP)** - Percent of PCRP attorneys who report spending approximately 1/3 of their time meeting with court appointed clients in cases which the attorney represents a parent or child with decision-making capacity.
- Need to determine a different metric
- #5 Percent of financially eligible individuals receiving a public defender with a target of 100%**
- This KPM is related to individuals identified as unrepresented by the courts, reflected in the Oregon Judicial Department (OJD) unrepresented dashboard

# 2027-2029 Recommended New KPM's

- **Percent of Timelines for key department activities that are met**
  - Agency creation of policies and procedures
  - Creation of Operational Guidance
  - Other key deliverables
- **Percentage of OPDC contracts that meet or exceed 75% or more of the contract requirements**

# 2027-2029 Recommended New KPM'S cont'd

- **Percentage of OPDC Oregon Trial Division (OTD) clients who report they feel more confident in their ability to improve their current circumstances because of working with a case manager**
  - Use exit survey to measure
  - We track what services are needed to what services they were connected with

# 2027-2029 Recommended New KPM's cont'd

- **Hire and Retain state trial level public defense attorneys**

SB337 -

- By January 1, 2031 - at least 20% of all appointed counsel at the trial level must be attorneys employed by OPDC
- By January 1, 2035 - at least 30% of all appointed counsel at the trial must be attorneys employed by OPDC

# Thank You





# Oregon Public Defense Commission

## Status and Comprehensive Legislative Report

Lisa Taylor  
Government Relations Manager

November 6, 2025



# Reports Presentation

1

## Report Overview

Report requirements, topics, crossover, and process.

2

## Report Sections

Report sections and the content, data, and topics discussed.

3

## Discussion

Commissioner feedback, highlights, points of clarification, and additional data requests.

# Status Report

The Public Defense Services Commission is directed to report to the Interim Joint Committee on Ways and Means in January 2026, and then subsequently to the Legislative Emergency Board in September of 2026, on the **unrepresented defendant/persons crisis**, including the implementation of the Commission's "**12-month plan** to address the number of unrepresented Oregonians." The reports shall also include information on Commission efforts to restructure **agency operations**, as well as intermediate and long-term planning efforts. The reports are also to include information on **changes to service delivery models**, by provider type, forecasted versus actual **caseloads**, cost factors, including **cost per case**, and a biennial **financial forecast**.

# Comprehensive Report

No later than May 15, 2024, the Oregon Public Defense Commission shall provide a comprehensive report on the **Commission's plan for providing public defense services in this state** to the interim committees of the Legislative Assembly related to the judiciary, in the manner described in ORS 192.245, that includes at least the following information:

- (a) **Financial projections** for the Commission based on anticipated workload;
- (b) A description of the Commission's proposed method for providing **public defense services** based on anticipated workload;
- (c) The establishment of **training and supervision** requirements for public defense providers;
- (d) Steps taken to determine a reasonable **hourly rate** for appointed counsel who are not employees of the Commission or nonprofit public defense organizations that accounts for overhead expenses; and
- (e) Steps taken to improve **oversight and enforcement** of statewide objective standards for the provision of public defense.

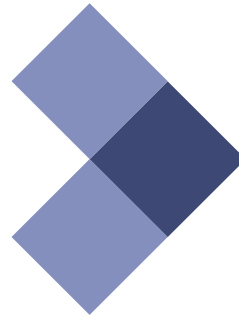
# Report Topics

At a high level, all the report topics fall into one of four categories.

01

## Unrepresented

Unrepresented numbers, trends, and interventions. Includes the update to the 12-month plan.



03

## Providers and Caseloads

Overview of provider types, qualifications and performance standards, and contract and caseload data.



## Agency Operations

Updates on work the agency is doing to modernize, including policy, rule-making, and Compliance, Audit, and Performance (CAP).



## Financial Forecasts

Financial information and forecasts based on caseloads, agency-wide financial forecast, and cost per case discussion.

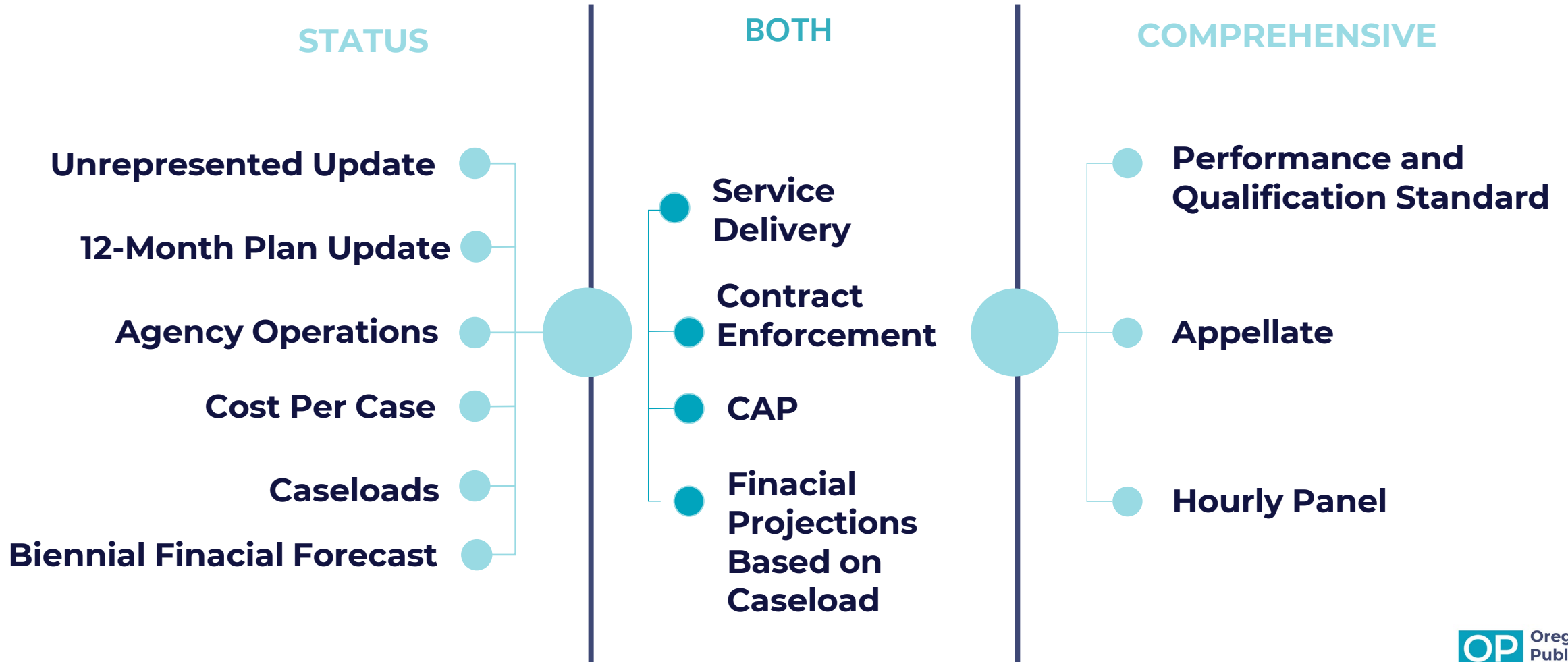


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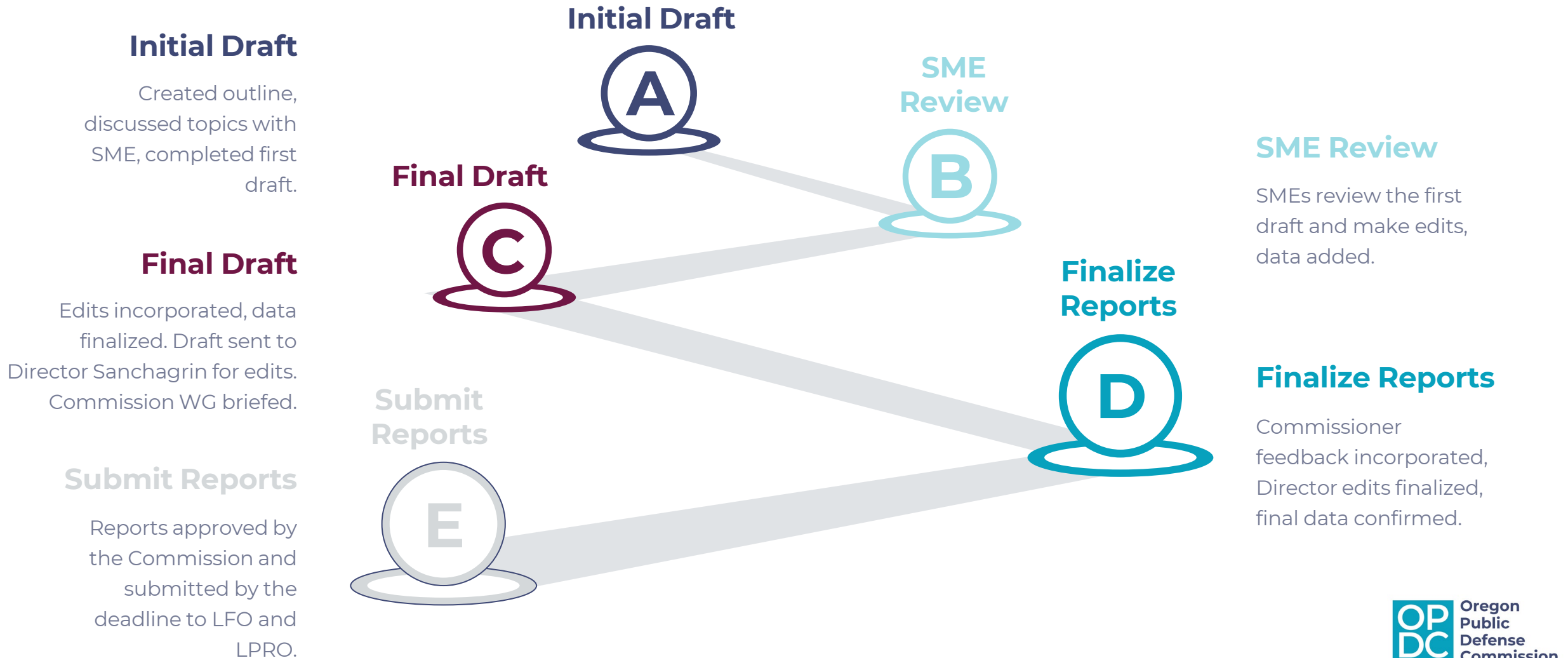
# Cross Report Topics

Both reports cover similar topics. We'll include the same language for both reports where appropriate.



# Report Process

Both reports are in the final draft stage, and Director Sanchagrin is editing. Reports are due December 5<sup>th</sup> and 8<sup>th</sup>.



# Unrepresented Report

## Highlights:

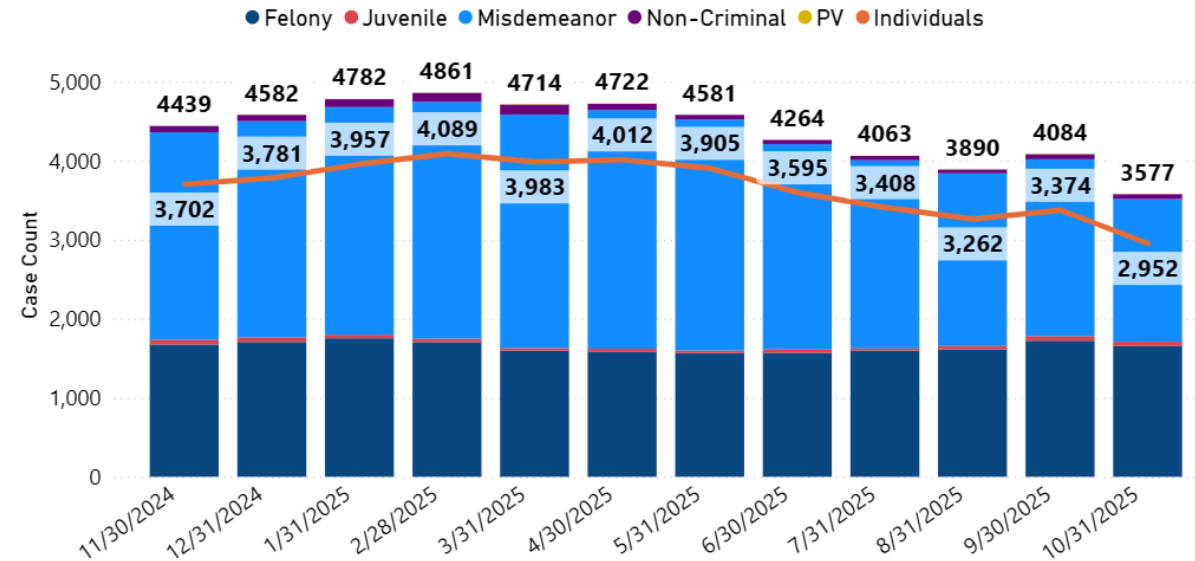
- Substantial reduction in the pretrial out-of-custody numbers over the past 12 months.
- Unrepresented individuals now under 3,000.
- Coos is at 0 in-custody, 1 out of custody;
- Marion and Jackson numbers are down significantly year over year.

## County Analysis:

- Analysis of the 6 crisis counties;
- Descriptions of trends;
- Highlights of interventions.

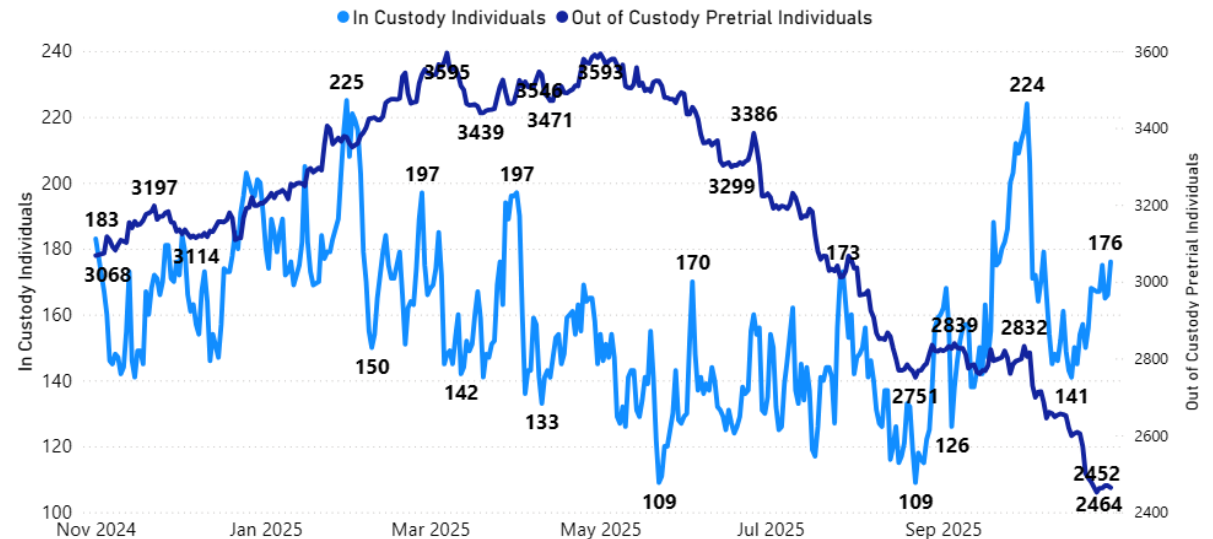
**Figure 1: Unrepresented Cases & Individuals (Excludes Active Warrants)**

Source: OJD Unrepresented Data



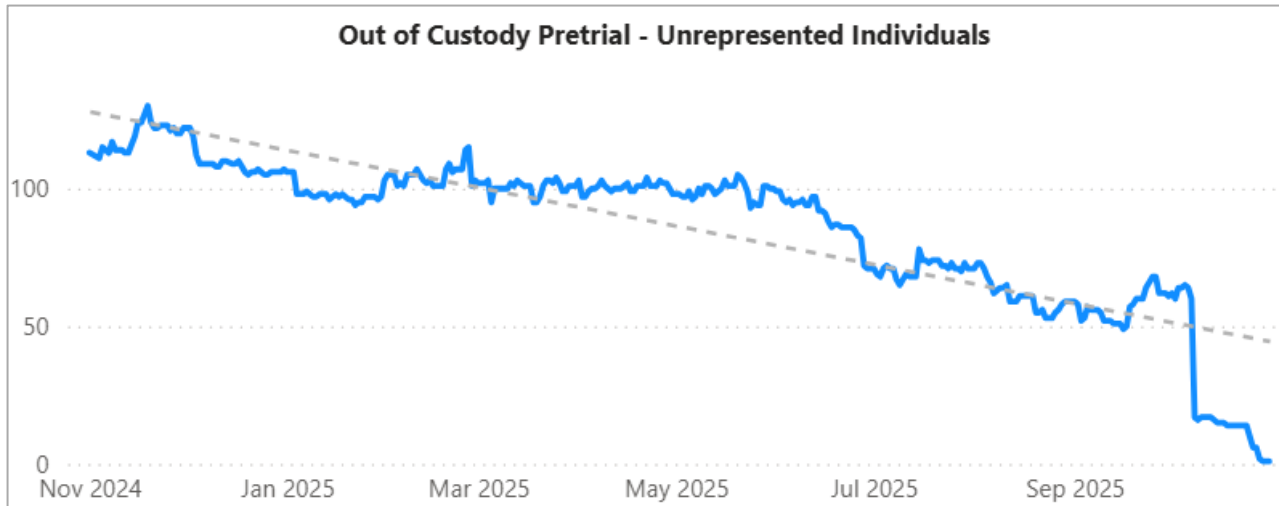
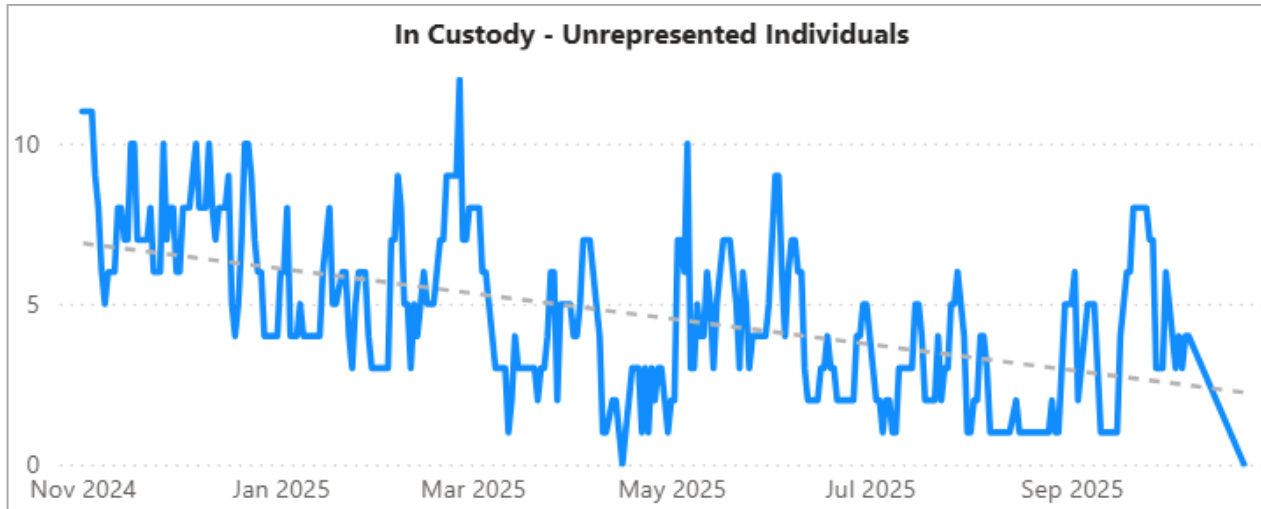
**Figure 2: Pretrial Unrepresented Individuals Trends**

Source: OJD Unrepresented Data





# County Analysis Data



**Table 2. Unrepresented Individuals Year Over Year Change (Coos)**

Category	11/1/2024	10/31/2025
Out-of-Custody	113	1
In-Custody	11	0
Probation Violation	5	1
Non-Criminal	2	1
<b>Total</b>	<b>131</b>	<b>3</b>

**Each county analysis includes the following data tables/graphics:**

- **In Custody Unrepresented Nov 2024-Oct 2025;**
- **Out of Custody Unrepresented Nov 2024-Oct 2025;**
- **Year-over-year comparison table with all unrepresented case types.**

# 12-Month Plan Update

The Status Report requires an update to the 12-Month Unrepresented Plan.

1. Enhanced MAC (up to 115%) – 42 attorneys voluntarily exceeding MAC, providing surge capacity in crisis counties.
2. Expanded Data Collection & Transparency – OPDC’s collection and use of data has significantly improved, as has the way that data is communicated. Future integration of the Financial Case Management System (FCMS).
3. Contract & Policy Adjustments – Structural contract changes have been implemented and are expected to generate additional MAC statewide. These are the policy changes approved in April 2025.
4. Cohort Hiring for Non-Profits – Allows non-profits to hire and train groups of new attorneys together, improving retention. New cohort beginning in December 2025.
5. Public Defense Law Clinics – OPDC is contracting with 3 law schools to handle over 1,000 misdemeanor cases.
6. Special Resolution Dockets – Active or in development in Coos, Jackson, Marion, and Multnomah Counties; shown to significantly reduce local lists.
7. Flexible Use of Oregon Trial Division (OTD) – State-employed attorneys deployed to counties with acute crises, showing measurable success in reducing backlogs.

# AGENCY OPERATION

11

The Status Report requires an update about agency operations; CAP is also pertinent to the Comprehensive Report.

## Compliance, Audit, and Performance

Formalized to ensure data-driven oversight and clear compliance protocols.

## Policies

Policy infrastructure built from 12 to 89 policies since 2024; 82 additional policies prioritized for adoption.

## Complaints

Active development of a complaint-handling system.

## Rulemaking

Rulemaking authority implemented for the first time under the Executive Branch, with the inaugural Rules Advisory Committee (RAC) completing its first rule package in early 2026.

# Providers

Overview of provider types

1

## Contractors

Contract providers include non-profits, consortia, and individuals or law firms operating under the MAC model.

2

## Oregon Trial Division

The OPDC OTD began in December 2023 and consists of full-time public defenders employed by the state who also operate under the MAC model.

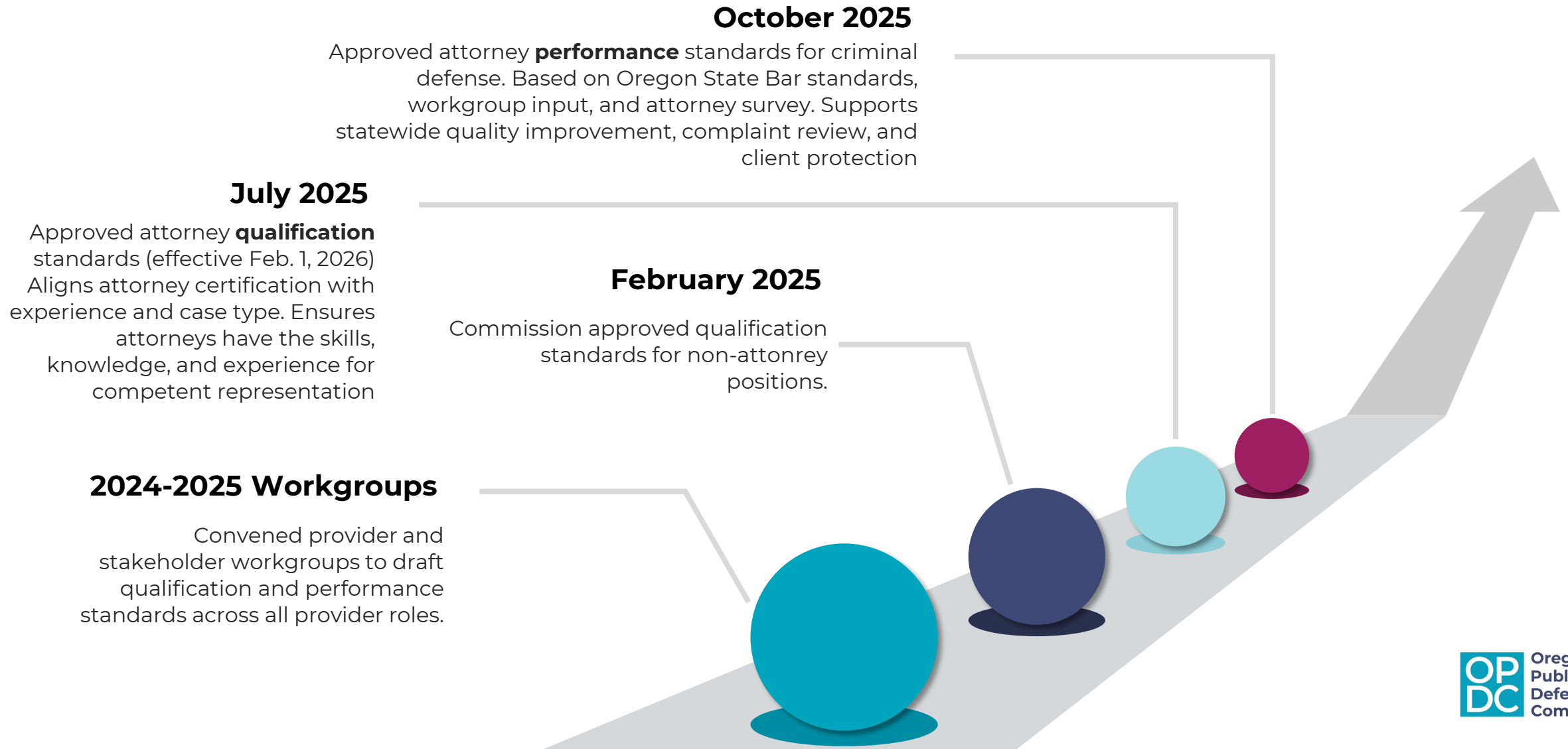
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## Hourly

Hourly providers take cases on an ad-hoc basis and submit bills based on the hours they work on a case.

# Standards and Qualifications

ORS 151.216(j) requires OPDC to set and enforce policies and standards ensuring all public defense providers deliver effective assistance of counsel statewide.



# Costs Factors

**Providers:** Updated tables will show total contracted MAC by provider type.

**Caseloads:** Report on 2023–25 caseload appointments statewide. Provide forecasted caseloads vs. caseload reported for the 2025-27 biennium so far.

**Cost Factors** and Cost-Per-Case: New analysis comparing hourly, contract, and OTD costs, marking OPDC’s first comprehensive cost-per-case study.

**Financial Projections:** A full biennial projection will show the estimated total cost to deliver services across all programs, integrating attorney, expert, and court-mandated expenses.

Table X:	Providers by Type
Provider Type	Total MAC as of 10/1/2025
Non-Profit	
Consotia	
Individuals/Law Firms	
Oregon Trial Division (State Employee)	
Total	

# Providers

Tables will provide the MAC and FTE for Adult, Juvenile, PCR, and Appellate, broken down by level.

Juvenile Trial Division - Statewide Contracts		
Type	Level	Contracted Oct. 1, 2025
Juvenile appeals	Attorney 4	
Murder	Attorney 4	
	Total	
Juvenile Trial Division -Supervision FTE		
	Supervisor-1	
	Supervisor-2	
	Supervisor-3	
	Supervisor-4	
	Total	
Juvenile Trial Division - Investigation FTE		
	Investigator	
	Total	
Juvenile Trial Total (Contracts, Statewide, & FTE)	Total	

# Caseloads

The status report requires forecasted vs. actual caseloads.

Caseload appointment data (as of July 29, 2024) for the contract cycle beginning July 1, 2023.

Criminal cases taken by contract providers:	78,477
Juvenile cases taken by non-PCRPP contract providers:	7,868
Juvenile cases taken by PCRPP contract providers:	2,647
Hourly providers at standard rate:	1,328
All cases taken through the	
Temporary Hourly Increased Program (THIP):	2,949
OPDC trial attorneys (state employees):	321
<b>Total appointments made since July 1, 2023:</b>	<b>93,590</b>

Forecasted vs Actual 2025-2027 biennium		
Provider Type	Forecasted Caseload 2025-2027 biennium	Cases taken July 1, 2025- September 31, 2025
Adult Trial	153,858	
Juvenile Trial	18,976	
PCRPP	10,233	
Hourly	9,015	
OTD	6,504	
Total	198,586	



# Cost Factor: Cost Per Case

- The Status Report specifically requires this;
  - Should be considered preliminary;
  - New analysis comparing hourly, contract, and OTD costs;
  - OPDC's first comprehensive cost-per-case study.
-

### Financial Projections Based on Caseload

- Financial projections about the cost of providing public defense services;
- Connect the cost to the provider types;
- Connect the projections to the cost factors discussed.

### Biennial Financial Forecast

- Budget forecasts for the agency as a whole;
  - Similar to the budget updates provided at Commission meetings.
-

# Discussion

# PCRPP Attorney Expectations

November 2025



# Background

- Commission requested OPDC produce increased expectations for PCRCP attorneys that comport with their increased access to resources and lower caseloads due to workload model.
- PCRCP Program Overview
  - Fulltime (1.0 FTE) attorneys carry 80 open cases at a time
  - Access to Case Managers on 10-15% of cases.
    - Case managers paid hourly and receive training and technical support
  - Reimbursement rates slightly higher

# Juvenile Standards and Expectations

Per contract, juvenile attorneys are subject to the following:

- Oregon Rules of Professional Conduct
- Oregon State Bar Performance Standards
- American Bar Association 10 Principles of a Public Defense Delivery System
- OPDC Policies and Procedures
  - The new attorney standards fall under this category
  - If adopted, the new PCRPP expectations would fall under this category for PCRPP contractors only
- Standards listed in Exhibit B and C (different for PCRPP and non-PCRPP)

## PCRP ATTORNEY EXPECTATIONS

### Expectation 1 – Child Visitation (dependency)

#### JUVENILE STANDARD

##### **Black letter rule:**

**The child-client’s lawyer must meet with the child-client regularly - and at least quarterly - throughout the case.**

#### PCRP EXPECTATION

- Visit in person every 6 months, 1x per year if out of state.
- Must visit when child returned to parent, should visit when placement changes.
- Exempt from requirement if child location unknown or adversely impacts child-client or case.

## PCRP ATTORNEY EXPECTATIONS

### Expectation 2 – Youth Client Visitation (delinquency)

#### JUVENILE STANDARD

##### **Black letter rule:**

**Lawyer conducts in person youth interview as soon as practicable. Must discuss all case and procedural basics**

##### **In custody**

- **initial interview no more than 2 days after attorney assignment**

##### **Out of custody**

- **initial outreach occurs no more than 3 days after assignment**

##### **Post Adjudication**

- **Maintain contact with youth post disposition while youth under court or agency jurisdiction.**

#### PCRP EXPECTATION

##### Pre-Trial

Meet in confidential setting, in person 1x per month.  
Must have at least one confidential conversation between meetings.

##### Post Adjudication:

##### In custody youth clients:

Regularly visit in-custody. At least 1x every 6 months.  
Maintain contact between visits.

##### Out of custody youth clients:

Attempt regular meetings with youth.  
  
Hold or attempt to hold at least 1 meeting every 6 months.  
  
Maintain regular phone or text contact with youth.



## PCRP ATTORNEY EXPECTATIONS

### Expectation 3 – Attendance at substantive client meetings

#### JUVENILE STANDARD

##### **Black letter rule:**

**None.**

#### PCRP EXPECTATION

A PCRP lawyer must attend a majority of substantive client meetings that impact or affect their client's case or ability to meet court expectations. This includes but is not limited to:

1. Substantive meetings with ODHS
2. WRAP meetings
3. FDMS
4. Substantive JCC Meetings
5. Any other substantive and relevant meetings client is involved in

PCRP ATTORNEY EXPECTATIONS

Expectation 4 – Citizen Review Board (CRB)

JUVENILE STANDARD

**Black letter rule:**  
  
**None**

PCRP EXPECTATION

- Lawyer must attend CRB.
  - If lawyer cannot attend, must try to reschedule CRB. If unable to reschedule, must send investigator, case manager, or legal assistant.
- Lawyer is expected to be prepared and meet with client prior to and following the meeting.

PCRP ATTORNEY EXPECTATIONS

Expectation 5 – Expert Engagement Letter

JUVENILE STANDARD

**Black letter rule:**  
**None.**

PCRP EXPECTATION

Lawyer must use an engagement letter with any expert on the case.

Letter must lay out request for expert and necessary details and expectations. Exception for not including information that would be detrimental to case.

## Expectation 6 – Client Engagement

### JUVENILE STANDARD

**Black letter rule:**

**Delinquency – expectations are covered under Client Visitation (slide 2).**

**Dependency:**

**None.**

### PCRP EXPECTATION

A PCRP lawyer must attempt to meet with a client for a substantive conversation outside of the courthouse for the following events:

1. Important decision affecting a child/youth client's life.
2. client meeting request
3. significant transitions including but not limited to, initial removal, changes in placement for a child or youth, a child or youth returning to a parent, entering or leaving residential treatment, etc.
4. When a significant change of circumstances must be discussed or when the lawyer learns of an emergency or significant event affecting the youth, child, or parent.

## PCRP ATTORNEY EXPECTATIONS

### Expectation 7 – Delinquency release preparation for in custody youth

#### JUVENILE STANDARD

##### **Black letter rule:**

**Duty to seek release under conditions most favorable and acceptable to youth.**

**Release should be sought at the earliest opportunity and if not successful a lawyer should continue to seek release at appropriate subsequent hearings.**

#### PCRP EXPECTATION

- Must develop a comprehensive release plan with in custody youth.
- Must discuss release criteria and work with youth, family, and juvenile department to develop release plan.
- Lawyer to seek out services and supports as appropriate, to augment an appropriate release plan.

PCRP ATTORNEY EXPECTATIONS

Expectation 8 – Case Manager Assignment

JUVENILE STANDARD

**Black letter rule:**  
**None.**

PCRP EXPECTATION

Have or attempt to have a case manager on 10-15% of caseload

PCRP ATTORNEY EXPECTATIONS

Expectation 9 – Effective Collaboration with assigned PCRP Case Manager

JUVENILE STANDARD

**Black letter rule:**  
**None.**

PCRP EXPECTATION

Work effectively with case manager by keeping case manager informed and involved on the case.

PCRP ATTORNEY EXPECTATIONS

Expectation 10 - Timekeeping

JUVENILE STANDARD

**Black letter rule:**  
**None.**

PCRP EXPECTATION

Track time following OPDC’s standards and stay abreast of OPDC timekeeping rules and submit reports timely.



## PCRP ATTORNEY EXPECTATIONS

### Expectation 11- Tracking Client Time

#### JUVENILE STANDARD

**Black letter rule:**  
**None.**

#### PCRP EXPECTATION

On cases in which a client has full decision-making capacity, a PCRP lawyer is expected to spend 1/3 of their time with clients with decision making capacity. OPDC tracks this using the PCRP Activity Report metric “client time.”

PCRPP ATTORNEY EXPECTATIONS

Expectation 12 – PCRPP meetings with OPDC

JUVENILE STANDARD

**Black letter rule:**  
**None.**

PCRPP EXPECTATION

Attend bi-annual OPDC-PCRPP county meetings. If unable to attend, reach out for updates and materials.

# QUESTIONS?

