Oregon Public Defense Commission

Unrepresented Persons Update

April 15, 2026

Kenneth Sanchagrin, Executive Director
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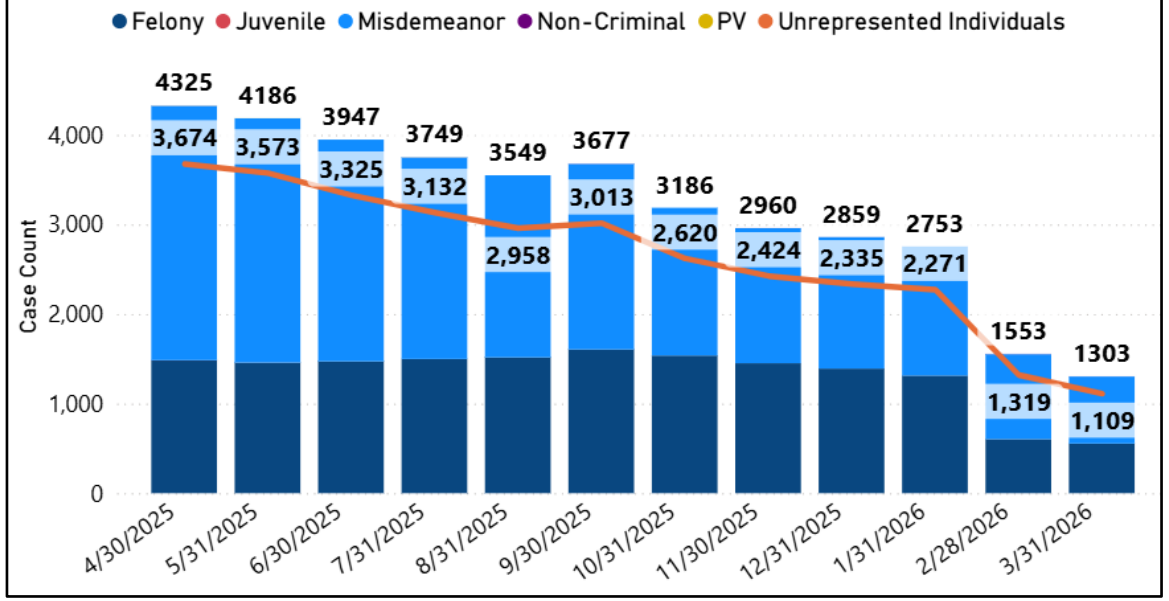
Oregon Public Defense Commission

Primary Takeaways – Mar 2026

- As of Mar. 31, there were 1,231 unrepresented individuals statewide, a decrease of 207 (or 14.4%) since the end of February.
- More cases exited the unrepresented list than were added in 11 of the last 12 months.
- OPDC Assignment Coordinators assigned 712 cases in March, including 156 subject to *Betschart*.

Figure 1: Pretrial Unrepresented Cases & Individuals

Source: OJD Unrepresented Data



Crisis County Updates

- Progress continues in most of our crisis counties.
- It is still unclear how much of the monthly reduction is tied to *Roberts* (see next few slides).
- Initial docket day for Multnomah ERD

Number of Unrepresented Individuals in Crisis Counties

County	# Unrep on 3/31/26	Change Since Feb	March MAC
Douglas	96	-16	93.1%
Jackson	166	-90	96.5%
Multnomah	586	-108	101.2%
Washington	286	+15	108.0%
Total	**1,134**	**-199**	**--**

Source: OJD Unrepresented Dashboard, 2/17/2026

State v. Roberts Impact

- For the first time, OPDC was able to release data regarding *Roberts* ***cases***.
- Data regarding the number of ***individuals*** with *Roberts* dismissals will be available soon.
- Statewide, 35.5% of cases exiting unrepresented status were dismissed due to *Roberts*.
- In Multnomah County, the share of *Roberts* dismissals was much higher.

Cases Exiting the Unrepresented List between 2/1/26 and 3/31/26

County	Total Exits	Roberts Dismissals	Pct. Roberts
Multnomah	1,409	860	61.0%
Washington	791	313	39.6%
Jackson	833	251	30.1%
Douglas	541	95	17.6%
All others	749	15	2.0%
Total	**4,323**	**1,534**	**35.5%**

State v. Roberts Impact

- *Roberts* case dismissals peaked in late February, before stabilizing in March.
- The number of overall exits in February was much higher than any previous month.
- Of the cases dismissed due to Roberts, very few were felonies (only 34, or 2.2%).
- OPDC does not have a way to track *Roberts* re-filings yet.

Figure 1: Roberts Dismissals by Week

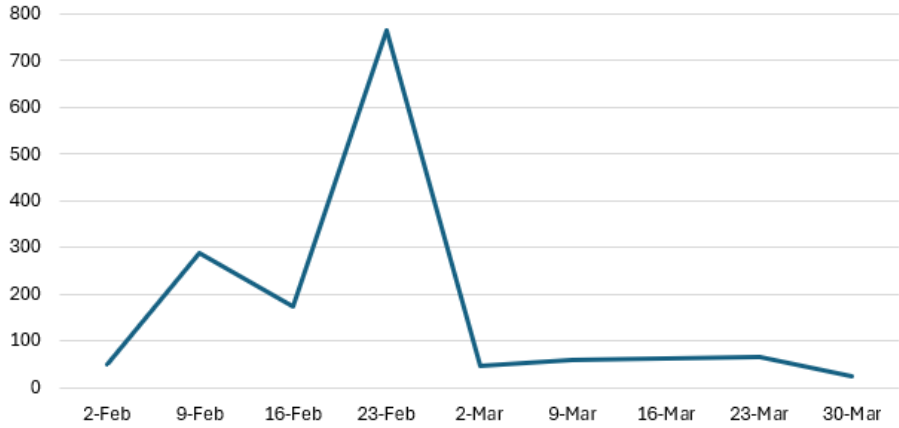
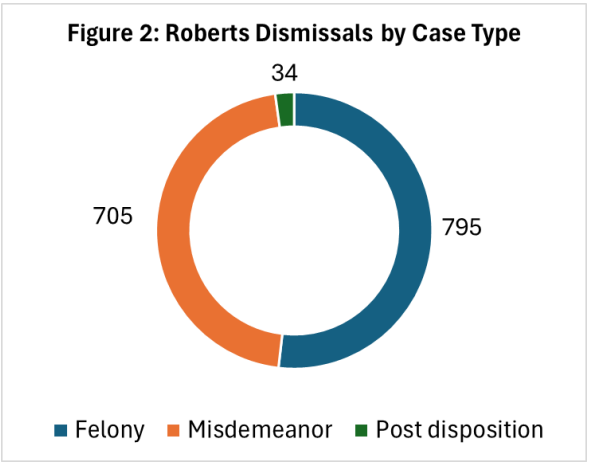


Figure 2: Roberts Dismissals by Case Type



Thank You



Oregon Public Defense Commission

Director's Report

April 15, 2026

Kenneth Sanchagrin, Executive Director
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Oregon Public Defense Commission

Upcoming Meetings

01

Governance, Policy, and Standards Subcommittee

Thursday, April 30, 2026, 4:00 to 5:30pm - Virtual

02

Commission Workgroup

Thursday, May 7, 2026, 5:00 to 6:30pm - Virtual

03

May Commission Meeting

Wednesday, May 20, 2026, 9:00am to 2:00pm - Virtual

04

June Commission Meeting: In-Person

Thursday, June 11, 2026, 9:00am to 2:00pm
In-Person at the Riverhouse on the Deschutes, Bend, OR

Updates

- Financial Case Management System
- Budget

Budget Update

BUDGET UPDATE

Month Ending February 2026						
Appropriation	Funding Purpose	Original Budget Total Appropriation	Available Appropriation	February 2026 Expenditures	Planned Expenditures	Unused Appropriation
General Funds						
Executive Division	Main Appn	$ 3,356,449	$ 3,356,449	$ 1,007,732	$ 2,910,064	$ (561,347)
Compliance, Audit, and Performance Division	Main Appn	$ 8,645,518	$ 8,645,518	$ 2,665,051	$ 4,069,380	$ 1,911,087
Appellate Division	Main Appn	$ 28,826,029	$ 28,826,029	$ 9,702,539	$ 20,822,095	$ (1,698,605)
Adult Trial Division	Main Appn	$ 329,576,667	$ 329,576,667	$ 96,619,617	$ 227,544,422	$ 5,412,628
Adult Trial Division	Civil Commitment	$ 1,111,456	$ 1,111,456	$ -	$ -	$ 1,111,456
Juvenile Trial Division	Main Appn	$ 45,417,129	$ 45,417,129	$ 16,472,160	$ 30,809,317	$ 4,607,455
Preauthorized Expenses Division	Standard-Main Appn	$ 94,115,182	$ 94,115,182	$ 28,547,499	$ 66,186,810	$ 418,230
Preauthorized Expenses Division	THIP	$ 7,307,131	$ 7,307,131	$ 6,866,898	$ 1,493,398	$ (1,053,165)
Court Mandated Expenses Division	Standard-Main Appn	$ 52,272,158	$ 52,272,158	$ 17,174,633	$ 41,759,392	$ (4,563,606)
Court Mandated Expenses Division	THIP	$ 11,121,931	$ 11,121,931	$ 13,064,560	$ 3,223,918	$ (5,166,547)
Trial Representation Division	Main Appn	$ 18,090,808	$ 18,090,808	$ 5,750,190	$ 17,581,405	$ (5,240,787)
Parent Child Representation Program	Main Appn	$ 46,737,940	$ 46,737,940	$ 18,810,611	$ 38,805,147	$ (322,237)
Administrative Services Division	Main Appn	$ 23,771,498	$ 23,771,498	$ 9,444,878	$ 18,598,759	$ (4,272,139)
Administrative Services Division	FCMS	$ 693,866	$ 693,866	$ -	$ -	$ 693,866
Special Programs, Contracts and Distributions Division	Guardianship	$ 1,627,594	$ 1,627,594	$ 215,520	$ 1,412,260	$ (186)
Special Programs, Contracts and Distributions Division	County Discovery	$ 6,348,960	$ 6,348,960	$ 1,787,501	$ 4,561,459	$ -
Special Programs, Contracts and Distributions Division	Law School Program	$ 3,437,460	$ 3,437,460	$ 1,514,450	$ 1,923,010	$ -
Debt Service	Capital Debt Service	$ 2,392,223	$ 2,392,223	$ -	$ 2,392,223	$ -
Total General Funds		$ 684,849,999	$ 684,849,999	$ 229,643,839	$ 484,093,059	$ (8,723,897)
Other Funds						
Juvenile Trial Division	Title IV-E	$ 7,393,486	$ 7,393,486	$ 921,683	$ 6,471,803	$ -
Preauthorized Expenses Division	Title IV-E	$ 1,037,357	$ 1,037,357	$ -	$ 1,037,357	$ -
Court Mandated Expenses Division	ACP	$ 4,449,677	$ 4,449,677	$ 635,689	$ 3,924,479	$ (110,491)
Court Mandated Expenses Division	Title IV-E	$ 2,098,261	$ 2,098,261	$ -	$ 2,098,261	$ -
Parent Child Representation Program	Title IV-E	$ 11,684,477	$ 11,684,477	$ 1,128,896	$ 10,555,581	$ -
Administrative Services Division	FCMS	$ 13,769,781	$ 13,769,781	$ -	$ 13,769,781	$ -
Administrative Services Division	FCMS	$ 145,219	$ 145,219	$ -	$ 145,219	$ -
Total Other Funds		$ 40,578,258	$ 40,578,258	$ 2,686,268	$ 38,002,481	$ (110,491)
Total All Funds		$ 725,428,257	$ 725,428,257	$ 232,330,107	$ 522,095,540	$ (8,834,388)

Thank you



Oregon Public Defense Commission

Guardianship Representation Policy Proposal

Steve Arntt
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April 15, 2026

Oregon Public Defense Commission



OPDC and Guardianship Overview

- SB 578 placed a duty on the agency to administer funds to pay guardianship attorneys
- Codified in ORS 125.080(7)(b) and referencing ORS 135.055
- Court must appoint counsel in certain circumstances
- Estate pays unless court finds financial eligibility for State expense
- OPDC pays when such a determination is made
- Policy is necessary to ensure financial accountability

How Did OPDC Develop the Draft Policy?

- SB 578 placed a duty on the agency to administer funds to pay guardianship attorneys
- Codified in ORS 125.080(7)(b) and referencing ORS 135.055
- Recognized most lawyers do this infrequently
- Input from practitioners, OJD, judges, and DOJ
- Balanced our statutory responsibilities against administrative burden
- Recognized financial constraints



How Lawyers are Appointed

- Judges are required to appoint counsel if there is a hearing and:
  - (A) The respondent or protected person requests counsel;
  - (B) There is an objection to the petition for guardianship;
  - (C) The court has appointed a visitor under ORS 125.150 (Appointment of visitors), 125.160 (Subsequent appointment of visitor) or 125.605 (Procedure for appointment of temporary fiduciary), and the visitor recommends appointment of counsel for the respondent or protected person; or
  - (D) The court determines that the respondent or protected person needs counsel.

Representation

- Traditionally appointed lawyers have either:
    - Been paid through guardianship or conservatorship estate funds or;
    - Pro bono
- Probate judges usually have a list of attorneys who do this sort of work
- These appointments are infrequent

Compensation

To receive payment, counsel must submit:

- Appointment order;
- Court-approved order certifying reasonableness of fees; and
- Order finding OPDC is responsible under ORS 125.080(7)(b).

Heightened Review

- If total fees and costs expected to exceed $5,000:
  - Provider must give OPDC 10 business days' notice;
  - Email guardianship@opdc.state.or.us; and
  - OPDC must be given an opportunity to object.

How to Bill OPDC for Guardianship Services

Step 1: Get a vendor number:

- Email accountspayable@opds.state.or.us with subject line: NEW VENDOR. Include in the body:
  - Vendor name (individuals first and last name and business name if applicable).
  - Vendor mailing address
  - Vendor email address
  - Vendor phone number
  - Copy of W-9
- Department of Administrative Services (DAS)will send a vendor number



How to Bill OPDC for Guardianship Services

- **Step 2: Get added to the billing system**
  - Email guardianship@opdc.state.or.us with the subject line “New Attorney.”
  - Include: name, firm name, address, phone number, and bar number. OPDC staff will confirm that you are added to the system and ready to invoice.
  - This will put the provider into the billing system.

How to Bill OPDC for Guardianship Services

- **Step 3: Request Court Approval of Fees and Costs**
- Obtain from the court and submit to OPDC the following documents:
  - An appointment order; and
  - A Court approved judgment or order of costs and fees as being reasonable and necessary; and
  - A signed order from the court finding OPDC is responsible under ORS 125.080(7)(b).
- If your total bill will be over $5,000, please provide OPDC with notice and an opportunity to object.
- *Please note: OPDC rates are set at $140/hr for probate guardianship casework.*

Questions?



Thank you



Oregon Public Defense Commission

2027 POP and Legislative Concept Discussion

April 15, 2026

Lisa Taylor, Government Relations Manager
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Oregon Public Defense Commission

BUDGET REALITIES

The Governor's office and CFO has provided direction to agencies for developing 27-29 POPs

Executive Branch Direction

Excerpts from the Governor's office letter to agency heads, 2/10/2026

"...prepare for...no funding [to be] available for program expansions or new programs in 2027-29."

"...policy packages should be net neutral and not require new revenue."

"Understand...not going to reflect overall needs or vision for agency programs."

STABALIZE

Maintain core programs and services related to the agency's mission

SELF FUND

Identify ways to self-fund strategic investments

SAVE

Scrutinize operational efficiencies

EDIT

Carefully evaluate new spending proposals

PLAN

Prepare for potential limitations on growth or expansion

Policy Option Packages

These POP concepts will be submitted to DAS for review and approval by the Governor's office.

01

FCMS

As FCMS transitions to go-live, sustained funding will be required into the next biennium to support system stabilization, completion of remaining implementation activities, and continuity of operations. POP will have a GF and OF cost, but also, an ongoing project exemption.

02

EPC Funding

This would continue the Enhanced Provider Capacity Program, which allows providers to voluntarily take up to 115% of MAC. Asking for the continuation of the $2.2 million for this program.

03

SPPE

Separate funding for SPPE within the Adult Trial and Juvenile Trial Divisions. This will ensure that the Legislature, providers, and the agency are able to easily see what cases are being covered by SPPE, and the outcomes of SPPE candidates. Not new funding, just a differentiation of funds.

04

Rate Increases

Providers of all types, including attorneys, investigators, and PAE services, have highlighted the importance of increasing rates. OPDC is working with CFO to determine inflationary increases and what, if any, additional increase would be possible.

Legislative Concepts

If approved, these would become the agency's bills for session.

1

Procurement Exemption

Provide an exemption from the Public Contracting Code for legal services. Contracts would still be subject to legal sufficiency review.

2

PAE Appeal Response

Ensure that OPDC is able to respond to a PAE appeal before a judge before a final order is made.

3

PCRP Study

Directs OPDC to study the cost and impact of PCRP.

Oregon Public Defense Commission

Thank you.

Lisa Taylor
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Oregon Public Defense Commission