

Members:

Robert Harris, Chair
Susan Mandiberg, Vice Chair
Stephanie Engelsman
Alton Harvey, Jr.
Leslie Kay
Philippe Knab
Tom Liningner



Nonvoting Members:

Rep. Paul Evans
Haley Olson
Caitlin Plummer
Sen. Floyd Prozanski

Executive Director:

Kenneth Sanchagrin

Oregon Public Defense Commission

*Meeting will occur virtually via Zoom.**

Wednesday, April 15, 2026

9:00 AM – approx. 11:15 AM PST

Administrative Announcement

This is a public meeting, subject to the public meeting law and it will be recorded. Deliberation of issues will only be conducted by Commission members unless permitted by the Chair. Individuals who engage in disruptive behavior that impedes official business will be asked to stop being disruptive or leave the meeting. Additional measures may be taken to have disruptive individuals removed if their continued presence poses a safety risk to the other persons in the room or makes it impossible to continue the meeting.

AGENDA

| Approx. Time | Item | Lead(s) |
|--------------|---|----------------|
| 9:00-9:05 | Welcome – Call to Order | Chair Harris |
| 9:05-9:20 | Public Comment | |
| 9:20-9:35 | Update: Unrepresented Persons in Oregon Courts: Attorney Shortage | Ken Sanchagrin |
| 9:35-9:45 | Update: Director's Update <ul style="list-style-type: none"> Financial Case Management System (FCMS) Budget Update | Ken Sanchagrin |
| 9:45-10:00 | Action Item: Key Performance Measures | Kim Freeman |
| 10:00-10:10 | **Break** | |
| 10:10-10:40 | Action Item: Guardianship Billing Policy | Steve Arntt |

| | | |
|--------------------------|--|--------------------------------|
| 10:40-10:45 | Briefing: OPDC Audit Committee | Chair Harris Ken Sanchagrin |
| 10:45-11:15 | Update: Policy Option Packages and Legislative Concepts | Lisa Taylor |
| 11:15 (Approximately) | Adjourn | |

**To join the Zoom meeting, click this link: <https://zoom.us/j/99060107126>. This meeting is accessible to persons with disabilities or with additional language service needs. Our Zoom virtual meeting platform is also equipped with Closed Captioning capabilities in various languages, which agency staff can assist you with setting up ahead of meetings.*

Requests for interpreters for the hearing impaired, for other accommodations for persons with disabilities, or for additional interpreter services should be made to info@opdc.state.or.us. Please make requests as far in advance as possible, and at least 48 hours in advance of the meeting, to allow us to best meet your needs.

Listed times are an estimate, and the Chair may take agenda items out of order and/or adjust times for agenda items as needed.

The Commission welcomes public comment. Please [click here](#) to review the guidelines for providing public comment on our website, and [click here](#) to sign up to provide public comment.

*Next meeting: **May 20, 2026, 9am – 2pm via Zoom.** Meeting dates, times, locations, and agenda items are subject to change by the Commission; future meetings dates are posted at: <https://www.oregon.gov/opdc/commission/Pages/meetings.aspx>.*

Oregon Public Defense Commission

**Financial & Case
Management System
Update**

Kenneth Sanchagrin, Executive Director
kenneth.sanchagrin@opdc.state.or.us

David Martin, CIO, FCMS

April 15, 2026



Implementation Planning Phase Approval & Procurement Status



Procurement:

Contract Negotiations resume with the development of the Statement of Work, Contract, Budget, and Schedule. Progress is moving towards final reviews and will then move into approval rounds with anticipated Contract Execution by May 29th, 2026.



Implementation Planning:

Documents for implementation planning such as the project management plan for OPDC and the apparent successful proposer, along with the Scope document, Budget, and Schedule are all in the final rounds of review and completion. Stage Gate (Implementation Planning) resumes with anticipated approval and Stage Gate acceptance by June 15th, 2026.

Procurement Schedule

Phase 2: Potential for Judicial Review of Contract Award Protest Disposition

Protesting proposer has the **option** to seek judicial review until the contract is approved by the Office of the Attorney General and executed by OPDC. Began October 2025.



Phase 3: Contract Negotiations

Contract negotiations began in November 2025

Contract Review

Nov 5, 2025, thru May 15, 2026

Contract Execution

Nov 5, 2025, thru May 29, 2026



Cost Negotiations
Feb 4 thru Apr 7, 2026

SOW Development Completion May 5, 2026
Project Management plan included



Schedule Development
Jan 14 thru May 13, 2026



Licensing, Maintenance, and Hosting Agreements
Nov 2025 thru April 20, 2026

✓
Today



JANUARY
2026

FEBRUARY
2026

MARCH
2026

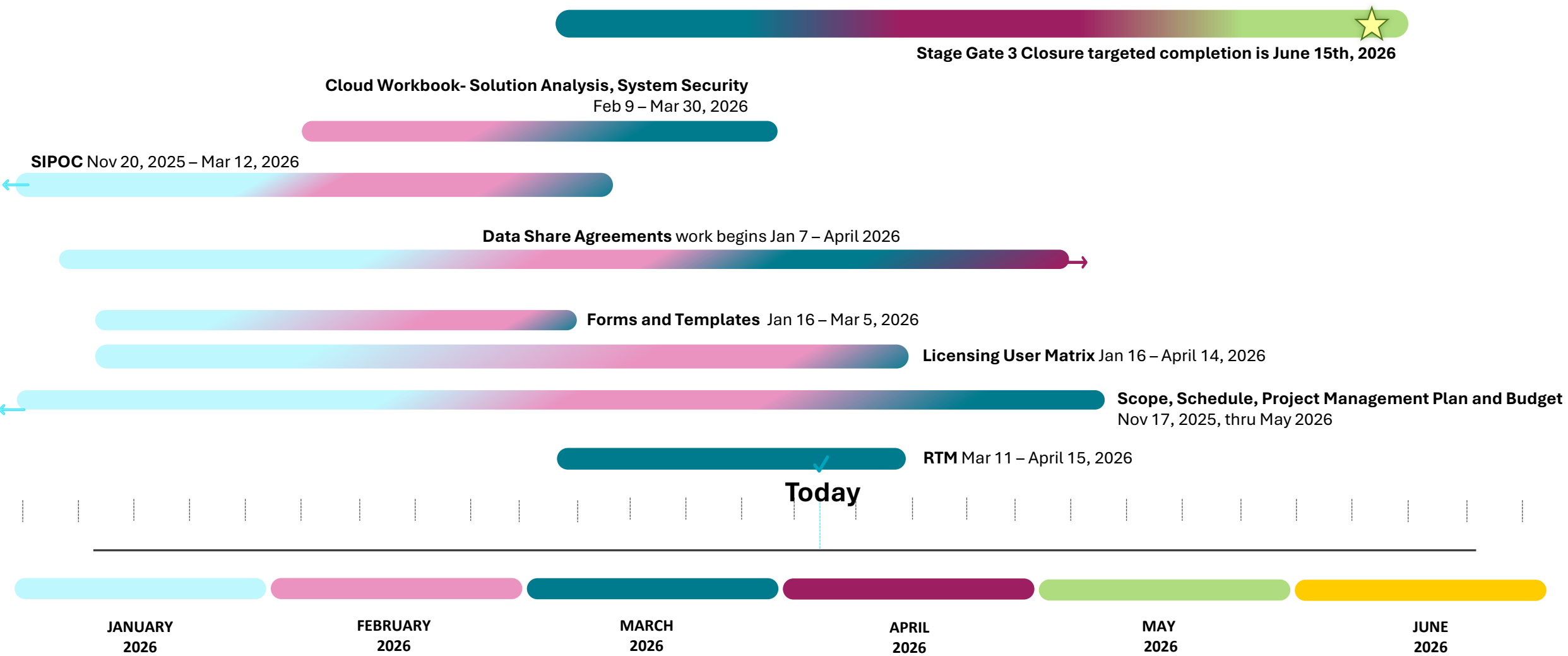
APRIL
2026

MAY
2026

JUNE
2026

FCMS April 2026

Implementation Planning Timeline



Accomplishments



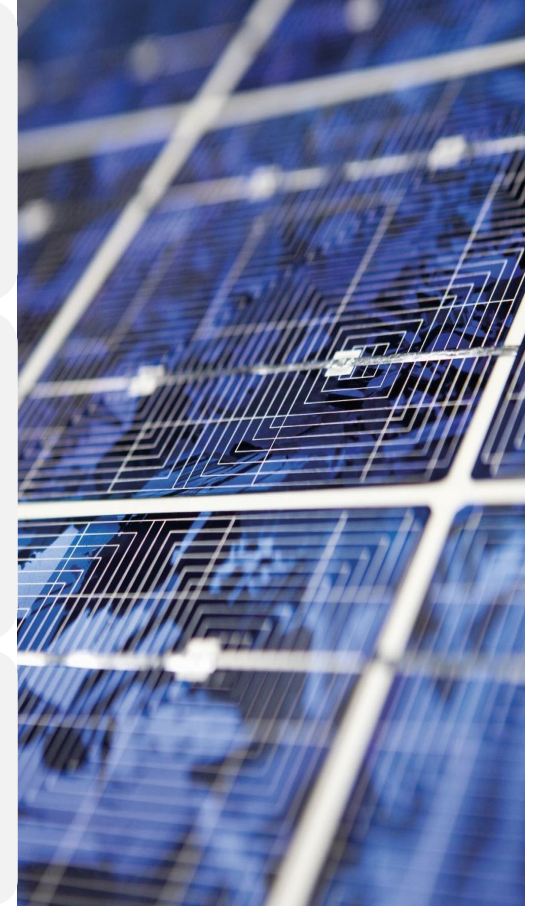
Implementation: External User Portal Framework completed 66% of the documentation so far. The following project tasks were completed in March 2026: Compliance User Stories-Use Cases, Forms and Template collection, and Data and Reporting SIPOC documentation. Also, Appellate Balfour process documentation completed Mid-March 2026 with User Story – Use Case creation and Peer / IT reviews due to complete by April 9, 2026.



Procurement Phase 3: Contract negotiations began following the protest disposition and are in Round 4. Statement of Work and Project Management Plan are in Round 7. The apparent successful proposer provided a walk-through of the cost structures for licenses, hosting, and options for integration/migration, alternate storage, and roll out waves. Leadership discussed schedule and roll out options and updated cost proposals with the apparent successful proposer. Final decision-making on these contract items is anticipated on April 3, 2026.



Change Management: Set up a quarterly connect with Change Champions and Sponsors to align on tasks and answer any questions. Communicated next steps to the internal providers interested in serving as change champions. Created FCMS Change Champion/Sponsor Tool Kit. Held virtual kickoff meetings with change champions to explain roles and responsibilities.



Upcoming Milestones

01

FCMS 7th round draft of SOW and FCMS Project Management Plan (pre-SOW development) continues through April alongside the Budget and Schedule final reviews.

02

Contract execution
May 29.

03

Implementation Planning document revision continues for Scope, Schedule, Budget Alignment. Training Strategy in development through April.

04

Documentation of the final 33% of the External Provider Portal Framework and related process flows continues through April.

Budget

SOW Cost estimates being developed for Final Cost Exhibit.

Finance, Vendor and Contractor Deliverable Approval Process being implemented for FCMS in April.

Hosting/Licensing Cost Review nearing completion.

Thank You



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) |



Date: April 15, 2026

To: Rob Harris, Chair of OPDC
Susan Mandiberg, Vice Chair of OPDC
OPDC Commissioners

Cc: Kenneth Sanchagrin, Executive Director

From: Kim Freeman, CAP Manager

Re: 2027-2029 Proposed KPM Changes

Nature of Presentation: Action Item

Background:

The Commission was directed to report in the 2026 session on agency Key Performance Measures and targets, as well as to evaluate the agency's current KPMs and consider whether there should be adjustments/updates to the agency's KPMs. During the 2025 Legislative Session, the Legislature mandated that the agency add at least one new KPM, which is required to measure the percentage of financially eligible defendants/persons receiving a public defender with a target of 100%.

The agency created an internal workgroup involving agency staff and board members to craft initial KPM proposals. The Commission has considered various KPM refinements at meetings over the past several months.

The agency is proposing ten KPMs for 2027-2029 which were approved during the January 21, 2026, commission meeting:

- 1. Appellate Case Processing:** Median number of days to file an opening brief with a target of 180 days.
- 2. Customer Service:** Percent of customers rating their satisfaction with the agency's customer service, timeliness, accuracy, helpfulness, expertise, and availability of information as satisfactory or better, with a target of 95% in each service area
- 3. Best Practices for Boards and Commissions:** Percentage of total best practice met by the Commission with a target of 100%

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 in which the attorney represents a parent or child with decision-making capacity, with a target of 95%
5. **Percent of Financially Eligible Individuals Receiving a Public Defender:** The percentage of financially eligible defendants/persons receiving a public defender, with a target of 100%
6. **Maintain High Retention Rates for State Trial Level Attorneys:** The percentage of Oregon Trial Division attorney workforce retained on an annual basis, with a target of 85%
7. **Ensure Timely Payments to Providers:** The percentage of invoices reviewed, and payments processed, within forty-five (43) days of receipt, with a target of 100%
8. **Ensure Timely Processing of Pre-Authorized Expense (PAE) Requests:** The percentage of PAE reviewed within ten (10) business days of receipt, with a target of 95%.
9. **Policies, Procedures, Standards, and Guidelines Align with Agency Priorities:** The percentage of agency policies and procedures that are in alignment with statute, the agency strategic plan, and DAS policy and procedure, with a target of 95%.
10. **Capacity Contractors Meet or Exceed Performance Expectations:** The Percentage of providers meeting at least 90% of their contractual obligations throughout the term of the agreement, with a target of 90% of providers.

During the Commission meeting on March 18th, we discussed additional external KPM's needed based on Legislative Fiscal Office feedback and asked the Commission to discuss what Quality Representation means. The Commission provided the following suggestions:

- Outcome data – Client outcomes
- Time Spent with clients
- Measure Zealous representation
- Attorney Retention of Capacity Contracts
- Contract Language to comply with ABA
- Standards agency adopted

The agency is proposing an additional three KPMs:

11. **Maintain High Retention Rates for Capacity Contract Attorneys** -The percentage of Capacity Contract Attorney workforce retained on an annual basis, with a target rate of 85% of FTE.

12. Case outcome less than highest charge – The percentage of criminal cases that result in either an acquittal or a conviction for an offense less than the highest crime charged, with a target rate of 8%.

13. Attorney case withdraw– The percentage of criminal cases where a non-mandatory withdraw occurs, with a target rate of 5%.

The agency has been in contact with Andrew Davies, Research Director of the Deason Criminal Justice Reform Center – SMU Dedman School of Law, in reference to our proposed 2027-2029 KPMs and other KPMs the agency could explore. Mr. Davies shared he likes our current KPMs, which reflect quality, and good measurements with the current data collection.

Quality KPMs

- KPM #4 PCRCP 1/3 time spent with client
- KPM #5 Appointment of counsel in 7 days
- KPM #7 Timely payments to providers
- KPM # 9 Policies, Procedures, Standards and Guidelines – this establishes a good foundation for our internal operations which will guide our work in providing quality representation in public defense.

Suggestions for additional KPMs with our FCMS system

- Quality
 - Look at each case type
 - What services are requested/utilized for each case type for effective representation
 - Investigation
 - Case managers
 - How often clients are visited
 - Ensure all parts of the case are looked at
 - If Oregon could define Quality, we would be the first state in the country to do so
- Cost per Case
- Look at Early Resolution Docket (ERD)
- How many people receive counsel quickly vs. quality
- Client touch points
- Time keeping for attorneys, investigators, and case managers

Agency Recommendation:

The agency is recommending approval of the three additional KPMs for a total of thirteen KPMs for the 2027-2029 biennium. The agency will submit the final approved KPMs to the Chief Financial Officer (CFO)/ Legislative Fiscal Officer (LFO) by April 30, 2026, for review with additional feedback due to the agency by June 30, 2026. This version will be presented to the Commission for final approval prior to the submission of the Annual Performance Progress Report (APPR) in September 2026. The final approved KPMs will be presented to the Joint Committee on Ways and Means in 2027 and incorporated into the agency's final budget report. If approved, the new KPMs would be effective for the 2027-2029 biennium.

Fiscal Impact:

None

Agency Proposed Motion:

Agency is recommending approval for the three additional KPMS for a total of thirteen KPMs to be presented to the Chief Financial Officer/Legislative Fiscal Officer for approval. The final approved KPMs will be incorporated into the agency's final budget report. The thirteen KPMs would be effective for the 2027-2029 biennium.



Date: April 15, 2026

To: Robert Harris, Chair of OPDC
Susan Mandiberg, Vice Chair of OPDC
OPDC Commissioners

Cc: Kenneth Sanchagrin, Executive Director

From: Steve Arntt, Trial Support & Development Manager

Re: 404.200.04.013 Guardianship Billing Policy

Nature of Presentation: Action Item

Background:

Judges have traditionally appointed lawyers to guardianship cases without knowing whether the attorney would be paid. ORS 155.080(7)(a) provides that a judge reviews the appointed attorney's billing in order to determine if the bill is reasonable and necessary. If the protected person's estate has funds, then the judge authorizes payment from the estate.

When legislature authorized OPDC funding for guardianship it enacted ORS 125.080(7)(b), a process to determine when OPDC is the responsible party for legal fees in guardianship cases. The statute requires a judge to "determine that a respondent or protected person is financially eligible for appointed counsel at state expense." Absent such a finding, OPDC is not responsible for payment. After meeting with OJD and probate judges, the attached policy was developed to ensure that bills sent to the agency have been reviewed and there is a finding that OPDC is responsible for payment.

OPDC has had providers submit bills where there is no finding as described in (7)(b). This has led to confusion as to whether the agency can pay those bills.

Fiscal Impact:

OPDC has a limited budget for guardianship representation. This policy ensures that OPDC is only reimbursing for services that are eligible for reimbursement.

Recommendation:

Approve the 404.200.04.013 Guardianship Billing Policy.

Proposed Motion:

The agency requests the Board to approve 404.200.04.013 Guardianship Billing Policy with an effective date of May 1, 2026.

| | |
|--|------------------------|
| Policy Name: Guardianship Billing Policy | Number: 404.200.04.013 |
| Division: Compliance, Audit and Performance | Effective Date: |
| Responsible Section: Trial Support and Development | |
| Approved by: The Board | Approval Date: |

PURPOSE: The Oregon Public Defense Commission (OPDC) issues this policy to address payment due from the agency for costs of fees of case work for appointed counsel appointed to protected persons.

AUTHORITY: ORS 125.080(7)(b); 135.055

Pursuant to ORS 125.080, a Court shall appoint counsel to protected persons under enumerated circumstances. If the Court appoints counsel, fees and costs for the representations are paid by the estate of the respondent unless a Court determines that the protected person is eligible for appointed counsel at State expense, in which case OPDC determines and pays those expenses.

APPLICABILITY: This policy applies to bills submitted by counsel appointed pursuant to ORS 125.080 in cases where OPDC has been determined by a court to be responsible for costs and fees. This policy is effective on the date it is approved by the Commission.

Payments under this policy are subject to the availability and appropriation or allotment of funds or other expenditure authority from the Oregon Legislative Assembly (including its Emergency Board).

POLICY: It is OPDC’s policy that, to receive payment for eligible incurred costs and fees after appointment to a protected person pursuant to ORS 125.080, appointed counsel must submit:

- 1) An appointment order;
- 2) a Court approved judgment or order certifying reasonableness of costs and fees; and
- 3) an order that OPDC is the source of funds pursuant to ORS 125.080(7)(b).

If the total bill for a case will exceed \$5,000, the provider must email OPDC at guardianship@opdc.state.or.us 10 business days prior to submitting their proposed judgment or order to the court. OPDC will have an opportunity to object. Rates of payment are established by OPDC and updated periodically. Rates are published in OPDC’s Hourly Service and Expense Rates Policy.

Approved by:
Prepared by: Trial Support and Development
Reviewed by: Policy
Publish: Internally and Externally

Oregon Public Defense Commission

2027 POP and Legislative Concept Discussion

April 15, 2026

Lisa Taylor, Government Relations Manager

Lisa.Taylor@opdc.state.or.us



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."

- > **STABILIZE**
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

Tier 1 Policy Option Packages

These POPs are the continuation of already existing programs.

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. Cost TBD.



Exceed Caseload Program

This would continue the ECP, which allows providers to voluntarily take up to 115% of MAC. The estimated cost would be about \$2.5 million.

02

Tier 2 Policy Option Packages

These are new programs or policies.

PCRCP Study

Conduct a study with an outside organization or university on the impacts of PCRCP on outcomes for children and families, and potential cost savings to the child welfare and court system. Estimated cost: \$250,000.

03

ERD Funding

Request funding for Early Resolution Dockets that could resolve cases more quickly. This would be paired with OPDC's work creating ERD templates, which are easily replicated across courts. Estimated cost: Variable; in 2023 we received \$360k for an ERD in Multnomah.

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.

05

SPPE

Investigating ways to make SPPE part of the public defense pipeline, including determining how it would be funded and measured. Estimated cost: TBD.

06

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

Grant Making Authority

Provide OPDC with the authority to distribute grants.



Thank you.

Lisa Taylor
Lisa.Taylor@opdc.state.or.us