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**Oregon
 Public
 Defense
 Commission**

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Interim Executive Director:

Kenneth Sanchagrin

Oregon Public Defense Commission

*Meeting will occur in-person with a virtual option via Zoom.**

Thursday, June 12, 2025

9:00 AM – approx. 1:00 PM PST

*Riverhouse Lodge Conference and Events Center, Room Cascade G:
 2850 NW Rippling River Court, Bend, OR 97703*

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	Chair Nash
9:05-9:15	Update: Unrepresented Persons in Oregon Courts: Attorney Shortage	Ken Sanchagrin Adrian Manriquez
9:15-9:35	Update: Budget	Ralph Amador
9:35-11:05	Discussion: Provider Feedback	Chair Nash
11:05-11:20	**Break**	
11:20-11:30	Update: Director's Update	Ken Sanchagrin
11:30-11:45	Briefing: Local Court Spotlight: Grant/Harney Counties	Presiding Judge Robert S. Raschio
11:45-12:15	Update: Attorney Qualification Standards	Steve Arntt
12:15-12:45	Update: Legislative	Lisa Taylor

N/A	Update: FCMS	None- Report Only
1:00pm (Approximately)	**Adjourn**	

**To join the Zoom meeting, click this link: <https://zoom.us/j/99940825590>. 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, and will only accept written comments for this month's meeting. Written comments must be directly related to agenda items. Please [click here](#) to review the guidelines for providing public comment on our website.

*Next meeting: **July 16, 2025, 9am – 1pm via Zoom.** Meeting dates, times, locations, and agenda items are subject to change by the Commission; future meetings dates are posted at:*



Oregon Judicial Department

Unrepresented Crisis – May 2025

Key Insights

[Unrepresented Trends](#)

The total number of unrepresented persons and unrepresented cases increased May 1, 2025, with 4,397 unrepresented persons and 4,780 unrepresented cases ([Figure 1](#) and [Figure 2](#)). While the rate of growth remains slow, the number of unrepresented cases has increased by 43.9% and the number of unrepresented persons has increased by 46.3% since June 1, 2024.

Daily updates are available on the [Unrepresented Dashboard](#) on the OJD website.

[Unrepresented – Out of Custody](#)

The average number of days a person with an out-of-custody felony case is unrepresented continues to increase to an average of 124 days in April 2025, a 36.3% increase from the average in May 2024 ([Figure 4](#)).

[Unrepresented – In Custody](#)

The average number of days a person is unrepresented and in custody on any case continues to decrease with an average of 14 days in April 2025, matching the lowest level in the past year. ([Figure 5](#)).

[Criminal Case Filings](#)

Criminal case filings increased from March 2025 to April 2025 to 6,044 cases, an 11% increase from May 2024 ([Figure 6](#)).

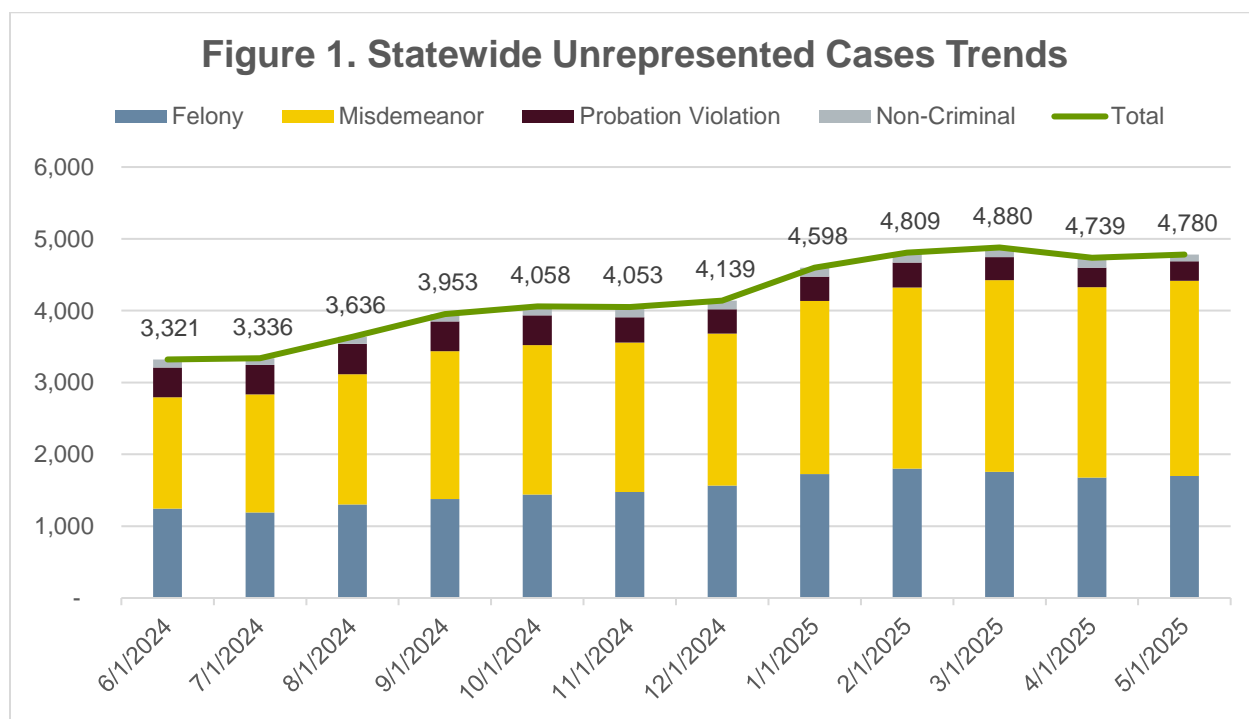
[Unrepresented by County](#)

Multnomah, Washington, Jackson, Marion, Douglas, Coos, Klamath, and Union counties continue to have the highest number of unrepresented persons in Oregon ([Figure 7](#)).

Multnomah, Washington, and Douglas saw increases in the number of unrepresented persons between April 1 and May 1, 2025; but the other counties saw decreases.

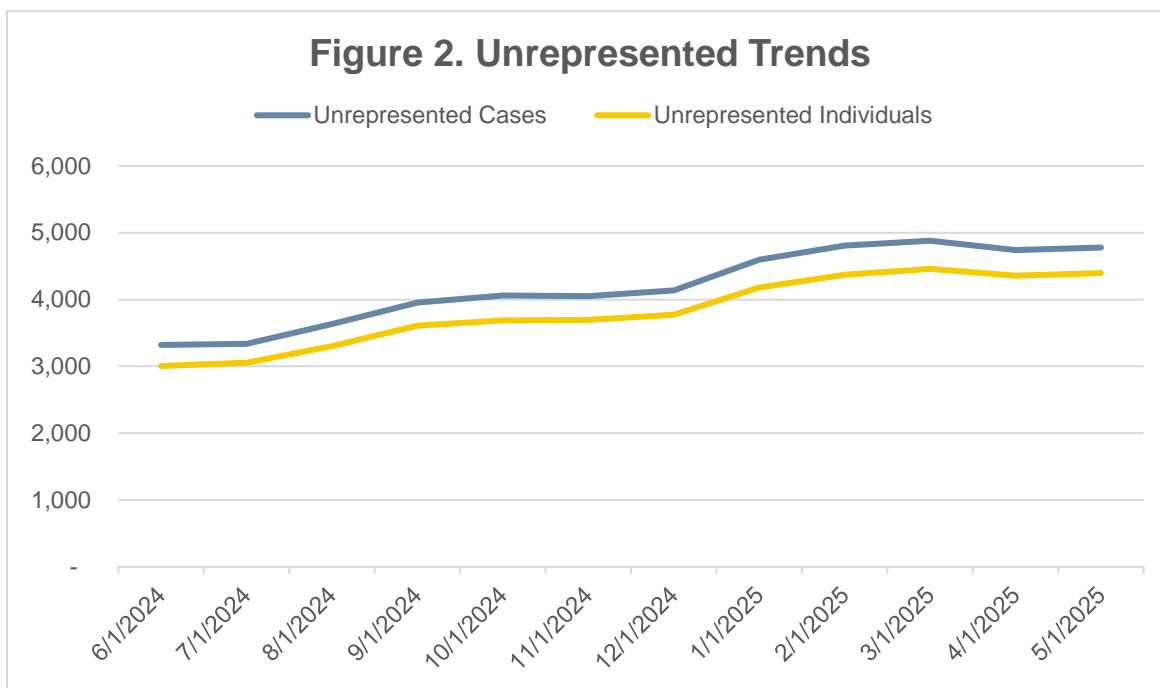
Unrepresented Trends

Figure 1 shows the number of unrepresented cases by case type. **The number of unrepresented cases increased slightly to 4,780 cases on May 1, 2025**, a 1% increase from April 1, 2025. Unrepresented misdemeanor and felony cases increased, while unrepresented probation and non-criminal cases decreased between April 1 and May 1.



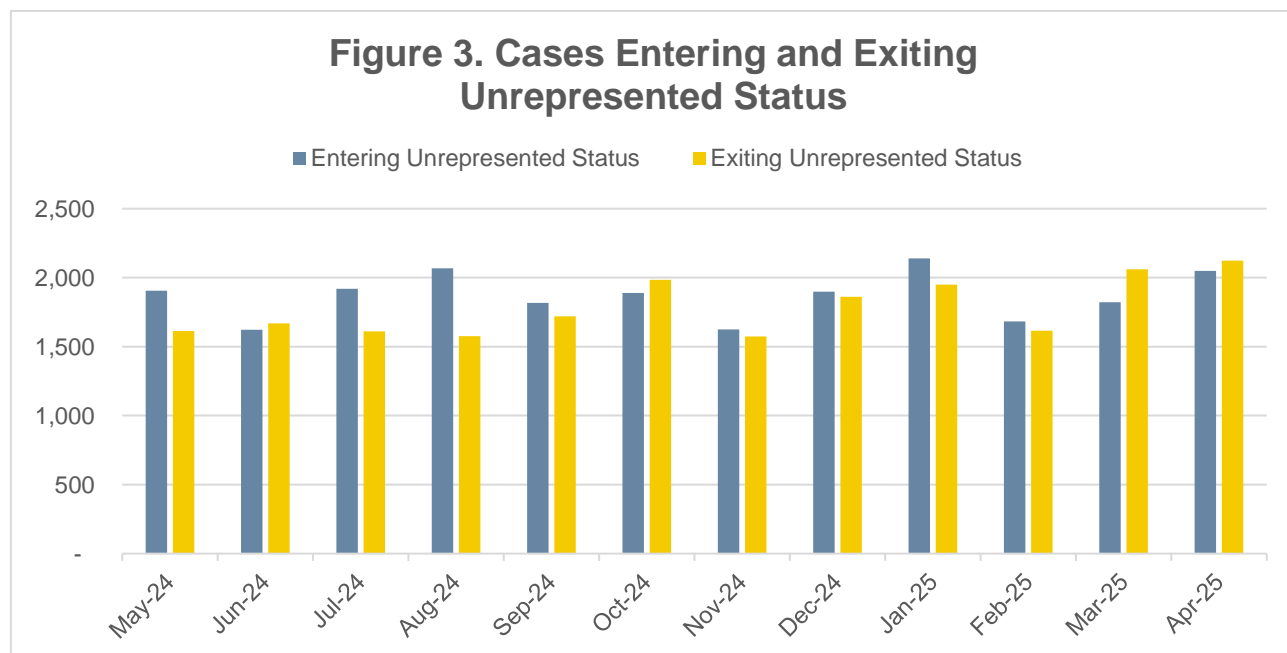
Source: OJD Odyssey Data (eCourt).

Figure 2 shows the number of unrepresented cases and unrepresented individuals. **The number of unrepresented persons increased slightly between April 1 and May 1, with a total of 4,397 unrepresented persons on May 1, 2025, a 0.9% increase over the prior month.**



Source: OJD Odyssey Data (eCourt).

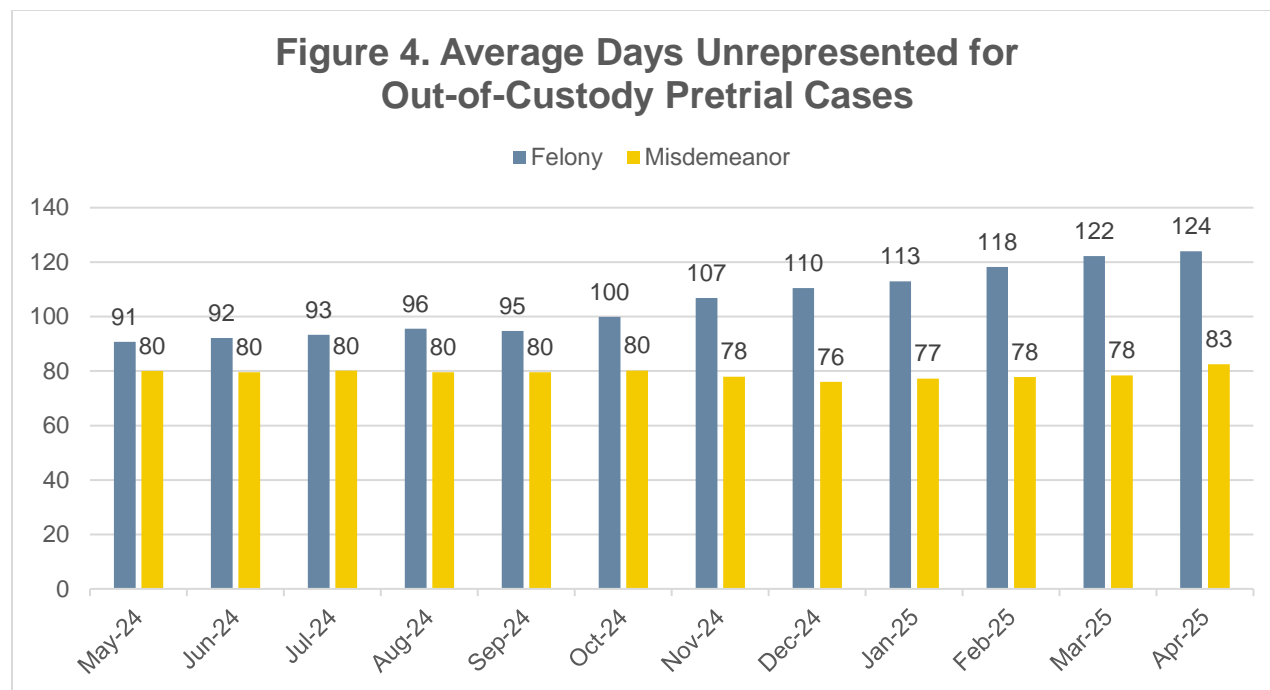
Figure 3 shows the number of cases entering and exiting the unrepresented list each month. For the second month in a row more cases exited unrepresented status than entered; however, 229 more cases entered unrepresented status in April than in March 2025.



Source: OJD Odyssey Data (eCourt).

Unrepresented – Out of Custody

Figure 4 shows trends in the average number of days an out-of-custody felony or misdemeanor case is unrepresented by month. The average number of days an out-of-custody felony case is unrepresented continues to increase, reaching an average of 124 days in April 2025. The average time an out-of-custody misdemeanor case is unrepresented also reached a new high for the past 12 months, to an average of 83 days.

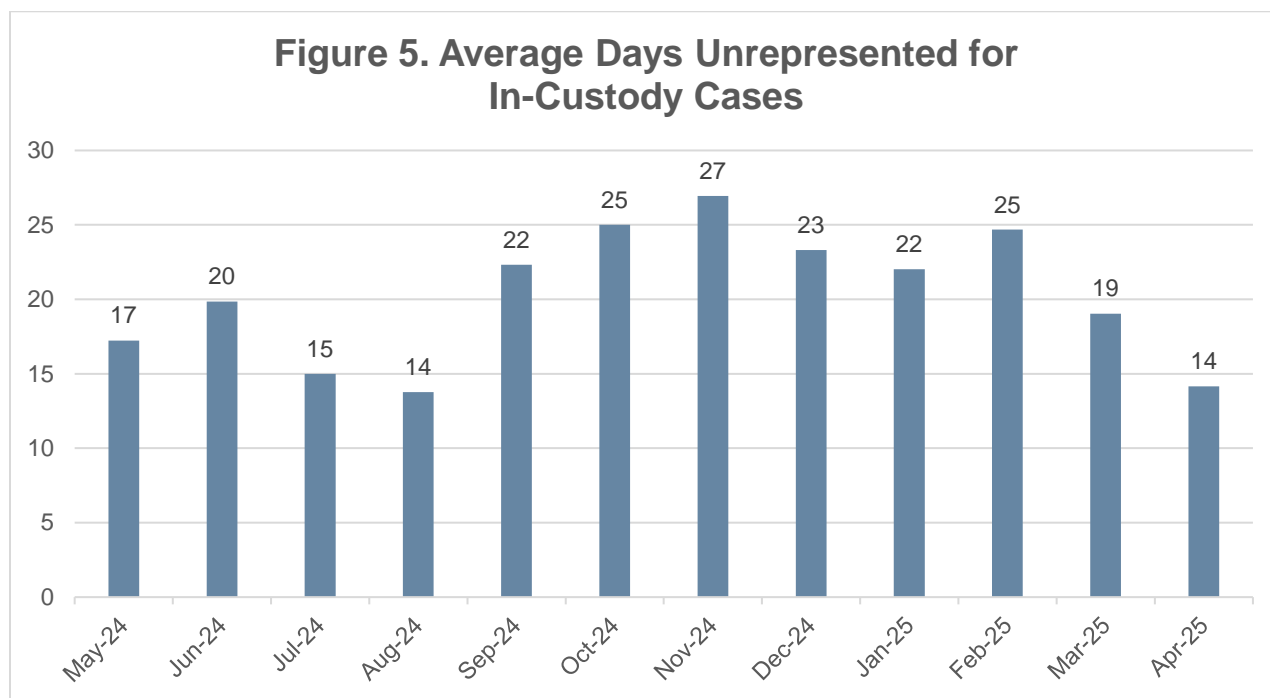


Source: OJD Odyssey Data (eCourt).

Unrepresented – In Custody

Figure 5 shows trends in the average number of days a person is both in custody and is unrepresented in any case. The average number of days a person is unrepresented and in custody on any case continues to decrease to an average of 14 days in April 2025, the lowest it has been since August 2024.

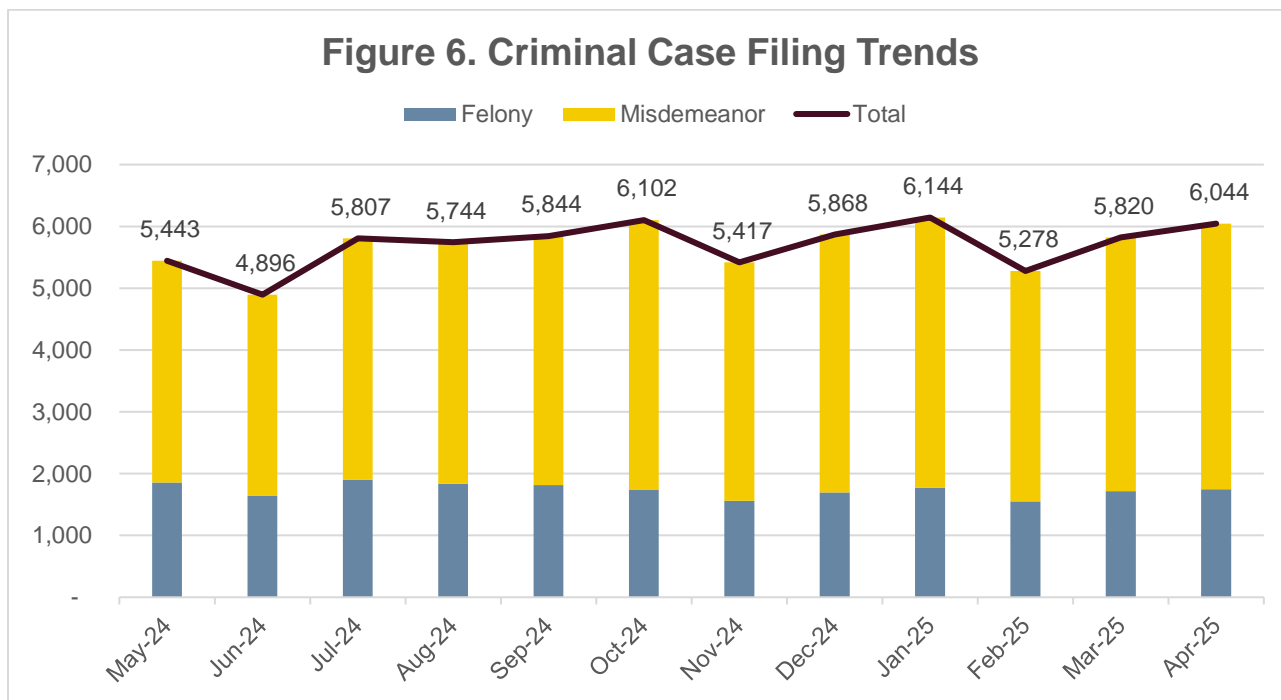
This chart primarily consists of people who are in custody and are unrepresented either on that in-custody case, another in-custody case, or an out-of-custody case. Because of the variety of circumstances in which being represented and unrepresented in different cases can occur while a person is in custody, this creates complexity in ensuring a person has appointed counsel on all their pending cases. If a person is being held in custody for reasons other than the unrepresented case, they may not be prioritized for appointment of counsel by OPDC because they will remain in custody for other reasons.



Source: OJD Odyssey Data (eCourt).

Criminal Case Filings

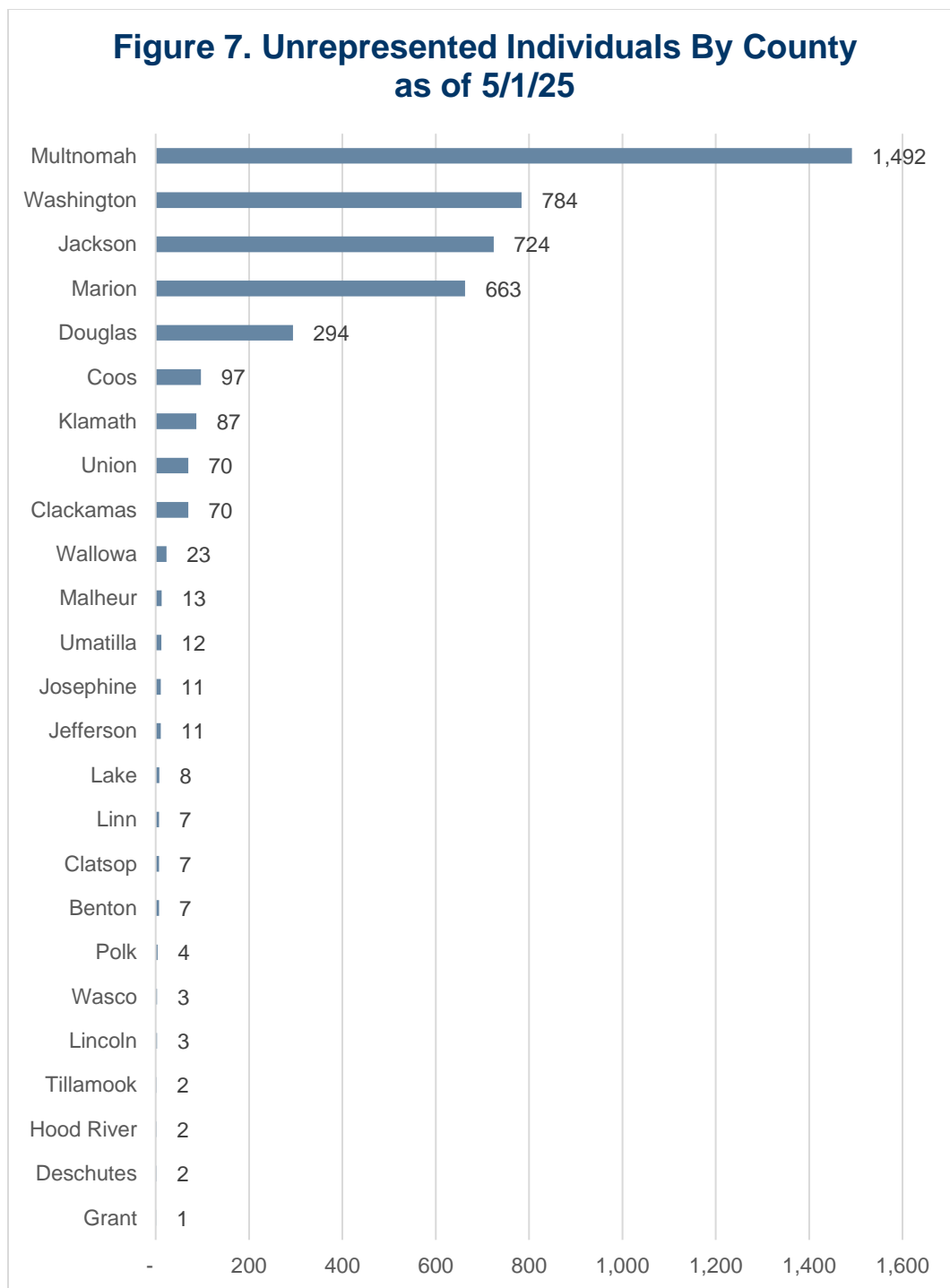
Figure 6 shows the criminal case filing trends since May 2024. Criminal case filings increased 3.8% in April 2025 compared to March 2025.



Source: OJD Odyssey Data (eCourt).

Unrepresented by County

Figure 7 shows the number of unrepresented persons by county as of May 1, 2025. Multnomah, Washington, Jackson, Marion, Douglas, Coos, Klamath, and Union counties continue to have the highest number of unrepresented persons in Oregon. The number of unrepresented persons in Multnomah, Washington, and Douglas counties increased, while the number decreased in the other counties between April 1 and May 1, 2025.



Source: OJD Odyssey Data (eCourt).

OPDC June 12th Commission Meeting – Provider Feedback Session Written Submissions

Name	Organization/ Entity Name	Written Feedback Submitted
Ernest Zacher	Zacher Law, LLC	<p>The unrepresented crisis is exacerbated by non-profit defense law firms - namely Metropolitan Public Defender. I left MPD in November 2024 because I am an attorney - not a social worker. MPD prides themselves on "client centered representation." After an in-depth conversation with Grant Hartley I realized that his view of client centered representation means a paternalistic point of view that focuses less on a person's criminal case and more on providing social services to a person accused of a crime. Furthermore, MPD elevates attorneys who are more social work focused than attorneys who are focused on zealous legal defense of an indigent defendant.</p> <p>This sounds like I am simply slamming MPD but I write this to highlight that while MPD's objective is noble it is the wrong approach at the wrong time and it leads to MPD being a major part of the problem not part of the solution to the unrepresented crisis.</p> <p>The contract monies paid to MPD are wasted on a management heavy corporate structure and an emphasis on case management services - not legal representation.</p> <p>The funds allocated to the non-profit law firms would be better spent incentivizing private bar attorneys to take more criminal cases.</p> <p>Funds would also be better spent establishing an OPDC driven case management division open to all attorneys providing indigent defense.</p> <p>I wish I could deliver this sentiment in person but my schedule does not allow my attendance at 0900 on June 12.</p>
Melissa Parker	OPC/MCAD	<p>1) Reduce the restrictions and red tape on who can take unrepresented cases. Numerous retained attorneys would take a case or two here and there that would have significant impact on the numbers, but the administrative hassle of doing so is overly burdensome. Updating the qualifications with OPDC, navigating the billing portal, navigating the PAE (or whatever it's called now) portal, waiting 45+ days to get paid after the case is closed makes the cost/benefit analysis unworkable. If OPDC had a staff-</p>

<p>Melissa Parker (Cont'd)</p>		<p>person that was essentially translating our submissions into OPDC-speak and handling the admin on your end, it would be a far more more enticing scenario. One staff person - something that OPDC could acquire - could encourage ten+ attorneys (something that OPDC will have a hard time acquiring) to take cases. And once that initial process went smoothly, they'd likely come back for more. Remove process challenges.</p> <p>1)(a) If OPDC offered a group health insurance plan I would be MUCH more motivated to focus my work on public defense.</p> <p>2) I'm not sure that OPDC is unaware of this, but the contract max limitation before taking unrepresented cases is frustrating. I have a PCR contract. OPDC has not delegated us enough cases to fill our contract loads. So, despite my willingness and ability, I am unable to max out my contract. But because I haven't maxed out my contract, I am unable to take cases off the unrepresented list. Suggestions that have been floated around are that I max out my PCR hours with unrepresented cases and then am able to take more cases off the unrepresented list. But that means I'm essentially working for free for a certain period, just for the ability to work at a significantly reduced rate to "help" the crisis. At the end of the day I have a business to run and the math doesn't work on that. I believe in the work of public defense, but I can't wholly sacrifice the business component of my firm either. I think that is a significant lapse in OPDC's approach. Lawyers can't be expected to sacrifice their ability to earn a comparable wage in order to do this work. We'll never get and keep qualified and capable attorneys if lawyers are expected to sacrifice a reasonable wage in order to do public defense work. I'm not saying we need to get rich, but it has to at least be comparable to similarly-situated government workers.</p> <p>3) I very much think the Marion County courts would take advantage of the opportunity to reduce misdemeanors to violations without the DA's cooperation. My perception is the court is somewhat frustrated by the state's lack of affirmative participation in reducing the unrepresented person's list.</p>
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Jane Claus	Clauslaw, LLC	<p>1. One of my biggest problems with OPDS is the constant changing of forms. First it was an NRE, then CSS, then PAE and now direct input to the website. We count on being able to use templates to make our work time more efficient. The constant changing of the forms is a real pain. Having to go back and find the case number, number for the provider, etc. and retype everything every time we need a PAE is so absolutely unnecessary and it slows things down.</p> <p>2. Also, the lag time in payment is completely unacceptable.</p> <p>3. Also the same AP number should be used from acceptance through payment. Changing the AP number if there are problems with the submission or when it is sent for payment is totally confusing and absolutely unnecessary. Feel free to ask me more questions.</p>
Lisa Greif	Two Rivers Legal, LLC/Los Abogados Consortium	<p>I am guessing some of these issues are common to other counties in Oregon; this list is related to my experience in Jackson County.</p> <p>(1) Our ability to access clients in the jail is difficult. There are only certain hours of the day when we can see clients. There are a limited number of attorney booths for us to meet with clients. The booths are also shared with community partners such as drug & alcohol treatment providers, mental health counselors, DHS Child Welfare caseworkers, etc. We have to call at least 30 minutes ahead of a requested visit to schedule it. Visits are only on the half-hour or hour. We can only call the day of to schedule visits. We have made various suggestions to the jail administration, but were rebuffed.</p> <p>(2) There are a number of people in the DA's Office that are non-responsive to communication. We call and email with no response. There are times when I have had to track down DDAs in person to get an answer. Often it is just for a simple position on a continuance. We spend a lot of time just trying to get them to respond to us. The DA is aware that there are people in his office that do not communicate in a timely manner with the defense, but nothing seems to change.</p> <p>(3) Discovery. I am constantly having to request (and re-request) complete discovery from the state. Certain items, such as lab reports, take an</p>

<p>Lisa Greif (Cont'd)</p>		<p>unreasonable amount of time to be received. This leads to defense continuances because we just don't have all of the evidence we need to advise our clients how to proceed. It is common, particularly in serious cases, for the state to drop last-minute discovery right before or during trial.</p> <p>(4) Court calendar changes. Our court made significant calendar and docket changes at the beginning of this year without input from the DA's Office or the defense. These changes created major disruptions and made us waste unnecessary time waiting around in court.</p> <p>(5) Unnecessary court procedures. This is a recent example: the court told the defense that they need to file a motion and order to unseal a confidential probable cause affidavit when the attorney has been appointed or has filed a notice of representation. I had this happen last week and pushed back saying I was entitled to the document as the defendant's attorney. The court manager said he had to reach out to OJD General Counsel for an answer. Ultimately, the manager was told he needed to provide the PC affidavit to me.</p>
<p>Cindy Borders</p>	<p>Defense Investigators of Oregon/OCDLA</p>	<p>I will be submitting a lengthy response via email. My short input, with over 30 years experience in indigent defense as a legal assistant and then as an investigator is that I have seen our system go from one that ran like butter in the summer to what we have now. What changed? Leadership. Plain and simple. Yes, the system of contractors and the cobbled up way the system was put together is odd, but I never heard of an "unrepresented person" when I worked for the likes of Chris Burris in Clackamas as his legal assistant or Randy Vogt as his. Because the system was designed to prevent this. If a firm met it's contract limit they continued to take on cases and got paid additional money to do it, just like in private practice. OPDC/OPDS paid a lot of money for the Sixth Amendment Study. Why is it being ignored? Why is the "maximum attorney capacity" still being used? I see the results of this on attorneys while waiting at jails for visits and their exhaustion. How are they expected to do their work competently and in the best interests of the client (not the OPDC) when they don't have the support with clerical staff, have too many cases, no mentorship?</p>

<p>Cindy Borders (Cont'd)</p>		<p>Mentors. Abe Lincoln learned to be a lawyer not in a classroom but through mentorship. I've always heard from lawyers about their mentors when they were young lawyers, how important and influential they were. Law school doesn't teach you how to be a lawyer, one moot court class doesn't train you to stand in front of a jury at the end of a trial where you have had to shuck and jive as witness after witness falls apart or lies. Public Defense has a large group of very experienced lawyers who are nearing retirement age whose knowledge, skills and even their ability to help young lawyers learn how to deal with clients is going to be lost if those lawyers are not encouraged (in the form of serious monetary compensation) to hand their knowledge down. Metro used to have one of the best mentor programs for new lawyers, what happened to it?</p> <p>Training. Serious training. As in "you cannot do a Measure 11 case until you have taken this training". Training can be with a mentor, the best way, but I have seen and heard of so many lawyers who have been thrown into the deep end of the pool not knowing what they are doing and who gets hurt? THE CLIENT. OCDLA can and will provide trainings. Any attorney who has attended trainings like Gerry Spence's trial college will tell you they learned invaluable skills. Have Ryan Scott and the other motion gurus do a training on how to effectively write motions. Ryan would probably love to teach other lawyers, he really likes to share his knowledge and is actually frustrated when lawyers do not use his work or talk to him.</p> <p>Pay. Not just pay that equates to experience and skill, as well.</p> <p>Reviewing of performance. Our clients are not usually happy about their outcomes, but having a review by clients can be helpful. Did your attorney or a representative visit them if they are in custody? Were they provided with discovery? Were they able to ask the attorney questions? I am sure this could be easily done and if patterns are tracked (because I know some attorneys who do not do the minimum) you could then talk to them and find out how to help them or get rid of them. Also ask judges if attorneys come to court prepared, etc. "Warm butts in the seats" is the not the answer to the unrepresented crisis.</p>
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<p>Cindy Borders (Cont'd)</p>		<p>Now for the rest of us, who aren't mentioned. Like any stool, it has legs that hold it up, but the only part that gets decorated is the top. The same is true in criminal defense. An attorney is the top of the stool, they go to court, they sign the pleadings, etc. But without the legs, an attorney is just a piece of wood lying on the floor. First off, clerical staff. Effective and efficient attorneys have clerical staff who handle the mundane, the calendaring, the file opening, and even a lot of phone calls from clients. Attorneys should be compensated in a way they can afford to hire staff or clerical staff should be able to contract independently with OPDC, this could be an issue if they work for multiple attorneys who are in different or solo firms due to conflicts. As a former TA, I know how important this cog in the wheel is. While the attorneys I worked for were in court all day long, I handled the phones, made sure clients were talked to, redacted the discovery, sent it to clients, scheduled appointments, maintained a list of clients and upcoming court dates, checked for conflicts in cases, prepared funding requests, did filing, put together trial clothes and numerous other tasks so the attorneys could focus on being attorneys. Second, experts. We have a desert of experts right now. Many do not want to work for OPDC because of payment delays, difficulty in getting paid their rates, etc. The other issue is Oregon does not exactly have a high population of many experts and we have to look nationwide to obtain the right experts. The people who approve funding have never tried a complicated case with many moving parts. They do not understand why maybe an expert in maggots is needed, even if it is explained by the attorney requesting the funding. Or an expert in use of force (there are none who live in Oregon who are vetted and experienced, plus they are usually former law enforcement and are hesitant to cross the blue line in their home state). Going to "the list" first is great, but "the list" does not have all of the experts needed. Attorneys need to be able to use the experts they need and, if they can justify the cost, get them. Also, experts need to be paid timely, not in 45 days. Investigators/mitigation specialists. Of course I'm bringing this up. I have over 22 years experience as an investigator and mitigation specialist. I have done over 20 capital murder cases and do not have a single client on death row. I have 3 full acquittals on murder cases, as well as other cases including rape, etc. That is my brag. Now for my comments. Despite my years</p>
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<p>Cindy Borders (Cont'd)</p>		<p>of experience, I am paid the same as someone who was just licensed and is doing their first case. In what world is that fair? Rates of compensation for investigators/mitigation specialists should be equitable with years of experience and types of cases we do. An investigator doing C felonies and misdemeanors should not get the same rate as investigators doing M11 felonies and murders, plain and simple.</p> <p>Getting paid. During the entire time Paul Levy was in charge of public defense, we were paid within a week. Now we have to send email reminders after 35 days asking for our pay. Do you have to send reminders to the state comptroller asking them to please pay your invoices? No, I did not think so. Many times we are submitting invoices for work we have done months before, as well as out of pocket expenses we spent, sometimes in the hundreds of dollars. Why do we have to beg for our money? Or wait and wait. It is taking on average for me to be paid almost 40 days. Your agency is pushing the payments out as close to the 45 days as you can WHY? I know at 45 days you have to start paying interest, but what is the purpose and why the delays? (FYI we have a great deal of stress in our jobs, when adding the stress of not knowing when we are getting paid because we have our own bills to pay, it creates more stress and frustration, which can affect our clients.) We submit our billings in a computerized format, many people using billing programs, or we use spread sheets, I understand the "big audit" fear, could you share with us the exact amount of money you are finding in errors and are they pro-provider or against the provider? I know personally I have received a couple corrections over the last year totaling under \$500, usually in my favor. Why are invoices printed out on paper and hand verified not one, not two but three times? Why not provide us with a master form we all use or a system like the feds do, so you do not have to waste paper and toner and only use one or two people do the verification? Why do small invoices of under 20 hours take this long to process? Why not pull those and get them through the system quicker? Does the legislature know about the manual triple check on paper of computerized billings? Do they agree with the waste of natural resources with the printing of paper invoices and the waste of toner? What is the amount in the budget for these items? Could that amount be saved by creating a master</p>
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Cindy Borders (Cont'd)		billing system like the feds use (and was shared with the "work group" a couple of years ago)?
Amy Counter	PDSLCL	<p>Considering topic #3, what benefit, if any, is incurred by requiring a prosecutor to assent to the reduction of a felony charge to a misdemeanor, participation in programs like 416/drug courts, etc? What reason is there to justify the existence of these rules in the first place?</p> <p>This barrier is not only frustrating but not based on any rational purpose. Most prosecutors I interact with have never had a client before, don't regularly interact with addicts for any longstanding duration, are often blinded by privilege without any real experience in navigating the realities of the difficulties and dysfunction our clients actually face each day. There is nothing more frustrating than begging a DA for an opportunity like 416 program (or reductions of charges through equity court completion) and hearing them say they don't believe the client will succeed. They NEVER have a good reason to point to other than their baseless hunch. They should be the last people that gatekeep these opportunities for criminal defendants.</p>
Adam Lebrun	Lebrun Raynes Law	<p>Responses to the topics: (Question: How are any of the below being addressed:)</p> <p>1. The use of hourly attorneys has been critical to the response, but is barely mentioned, if at all, as a solution moving forward. More expensive, lack of control or measurement over those attorneys are factors - but they also are a huge part of the solution and should be seen as assets more moving forward, not only a piece to phase out entirely.</p> <p>2. Working with certain courts to make administrative processes more welcoming to defense practitioners. Certain courts, with high unrepresented numbers, set cases without asking attorneys, and make it very difficult to get those dates moved when the attorneys is already booked in another court.</p> <p>2b. Working with courts to get specific resolution dockets so cross-county attorneys can block off specific time spots to get cases in that county resolved. Courts need to help be part of the solution - and are a big deterrent to how many cases I opt to take in certain counties.</p> <p>2c. Also, DAs could be obviously more flexible in those counties about not charging every diversion violation, etc. The crisis does not entirely fall on public defense</p>

Adam Lebrun (Cont'd)		<p>providers or OPDC proper.</p> <p>3. IF courts had authority to allow violation treatment without DA approval, it would significantly help in the counties where the numbers are highest.</p>
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Date: June 12, 2025

To: Jennifer Nash, Chair, OPDC
Susan Mandiberg, Vice Chair, OPDC
OPDC Commissioners

Cc: Ken Sanchagrin, Executive Director

From: Trial Support & Development Team

Re: Draft Attorney Qualification Standards

Nature of Presentation: Briefing on Updates

Background:

On February 19, 2025, the Commission was briefed on the draft Attorney Qualification Standards. The updated Attorney Qualification Standards are in response to the Commission's feedback. Additionally, this memo outlines the 2025 standards explains changes from the 2019 standards.

Criminal Cases

Misdemeanor Level (Criminal Attorney 1)

- 2019: Required observation of five complete trials or service as counsel or co-counsel in two criminal jury trials.
- 2025: More pathways to qualify, including certified law student experience for six months, service as co-counsel in five criminal cases, or completion of an OPDC-approved training program.

Lesser Felony Level (Criminal Attorney 2)

- 2019: Required nine months at misdemeanor level, serving as counsel or co-counsel in two criminal jury trials.
- 2025: More rigorous requirements including 12-18 months at CA1 level, representation in 100 criminal cases, drafting five motions and arguing two substantive pretrial motions, four misdemeanor trials with at least one before a jury.

Major Felony Level (Criminal Attorney 3)

- 2019: Required nine months at lesser felony level.
- 2025: Increased requirements including 18 months at CA2 level, representation in 45 felony matters, co-counseling three Measure 11 cases, trying at least four felony cases to a jury.

Murder Cases (Criminal Attorney 4)

- 2019: Required three years at major felony level, lead, or co-counsel in five major felony jury trials including one homicide case.
- 2025: Similar time requirements (two years at CA3 level) but now requires five jury trials at CA3 level including one sex offense, more detailed experience with complex cases.

Capital Murder Cases (Criminal Attorney 5)

- 2019: Five years major felony experience, lead or co-counsel in one murder jury trial, 24 hours specialized training.
- 2025: Higher bar with five years at CA4 level, five CA4 cases to resolution, co-counsel on two first-degree murder cases, more specialized training requirements, and a committee review.

Juvenile Practice

Juvenile Delinquency - Misdemeanor (Delinquency Attorney 1)

- 2019: Required misdemeanor criminal qualifications plus experience in two contested juvenile hearings or observation of five juvenile hearings.
- 2025: More thorough preparation including knowledge of juvenile code, criminal code, evidence code, plus completion of OPDC-approved training or specific juvenile delinquency mentorship program.

Juvenile Delinquency - Felony Level (Delinquency Attorney 2 & 3)

- 2019: Required nine months of juvenile misdemeanor experience, reference letters, co-counsel experience.
- 2025: Expanded requirements with detailed provisions for the use of investigators, experts, mental health knowledge, professional network support, and specialized training in adolescent development.

Dependency Cases (Dependency Attorney 1)

- 2019: Juvenile delinquency misdemeanor qualifications or equivalent civil or criminal experience, plus service in two dependency cases or observation of five dependency cases.
- 2025: More robust requirements including knowledge of DHS programs, ICWA, litigation proficiency, client communication skills with trauma-impacted populations, and utilization of experts.

Post-Conviction & Specialized Practice

Post-Conviction Relief (PCR Attorney 1-3)

- 2019: Required qualifications for the underlying criminal case type plus post-conviction specific knowledge.
- 2025: Tiered system with increasing requirements for each level. PCR Attorney 3 (for aggravated murder) requires extensive civil case experience, conducting five PCR evidentiary hearings, and advanced understanding of forensic investigation.

Civil Commitment (Civil Commitment Attorney 1-2)

- 2019: Required felony case qualifications plus three cases with psychiatric expert consultation.
- 2025: Created two-tier system with CCA2 requiring additional Criminal Attorney 3 certification for "extremely dangerous" cases.

PSRB & Habeas Corpus Proceedings

- 2019: Habeas corpus required lesser felony qualifications and had no specific PSRB category.
- 2025: Added dedicated PSRB Attorney qualification requiring knowledge of Oregon State Hospital systems and expanded added an additional Habeas Corpus Attorney level.

Classification Conversion Chart

Attorneys previously classified under the 2019 standards will transition to the new 2025 equivalent without recertification.

2019 Classification	2025 Equivalent
Misdemeanor Cases and Contempt	Criminal Attorney 1
Lesser Felony Cases	Criminal Attorney 2
Major Felony Cases	Criminal Attorney 3
Murder and JLaw Cases	Criminal Attorney 4
Capital Murder Cases	Criminal Attorney 5
Civil Commitment Proceedings	Civil Commitment Attorney 1 & 2
Juvenile Delinquency - Misdemeanor	Delinquency Attorney 1
Juvenile Delinquency - Lesser Felony	Delinquency Attorney 2
Juvenile Delinquency - Major Felony	Delinquency Attorney 3
Juvenile Delinquency - Murder	Delinquency Attorney 4
Juvenile Dependency	Dependency Attorney 1
Termination of Parental Rights	Dependency Attorney 2
Post-Conviction Relief (Non-Murder)	PCR Attorney 1
Post-Conviction Relief (Murder)	PCR Attorney 2

2019 Classification	2025 Equivalent
Post-Conviction Relief (Capital Murder)	PCR Attorney 3
Habeas Corpus Proceedings	Habeas Corpus Attorney 1 & 2
PSRB Proceedings (not specifically categorized)	PSRB Attorney

The 2025 Standards also provides new sections,

- Qualification Standards for All Public Defense Attorneys;
- Process for Attorney Qualification;
- Options for training pathways to increase qualifications;
- Equivalent Experience Qualification Standards; and
- Practicing Under Supervision Standards.

Implementation:

The current proposal envisions a six-month transition period before qualification under the newly adopted standards are implemented. After implementation, attorneys who have gaps in their existing qualifications due to the new standards can be qualified provisionally as they work to complete any outstanding requirements. The proposed qualification process would have attorneys recertify triennially, to align with their Oregon State Bar CLE certification. We do not anticipate a change in the types of cases that currently certified providers would handle under the new standards.

Agency Recommendation:

The agency recommends the commission accepts the briefing, with the understanding that the agency will bring the Attorney Qualification Standards back before the Commission for adoption at its July 2025 meeting.

Fiscal Impact:

To be determined after a full implementation and transition plan is developed. Full implementation will require investments in OPDC infrastructure and staff to implement training programs and support. Such investments are not part of the agency's requested budget for 2025-27.

Agency Proposed Motion:

None.



Attorney Qualification Standards (DRAFT)

April 2025

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Qualification Standards for All Public Defense Attorneys

These Standards repeal and replace PUBLIC DEFENSE SERVICES COMMISSION QUALIFICATION STANDARDS FOR COURT-APPOINTED COUNSEL TO REPRESENT FINANCIALLY ELIGIBLE PERSONS AT STATE EXPENSE, dated December 19, 2019

OPDC Qualification Standards set minimum guidelines to ensure that attorneys providing state funded public defense services:

- have the appropriate level of experience for cases assigned;
- are adequately staffed; and
- meet their ethical and professional responsibilities.

OPDC certified attorneys must meet not only case type and case level requirements, but also general requirements common to all attorneys seeking to provide OPDC funded legal representation.

Licensure to Practice Law in Oregon

All Attorneys providing OPDC funded legal representation must maintain an active license to practice law in Oregon and be in good standing with the Oregon State Bar.

Rules of Professional Conduct

All attorneys providing OPDC funded legal representation must review, be familiar with, and agree to abide by the current version of the Oregon Rules of Professional Conduct.

Constitutional Law

All attorneys providing OPDC funded legal representation must have reviewed and be familiar with the current versions of the United States Constitution and the Oregon Constitution.

Caseloads

All attorneys providing OPDC funded legal representation must commit to providing competent and effective representation to each client and to ensuring that the size and complexity of their caseloads do not interfere with providing competent representation to each client or lead to the breach of professional obligations.

Court Rules

All attorneys providing OPDC funded legal representation must review and be familiar with all court rules applicable to the types of cases and jurisdictions in which they provide legal representation. These include not only the Uniform Trial Court Rules, but also supplementary local rules, and Oregon Rules of Appellate Procedure.

File Maintenance

OPDC certified attorneys must maintain client files for a period of ten years, unless required by the Oregon State Bar to maintain the client files for a longer period

Accessibility

All attorneys providing OPDC funded legal representation must maintain:

- **a working email address;**
- **a working phone capable of receiving calls from incarcerated clients; and**
- **ready access to formal meeting spaces for meeting with clients, family members, witnesses, etc.**

No attorney providing OPDC certified attorneys may not take cases in a judicial district that would prevent them from maintaining client contact or otherwise providing adequate representation to all clients pursuant to the performance standards.

Qualification Standards for Representation in Criminal Proceedings

Criminal Attorney 1 Qualifications

Case Assignments

An attorney certified by OPDC as a Criminal Attorney 1 (CA1) may accept appointment in:

- Misdemeanor cases, as defined under ORS 161.545;
- Probation violation proceedings where the underlying crime was a misdemeanor;
- Arraignments on all cases; and
- Contempt proceedings, as defined under ORS 33.015.

Minimum Qualifications for Criminal Attorney 1 Certification

To be certified as a Criminal Attorney 1, an attorney must meet at least the following criteria:

1. Review and be familiar with the current versions of the:
 - a. Oregon Criminal Code, ORS chapter 161 through 169;
 - b. Oregon Vehicle Code, ORS chapter 801 through 826;
 - c. Oregon Evidence Code, ORS chapter 40; and
 - d. Criminal drug offenses and other crimes outside of the Criminal Code;
2. Has reviewed, is familiar with, and agrees to abide by the current versions of:
 - a. American Bar Association, *Criminal Justice Standards for the Defense Function* (4th ed 2017);
 - b. Office of Public Defense Services, *Best Practices for Oregon Public Defense Providers* (2010);
 - c. All applicable OPDC Performance Standards for Criminal Representation;
 - d. Oregon State Bar, *Report of the Task Force on Standards of Representation in Criminal and Juvenile Delinquency Cases* (Apr 2014);
 - e. American Bar Association, *Ten Principles of a Public Defense Delivery System* (Aug 2023);

3. Satisfies at least one of the following:
 - a. Meets both of the following conditions:
 - i. Represented clients in criminal cases as either a:
 - a) certified law student under the Oregon Supreme Court Rules on Law Student Appearances, for at least six months;
 - b) a Supervised Practice Portfolio Examination (SPPE) applicant; or
 - c) a student who participated in a law school criminal court clinic within three years prior to requesting qualification under this standard; and**
 - ii. Presents a letter from their immediate supervisor certifying the person's qualification to represent clients in misdemeanor cases;
 - b. Has served as counsel or co-counsel in at least two criminal cases that were tried to a jury;
 - c. Has served as co-counsel in at least five criminal cases. Such service should have included attendance at court appearances and client interviews in each case;
 - d. Has served as a judicial clerk for at least six months in a court that regularly conducted criminal trials within three years prior to requesting qualification under this standard; or
 - e. Has completed an OPDC-approved training program.

Criminal Attorney 2 Qualifications

Case Assignments

In addition to appointments a Criminal Attorney 1 may accept, an attorney certified by OPDC as a Criminal Attorney 2 may accept appointments in:

- Appointments to Criminal Attorney 1 cases;
- Felony cases as defined under ORS 161.525 other than those requiring certification as a Criminal Attorney 3 or Criminal Attorney 4; and
- All probation violations in which the underlying crime was a felony.

Minimum Qualifications for Criminal Attorney 2

To be certified as a Criminal Attorney 2, an attorney must meet Criminal Attorney 1 standards and the following criteria:

1. Has represented clients in misdemeanor cases for at least 12 months if their practice is at least half-time criminal defense work or 18 months if their practice is less than half-time criminal defense;

2. Has represented clients in at least 100 criminal cases from arraignment, or immediately thereafter, through the conclusion of the case;
3. Has drafted at least five motions and argued at least two substantive pretrial motions (e.g., motions to suppress, motions *in limine*, release motions in which witnesses are examined, or evidence is taken, motions to compel discovery, etc.) before a judge. A copy of a motion or case number in which it was filed should be submitted with the application for certification. The motion must be one that the applicant attorney was the primary drafter of but need not be in a case on which the applicant was the lead attorney;
4. Can demonstrate their use of investigators in cases;
5. Can demonstrate an understanding of the process for locating and obtaining funding for an expert witness in a case (including psychiatric evaluators, substance use evaluators, medical experts, etc.);
6.
 - a. As lead counsel has tried at least four misdemeanor cases, at least one of which was before a jury; or,
 - b. In the alternative to at most two of the trials required in subsection 8.a., an attorney may:
 - i. Co-counsel cases tried to a jury as second chair if they take sole responsibility for at least two of the following sections of the trial: jury selection, opening statement, closing argument, direct examination of a witness or cross examination of a state's witness;
 - ii. Argue at least one contested sentencing to a judge; and
 - iii. Submit letters of reference from the lead counsel in those trials attesting to the applicant attorney's ability and competence to represent clients in felony cases;
 - c. Applicant attorneys may submit a letter to OPDC explaining why they are unable to meet the requirements of this section and OPDC may consider exceptions to the required four trials if an attorney is unable to meet that requirement based on factors beyond the attorney's control.
7. In at least one felony case tried to a jury, has served as co-counsel with an attorney who has previously tried felony cases and is otherwise qualified to try felony cases under these standards. As co-counsel applicant attorney must participate in the planning and trial of the case including contact with the client as well as court appearances; and

Case Assignments

In addition to appointments a Criminal Attorney 2 may accept, an attorney certified by OPDC as a Criminal Attorney 3 may accept appointment in:

- All cases brought under ORS 137.700 other than murder;

- In cases charging criminally negligent homicide or manslaughter, provided they have co-counsel who is also certified as at least Criminal Attorney 3;
- Felony offenses listed in ORS 163.305-163.479 and 163.665-163.693 (sex offenses); and
- Cases charged under 161.610 (Firearm minimum cases); and
- For all material witnesses or witnesses who are assigned an attorney after invocation of their rights.

Criminal Attorney 3 Qualifications

Case Assignments

In addition to appointments a Criminal Attorney 2 may accept, an attorney certified by OPDC as a Criminal Attorney 3 may accept appointment in:

- All cases brought under ORS 137.700 other than murder;
- In cases charging criminally negligent homicide or manslaughter, provided they have co-counsel who is also certified as at least Criminal Attorney 3;
- Felony offenses listed in ORS 163.305-163.479 and 163.665-163.693 (sex offenses); and
- Cases charged under 161.610 (Firearm minimum cases); and
- For all material witnesses or witnesses who are assigned an attorney after invocation of their rights.

Minimum Qualifications for Criminal Attorney 3

To be certified as a Criminal Attorney 3, an attorney must meet at least the following criteria:

1. Meets the OPDC requirements for certification as a Criminal Attorney 2;
2. Has represented clients in felony cases for at least 18 months;
3. Has represented at least 45 clients in felony matters from arraignment, or immediately thereafter, through the conclusion of the case;
4. Has co-counseled at least three cases filed under ORS 137.700 with a lead counsel who is certified as a Criminal Attorney 3 or 4. During these cases the attorney must be co-counsel from the beginning of the case until the resolution of the case;
5. Has tried at least one case charged under ORS 137.700 as co-counsel with an attorney who is certified as a Criminal Attorney 3 or 4.;
6. Has tried at least four felony cases to juries as lead counsel;

7. Participated as either lead or co-counsel in a trial where the applicant argued motions and presented expert witness testimony;
8. The applicant attorney has a professional network of support and can provide the names of at least three attorneys OPDC certified Criminal Attorney 3 or 4 who demonstrate this support; and
9. Has demonstrated proficiency working with clients with mental disorders, including the use of psychological evaluations for determining fitness to proceed questions as well as mitigation.

Criminal Attorney 4 Qualifications

Case Assignment

In addition to appointments a Criminal Attorney 3 may accept, an attorney certified by OPDC as a Criminal Attorney 4 may accept appointments:

- As lead counsel in all cases charging any degree of non-capital murder;
- As solo counsel in cases charging criminally negligent homicide or manslaughter;
- For crimes charged under Jessica's Law; and
- For any charge for which the penalty could be a potential life sentence.

Minimum Qualifications for Criminal Attorney 4

To be certified as a Criminal Attorney 4, an attorney must meet Criminal Attorney 3 standards and the following criteria:

1. Has a minimum of two years of experience representing clients in felony cases;
2. As lead counsel has tried to a jury at least five cases that require certification as a Criminal Attorney 3, including at least one case in which a felony sex offense was alleged;
3. a. Has represented clients as co-counsel in at least:
 - i. One case charged under Jessica's Law from the beginning of the case through its resolution;
 - ii. One case with degree of murder charged from the beginning of the case through its resolution; and
 - iii. One trial before a jury, either any degree of murder or a crime under Jessica's Law charged;
- b. In the alternative to subsection 3.a., an applicant may show that they have:

- i. Practiced criminal defense for at least five years; and
 - ii. As lead counsel has tried at least ten cases to a jury. Trials must have been within 12 years of the application and at least five of the trials must have been cases requiring certification as a Criminal Attorney 3. These may be the same trials used to satisfy subsection 2; and
4. Provides letters from at least three attorneys certified as Criminal Attorney 3 or higher, one of which should be an attorney who has served as cocounsel with the applicant. These letters should demonstrate that the applicant possesses the necessary education, training, skills, and experience necessary to provide competent representation to defendants charged with serious felony crimes. These recommendations should demonstrate that the attorney recommending the applicant has personal knowledge of the applicant handling cases involving co-defendants, a significant number of witnesses, and cases involving suppression issues, expert witnesses, mental state issues, and scientific evidence.

Criminal Attorney 5 Qualifications

Case Assignments

In addition to appointments a Criminal Attorney 4 may accept an OPDC Criminal Attorney 5 may accept appointments:

- **As lead counsel in all cases charging capital murder.**

Minimum Qualifications for Criminal Attorney 5

To be certified as a Criminal Attorney 5, an attorney must meet at least the following criteria:

- 1. Has met the Criminal Attorney 4 criteria and has been practicing at that level for at least 5 years;**
- 2. Can demonstrate:**
 - a. substantial knowledge and understanding of the relevant state and federal procedural and substantive law governing capital cases;**
 - b. skill in managing and conducting complex negotiations and litigation;**
 - c. skill in the use of expert witnesses and familiarity with common areas of forensic investigation;**
 - d. skill in analyzing and handling digital evidence from different kinds of sources and/or the knowledge of what experts to hire to assist the defense team in this area;**

- e. skill in the investigation, preparation and presentation of evidence bearing on mental conditions and status;
 - f. skill in the investigation, preparation, and presentation of mitigation evidence;
 - i. skill in the elements of trial advocacy, such as jury selection including the National College of Capital Voir Dire (NCCVD) method, cross-examination of witnesses, and opening and closing statements;
 - j. understanding of the standards set forth in Guidelines 10.2 to 10.15.2 of the American Bar Association Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases, Revised Edition, February 2003 (as adopted by OPDC in 2014).
 - k. understanding of and agrees to fulfill the current version of the ABA Supplementary Guidelines for the Mitigation Function of Defense Teams in Death Penalty Cases.
3. Within the last 3 years the applicant has attended at least two specialized training courses related to representing clients accused in capital murder cases. Capital defense training programs should include presentations in one or more of the following areas:
- i. relevant federal, state, and international law;
 - ii. pleading and motion practice;
 - iii. pretrial investigation, preparation, and theory development regarding guilt/innocence and penalty;
 - iv. jury selection;
 - v. trial preparation and presentation, including use of experts;
 - vi. ethical considerations particular to capital defense representation;
 - vii. preservation of the record and of issues for appeal and post-conviction review;
 - viii. ethical obligation of trial counsel to cooperate with post-conviction counsel;
 - ix. counsel's relationship with the client and their family;
 - x. post-conviction litigation in state and federal courts; and
 - xi. presentation and rebuttal of scientific evidence, and developments in mental health fields and other relevant areas of forensic and biological science; or
 - xii. analyzing, handling, and using digital evidence.
4. Was lead counsel on five (5) cases at the Criminal Attorney 4 level to resolution;

5. Has acted as co-counsel on two (2) Murder in the First-Degree case to resolution of the case; and
6. Submits three letters from lawyers qualified by OPDC as Criminal Attorney 5, including at least one attorney who was lead counsel in one of the cases used to satisfy subsection 5 of this rule. The letters must outline the reasons that the writer believes that the applicant possesses a high-level of learning, scholarship, training, experience, or ability to provide competent representation for defendants charged with Capital Murder cases.

Qualification Standards for Representation in Delinquency Proceedings

Delinquency Attorney 1

Case Assignments

An attorney certified by OPDC as a Delinquency Attorney 1 (DelA1) may accept appointments in the following cases:

- Misdemeanor-level cases as defined under ORS 161.545 excluding misdemeanor-level sex offenses;
- Misdemeanor-level probation violations excluding misdemeanor-level sex offenses;
- Misdemeanor-level Formal Accountability Agreements (FAA) excluding misdemeanor-level sex offenses;
- Extradition pursuant to the Interstate Compact for Juveniles (ICJ); and
- Status offense cases.

Minimum Qualifications for Delinquency Attorney 1

To be certified as a Delinquency Attorney 1, an attorney must meet at least the following criteria:

1. Has reviewed and is familiar with the current versions of the:
 - a. Oregon Juvenile Code, ORS chapter 419A through 419C;
 - b. Oregon Criminal Code, ORS chapter 161 through 169;
 - c. Oregon Vehicle Code, ORS chapter 801 through 826;
 - d. Oregon Evidence Code, ORS chapter 40; and
 - e. The criminal drug offenses and other crimes outside of the Criminal Code;
2. Has reviewed, is familiar with, and agrees to abide by:
 - a. American Bar Association, *Standards Relating to Juvenile Delinquency and Sanctions* (1980);
 - b. Oregon State Bar, *Report of the Task Force on Standards of Representation in Criminal and Juvenile Delinquency Cases* (Apr 2014);

- c. National Juvenile Defender Center (now The Gault Center), *National Juvenile Defense Standards* (2012);
 - d. The Gault Center, *National Youth Defense System Standards* (Feb 2024);
 - e. Campaign for the Fair Sentencing of Youth, *Trial Defense Guidelines: Representing a Child Client Facing a Possible Life Sentence* (2015); and
 - f. American Bar Association, *Ten Principles of a Public Defense Delivery System* (Aug 2023); and
3. Satisfies one of the following:
- a. Meets the requirements to be certified as a Criminal Attorney 1 and has completed an OPDC-approved mentorship under certified Delinquency Attorney 3 or 4. Mentorships must include observations in court of at least an admission and dispositional hearing and a contested adjudication or motion hearing. It should also include observation of at least five youth meetings, of which at least two must be the initial meeting, an introduction to the local bench and bar, and a discussion of ethical issues facing juvenile defenders; or
 - b. Does Criminal Attorney 1 criteria; but
 - i. Has co-counseled three delinquency cases with an attorney certified as a Delinquency Attorney 3 or 4 from initial meeting through disposition, including informal dispositions; and
 - ii. Has completed an OPDC-approved training program or an OPDC approved mentorship program as described under 3.a.ii of this section, when available; or
 - c. Can demonstrate expertise and competence in juvenile delinquency. Competence can be demonstrated by:
 - i. Completion of a juvenile delinquency law school clinic program within three years prior to requesting qualification under this standard **and presentation of a letter from their immediate supervisor certifying the applicant's ability to represent clients in misdemeanor level delinquency cases;** or
 - ii. Service as a judicial clerk for at least six months in a juvenile court within three years of requesting qualification under this standard; or
 - iii. Practice as a juvenile defender in another state for at least six months.

Delinquency Attorney 2

Case Assignment

In addition to appointments a Delinquency Attorney 1 may accept, an attorney certified by OPDC as a Delinquency Attorney 2 may accept appointments in the following cases:

- Misdemeanor-level sex cases;
- Felony-level cases excluding felony-level sexual offenses and ORS 137.707 cases; and
- Cases in which the State wants to hold a youth as a material witness.

An attorney certified as Delinquency Attorney 2 may also accept appointments for formal accountability agreements (FAA), juvenile post-adjudication relief (JPAR), and probation violations for the above case types.

Minimum Qualifications for Delinquency Attorney 2

To be certified as a Delinquency Attorney 2, an attorney must meet at least the following criteria:

1. Has been certified by OPDC as a Delinquency Attorney 1 for at least nine months;
2. As Delinquency Attorney 1, has represented clients in ten cases through disposition, including informal dispositions, including at least one contested hearing in which witnesses were examined;
3. Can demonstrate their use of investigators in cases;
4. Can demonstrate an understanding of the process for locating and obtaining funding for an expert witness in a case (including psychiatric evaluators, substance use evaluators, medical experts, etc.);
5. Can demonstrate experience with written motion or mitigation advocacy as shown by submission of a redacted written motion or mitigation letter for which the applicant was the primary author;
6. Has served as co-counsel with an attorney who is certified as a Delinquency Attorney 3 on at least two Delinquency Attorney 3 level cases from the start of the case through disposition, including informal dispositions, and co-counseled at least one adjudication. The attorney need not be on the case that counts as the adjudication from the beginning if the attorney meets the following requirements:
 - a. The attorney must have had sole responsibility for at least two of the following sections of the adjudication: opening statement, direct examination of a witness, cross-examination of a state's witness or closing argument; and

- b. Submits letters from the lead counsel in the adjudication attesting to the applicant attorney's ability and competence to represent youth in felony-level cases;
7. Upon request, the applicant can present an additional showing of expertise and competence in juvenile delinquency practice by submitting three letters from delinquency defense attorneys who are familiar with the work of the attorney requesting qualification as a defense attorney representing youth in juvenile court within the last two years. These letters cannot be from the same attorney who attests to the applicant's work in section 6.b. above.

Delinquency Attorney 3

Case Assignments

In addition to appointments a Delinquency Attorney 2 may accept, an attorney certified by OPDC as a Delinquency Attorney 3 (DelA3) may accept appointments in the following cases:

- Felony-level sex offense cases, including sex offender registration hearings;
- Cases with offenses listed in ORS 137.707, excluding first-degree and second-degree murder cases; and
- Any case, excluding aggravated, first-degree, and second-degree murder, cases, in which the state has indicated an intent to file a motion to waive juvenile court jurisdiction. An attorney may not be lead counsel on such a case until they have met the requirement in 3.a. below.

An attorney certified as Delinquency Attorney 3 may also accept appointments for formal accountability agreements (FAA), juvenile post-adjudication relief (JPAR), and probation violations for the above case types.

Minimum Requirements

To be certified by OPDC as a Delinquency Attorney 3, an attorney must meet at least the following criteria:

1. Has been certified as a Delinquency Attorney 2 for at least eighteen months;
2. Has handled, as a defense attorney, ten Delinquency 2 level cases through disposition, including informal dispositions and two contested hearings in which the attorney examined witnesses;
3. Can meet one of the following categories of requirements:
 - a. Category 1
Has co-counseled with a Delinquency Attorney 3 or 4 at least five Delinquency 3 cases as a defense attorney from initial appearance

through disposition, with at least two adjudications at which the attorney had sole responsibility for at least two of the following:

1. Opening statement;
2. Direct examination of a witness;
3. Cross examination of a state's witness; and/or
4. Closing argument; and

b. ii. Category 2

Has co-counseled to jury trial, with Criminal Attorney 3 or 4, one case charged under 137.700 at which the attorney must have had sole responsibility for at least two of the following sections of the trial:

1. Jury selection;
2. Opening statement;
3. Direct examination of a witness;
4. Cross examination of a state's witness; or
5. Closing argument.

Has co-counseled one case in which the State has indicated an intent to file a motion to waive juvenile court jurisdiction through resolution of that issue; or

4. Can demonstrate proficiency in and knowledge of working with youth with mental health issues; and
5. Has a professional network to support the applicant attorney as the need arises and can provide the names of at least three attorneys certified as Delinquency Attorney 3 or 4 who acknowledge this support.

Delinquency Attorney 4

Case Assignment

In addition to appointments a Delinquency Attorney 3 may accept, an attorney certified by OPDC as a Delinquency Attorney 4 may accept appointment as lead counsel in aggravated, first-degree, and second-degree murder cases.

An attorney certified as Delinquency Attorney 4 may also accept appointments for formal accountability agreements (FAA), juvenile post-adjudication relief (JPAR), and probation violations for the above case types.

Minimum Qualifications

To be certified as a Delinquency Attorney 4 an attorney must meet at least the following criteria:

1. Has met OPDC Delinquency Attorney 3 requirements for at least two years;

2. As lead counsel has tried at least five cases requiring certification as a Delinquency Attorney 3;
3. Meets one of the following requirements:
 - a. Has co-counseled at least one Delinquency 4 or Criminal 4 case from the beginning of the case through its resolution with an attorney certified by OPDC to handle the case; or
 - b. Has practiced juvenile delinquency defense for at least five years and has tried 15 cases to resolution. Adjudications must have been within 12 years of the application and at least five of the adjudications must have been cases which require Attorney 3 qualifications (criminal or delinquency). If criminal, then the trials must have been to a jury. These may be the same trials or adjudications used to satisfy section 2 above;
4. Has co-counseled a case in which the State indicated an intent to file a motion to waive juvenile court jurisdiction from the time that the State indicated such intent through the resolution of the case; and
5. Provides letters from at least three people, including the attorney who was lead counsel in one of the cases used to satisfy 3.a.) above. If the attorney is qualifying pursuant to 3.b., then at least two letters must be from attorneys who are certified as Delinquency Attorney 4. Submitted letters must state whether the attorney possesses a high level of learning, scholarship, training, experience, and ability to provide competent representation to youth facing a Delinquency 4 level case, including handling cases with co-youth, a significant number of witnesses, suppression issues, expert witnesses, mental state and mental health issues, and scientific evidence.

Qualification Standards for Representation in Dependency Proceedings

Dependency Attorney 1

Case Assignments

An attorney certified by OPDC as Dependency Attorney 1 (DepA1) may accept appointments to:

- Represent eligible parties in dependency proceedings initiated under ORS 419B.100;
- Serve as guardian *ad litem* for a parent in dependency proceedings initiated under ORS 419B.100 (excluding permanent guardianship proceedings); and
- Represent eligible parties in court oversight of agreements for voluntary placement of a child under ORS 418.312.

Minimum Qualifications for Dependency Attorney 1

To be certified as a Dependency Attorney 1, an attorney must meet the following criteria:

1. Has reviewed and is familiar with the current versions of:
 - a. Oregon Juvenile Code, ORS chapter 419A through 419C;
 - b. Oregon Evidence Code, ORS chapter 40;
 - c. ORS chapter 109 (concerning parent-child relationships);
 - d. ORS chapter 409 (concerning Department of Human Services' child welfare programs);
 - e. Indian Child Welfare Act (ICWA), 25 U.S.C. §§ 1901-63 (ICWA), PL 105-89 (ASFA);
 - f. Adoption and Safe Families Act of 1997, PL 105-89;
 - g. Oregon Administrative Rules Chapter 413;
2. Has reviewed is familiar with, and agrees to abide by the current versions of:
 - a. OPDC performance standards for dependency representation, when adopted;
 - b. Oregon State Bar, *Specific Standards for Representation in Juvenile Dependency Cases* (2017);

3. Satisfies one of the following:
 - a. Confirmation from an OPDC-approved attorney mentor that the attorney has sufficient understanding of the judicial, quasi-judicial, and administrative processes regulating state intervention in families in Oregon; or
 - b. Twelve months' experience representing parties in dependency proceedings in Oregon or another state if that practice is at least half-time, or 18 months' experience if less than half-time.
4. Demonstrates proficiency in litigation as shown by:
 - a. Providing four examples of the following from matters the attorney handled in public or private practice:
 - i. Contested motions for which witnesses were called to testify;
 - ii. Administrative hearings (before an administrative law judge) in which witnesses were called to testify;
 - iii. Taking and defending depositions;
 - iv. Contested adjudication on the merits before a jury, referee, or circuit court judge, which would satisfy two of the four activities needed under this provision.
 - b. Meet OPDC for Criminal Level 2 or Delinquency Level 2 requirements or provide a recommendation from an OPDC-approved attorney that the attorney has sufficient litigation experience to adequately represent the appointed clients. This recommendation should be from an attorney who can attest to the applicant's ability to effectively communicate with clients and conduct interviews with individuals who have suffered substantial trauma.
 - c. And one of the following:
 - i. Six months' experience representing individual clients if that practice is at least half-time or 12 months if less than half-time (may be concurrent with subsection 3 above); or
 - ii. Twelve months' experience representing institutional clients (may be concurrent with subsection 3 above);
5. Demonstrate proficiency utilizing core staff and experts, by any of the following:
 - a. Providing OPDC or court records indicates familiarity with OPDC's Pre-Authorized Expenses process; or

- b. Confirmation from an OPDC-approved attorney that the attorney has a sufficient practice network to assist in the identification and funding of relevant core staff and experts.

Dependency Attorney 2

Case Assignment

In addition to appointments a Dependency Attorney 1 may accept, an attorney certified by OPDC at Dependency Level 2) may accept appointments to:

- Represent eligible parties in termination of parental rights proceedings initiated under ORS 419B.500;
- Serve as a guardian *ad litem* for a parent in termination of parental rights proceedings initiated under ORS 419B.500;
- Represent eligible parties in permanent guardianship proceedings initiated under 419B.365; and
- Serve as a guardian *ad litem* for a parent in permanent guardianship proceedings initiated under ORS 419B.365.

Minimum Qualifications for Dependency Attorney 2

To be certified as a Dependency Attorney 2, an attorney must meet the following criteria:

1. Has met the OPDC as Dependency Attorney 1 qualifications for at least 12 months if their practice is at least half-time dependency work or 18 months if their practice is less than half-time.
2. Satisfies one of the following conditions:
 - a. Has observed two contested termination of parental rights or permanent guardianship trials submitted to a judge for consideration;
 - b. Has co-counseled one contested termination of parental rights or permanent guardianship trial submitted to a judge for consideration; or
 - c. Has completed an OPDC-approved termination of parental rights and permanent guardianship training curriculum, when available.

Qualification Standards for Representation in Civil Commitment Proceedings

Civil Commitment Attorney 1

Case Assignment

An OPDC Civil Commitment Attorney 1 may accept appointment in proceedings under ORS chapters 426 and 427 other than proceedings alleging that a person is “extremely dangerous” under ORS 426.701.

Minimum Qualifications for Civil Commitment Attorney 1

Civil Commitment Attorney 1, an attorney must meet at least the following criteria:

1. Review and be familiar with:
 - a. ORS chapters 426 and 427; and
 - b. Oregon Evidence Code, ORS chapter 40.
2. Try three civil, juvenile, or criminal cases to a jury or the bench.
3. Satisfy one of the following:
 - a. Observe five complete civil commitment hearings from start to finish;
 - b. Serve as co-counsel in two complete civil commitment cases which resulted in a hearing.
4. Demonstrate knowledge of mental health issues and proficiency in working with clients experiencing mental health issues; and
5. Maintain familiarity with the resources available for those facing commitment and alternatives to commitment.

Civil Commitment Attorney 2

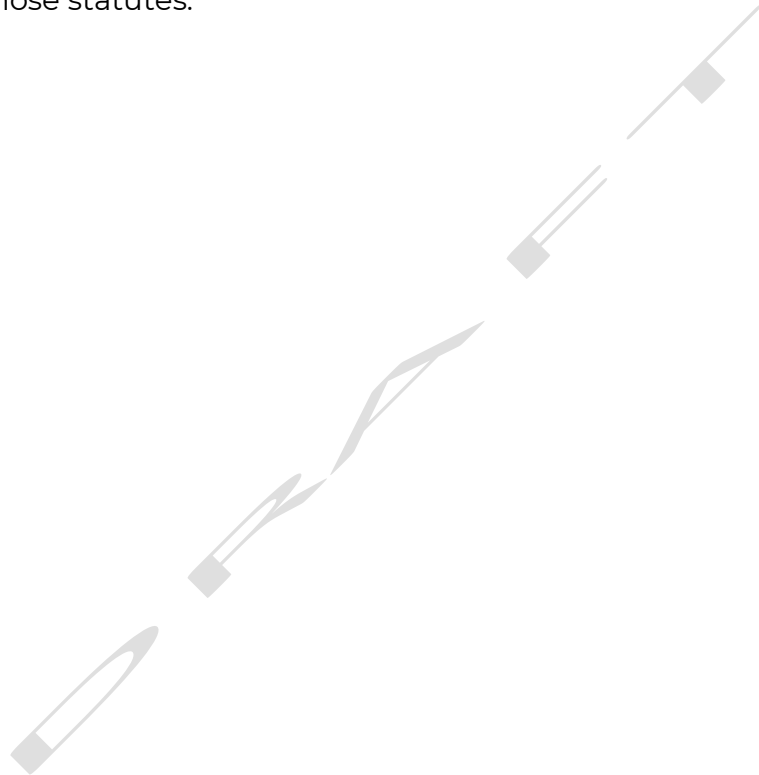
Case Assignment

In addition to appointments a Civil Commitment Attorney 1 may accept OPDC certified Civil Commitment Attorney 2 may accept appointments in proceedings alleging that a person is “extremely dangerous” under ORS 426.701.

Minimum Qualifications for Civil Commitment Attorney 2

Civil Commitment Attorney 2 applicants must meet at least the following criteria:

1. Meet OPDC requirements for Civil Commitment Attorney 1;
2. Meet OPDC requirements for Criminal Attorney 3 certification or must ensure that a Criminal Attorney 3 is co-counsel on each petition;
3. Meet the requirements for PSRB Attorney 1 certification;
4. Has acted as lead counsel on a minimum of three proceedings under chapters 426 or 427 that resulted in a contested adjudication; and
5. Has knowledge of the statutes governing the commitment of individuals determined to be “extremely dangerous” and the consequences of being committed under those statutes.



Qualification Standards for Representation in Psychiatric Security Review Board (PSRB) Proceedings

PSRB Attorney

Case Assignment

OPDC certified Psychiatric Review Board (PSRB) Attorneys may accept appointments in proceedings before the Psychiatric Security Review Board.

Minimum Qualifications for PSRB Attorneys

To be certified as a PSRB Attorney, an attorney must meet at least the following criteria:

1. Review and have working knowledge of the constitutional rights of clients under PSRB jurisdiction and OAR chapter 859;
2. Be Familiar with the Oregon State Hospital and the process of how a person moves through that system;
3. Meet Civil Commitment Attorney 1 requirements or have handled five cases in which a client's fitness to proceed was raised;
4. Has been lead counsel in:
 - a. Three civil, criminal, or juvenile cases tried to a jury or the bench;
 - b. Six administrative hearings before an administrative law judge; or
 - c. Three contested hearings in which witnesses were called.

Qualification Standards for Representation in Post-Conviction Relief (PCR) Proceedings

PCR Attorney 1

Case Assignment

An attorney certified by OPDC as a PCR Attorney 1 may accept appointments in all post-conviction relief proceedings under ORS chapter 138 for which the attorney is certified to provide representation in the underlying criminal case, other than **petitions requesting the commencement of DNA testing under ORS 138.690 and petitions** in which the underlying conviction is for any degree of murder or aggravated murder.

Minimum Qualifications

To be certified as a PCR Attorney 1, an attorney must meet at least the following criteria:

1. Review and be familiar with:
 - a. Post-conviction relief statutes, ORS 138.510 to 138.686, and caselaw interpreting it;
 - b. Federal *habeas corpus* statutes and caselaw concerning exhaustion of state remedies;
 - c. The law regarding procedural default;
 - d. Relevant statutes of limitations;
2. Understands the Oregon Rules of Civil Procedure and Oregon Evidence Code, ORS chapter 40, as demonstrated by:
 - a. Having previously drafted and filed at least three civil pleadings, including *habeas corpus* or PCR petitions, in state or federal court;
 - b. Having litigated at least three prior civil cases, including PCR and *habeas corpus*, to judgment in state or federal court; and
 - c. Having reviewed chapters 5 and 23 through 27 of Oregon State Bar, *Oregon Civil Pleading and Litigation* (2020);
3. Satisfies one of the following categories of requirements:
 - a. Has tried at least four cases of the same level as the underlying criminal case to verdict as lead counsel; or

- b. Satisfies all the following conditions:
 - i. Is a certified OPDC Criminal Attorney 1;
 - ii. Is knowledgeable of criminal trial procedures, defenses, sentencing guidelines, and constitutional rights of the criminally accused; and
 - iii. Has tried at least two civil cases to verdict, five criminal cases before a jury, or ten delinquency cases before a judge;
- 4. Has litigated four contested hearings or depositions in which the attorney examined expert witnesses;
- 5. Can demonstrate their use of investigators in cases; and
- 6. Has co-counseled two post-conviction relief cases or is acting under the supervision of a PCR Attorney 1 qualified lead counsel.

PCR Attorney 2

Case Assignment

In addition to appointments a PCR Attorney 1 may accept, an attorney certified by OPDC as a PCR Attorney 2 may accept appointment in **petitions requesting the commencement of DNA testing under ORS 138.690 and all other** post-conviction relief proceedings under ORS chapter 138 in which the underlying conviction is any degree of murder other than aggravated murder.

Minimum Qualifications

To be certified as a PCR Attorney 2, an attorney must meet at least the following criteria:

- 1. Meet the requirements for PCR Attorney 1 for at least 12 months;
- 2. Meet the requirements of Criminal Attorney 4; and
- 3. Has litigated at least five PCR cases to a decision by the court in which the underlying convictions were subject to ORS 137.700 or similar mandatory minimum sentences.

PCR Attorney 3

Case Assignment

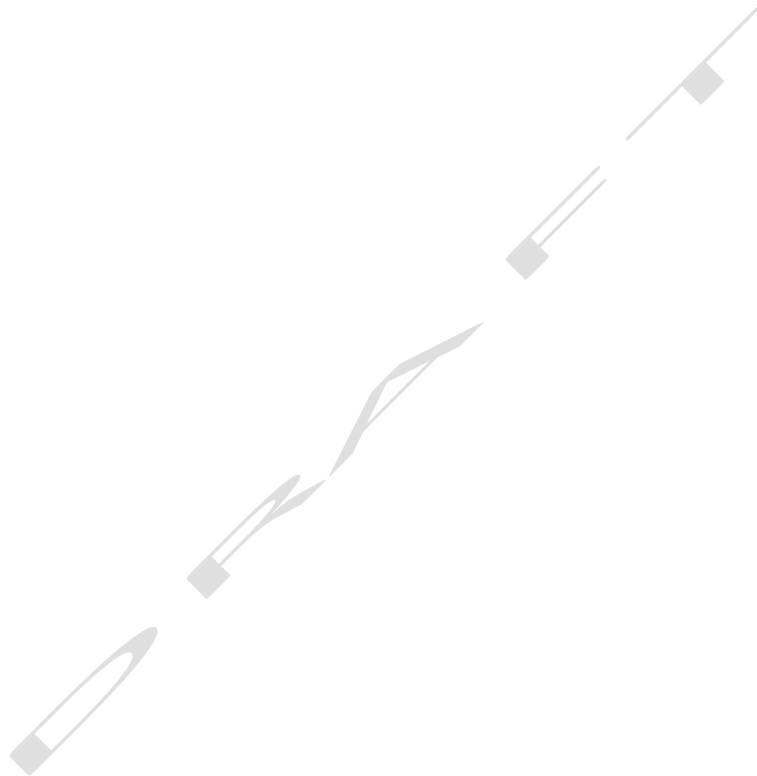
In addition to appointments a PCR Attorney 2 may accept, an attorney certified by OPDC as a PCR Attorney 3 may accept appointments in all post-conviction relief proceedings under ORS Chapter 138 in which the underlying conviction is aggravated murder.

Minimum Qualifications

To PCR Attorney 3 applicants must meet the following criteria:

- 1. Meet the requirements of a PCR Attorney 2 for at least three (3) years;**
- 2. Has civil case experience including knowledge of Rules of Civil Procedure and how to conduct a civil case including pleadings, timelines, and depositions;**
- 3. Has conducted five (5) evidentiary hearings in a PCR case where multiple witnesses were called and arguments made before the court;**
- 4. Can demonstrate:**
 - d. substantial knowledge and understanding of the relevant state, federal and international law, both procedural and substantive, governing capital cases;**
 - e. skill in the management and conduct of complex negotiations and litigation;**
 - f. skill in legal research, analysis, and the drafting of litigation documents;**
 - g. skill in oral advocacy;**
 - h. skill in use of expert witnesses and familiarity with common areas of forensic investigation, including fingerprints, ballistics, forensic pathology, DNA evidence and “junk” science;**
 - i. skill in investigation, preparation and presentation of evidence bearing on mental condition and status;**
 - j. skill in the investigation, preparation, and presentation of mitigation evidence;**
 - k. understanding of the standards set forth in Guidelines 10.2 to 10.15.2 of the American Bar Association Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty cases, Revised Edition, February 2003 (as adopted by OPDS in 2014); and**
 - l. understanding of and agrees to fulfill the current version of the ABA Supplementary Guidelines for the Mitigation Function of Defense Teams in Death Penalty Cases.**
- 5. Has demonstrated a commitment to PCR advocacy through relevant continuing education and conference attendance during the preceding three years.**
- 6. Handled five (5) PCR Attorney Level 2 cases to resolution;**

- 7. Has co-counseled two (2) cases at the PCR Attorney 3 level cases to resolution of the case;**
- 8. Submits three letters from lawyers qualified by OPDC at PCR Attorney 3, including at least one attorney who was lead counsel in one of the cases used to satisfy subsection 6 of this rule. The letters must outline the reasons that the writer believes that the applicant possesses a high-level of learning, scholarship, training, experience, and ability to provide competent representation for defendants in post-conviction status on Capital Murder cases.**



Qualification Standards for Representation in *Habeas Corpus* Proceedings

Habeas Corpus Attorney 1

Case Assignment

OPDC Habeas Corpus Attorney 1 certified attorneys may accept appointments in extradition cases and proceedings challenging the state's authority to confine the petitioner.

Minimum Qualifications

To be certified as a Habeas Corpus Attorney 1, an attorney must meet at least the following criteria:

1. Understands the Oregon Rules of Civil Procedure and Oregon Evidence Code, ORS chapter 40, as demonstrated by:
 - a. Having previously drafted and filed at least three civil pleadings, including *habeas corpus* or PCR petitions, in state or federal court;
 - b. Having litigated at least three prior civil cases, including PCR and *habeas corpus*, to judgment in state or federal court; and
 - c. Having reviewed chapters 5 and 23 through 27 of Oregon State Bar, *Oregon Civil Pleading and Litigation* (2020);
2. Meets the OPDC qualifications as a Criminal Attorney 1;
3. Has taken at least ten criminal or juvenile cases to trial or adjudication as lead counsel, or at least two civil cases to verdict;
4. Has co-counseled at least two *habeas corpus* cases or is acting under the supervision of an attorney certified as Habeas Attorney 1;
5. Has read and understands *Michigan v. Doran*, 439 U.S. 282 (1978);
6. Has read and understands the Uniform Criminal Extradition Act, ORS 133.743 to 133.857.
7. Has experience with and understanding of the Oregon Sentencing Guidelines.

Habeas Attorney 2

Case Assignment

In addition to appointments a Habeas Corpus Attorney 1 may accept, an attorney certified by OPDC as a Habeas Corpus Attorney 2 may accept appointments in *habeas corpus* proceedings challenging the conditions of the petitioner's confinement.

Minimum Qualifications

To be certified as a Habeas Attorney 2, an attorney must meet at least the following criteria:

1. Meets the certification requirements for Habeas Attorney 1;
2. Demonstrated knowledge of the use of medical or psychiatric records in litigation by:
 - a. Having litigated four contested hearings or depositions in which the attorney examined expert witnesses;
 - b. Represented clients in ten cases in which they consulted with a client about medical or psychiatric records;
 - c. Represented clients in five cases in which the client had diminished capacity, or the question of diminished capacity was evaluated by a psychologist, psychiatrist, or neurologist; and
3. Can demonstrate their use of investigators in cases.

Process for Attorney Qualification

Attorneys seeking qualification pursuant to these Standards must apply on the OPDC website and upload any appropriate attachments.

1. OPDC will review the qualification materials and may request additional supporting documentation. Meeting minimum qualifications does not create a right to approval for appointment in any case type.
2. OPDC will notify the attorney of the case types for which the attorney has been approved for qualification or the reason for its decision not to approve the attorney for qualification.
3. In each case type for which an attorney has sought certification, OPDC may:
 - a. Approve;
 - b. Deny; or
 - c. Provisionally Qualify.
4. Provisional qualification is reserved for circumstances in which the attorney meets most but not all qualification standards and the attorney:
 - a. Anticipates meeting the remaining standards imminently, and
 - b. Provides a justification for requesting provisional qualification in anticipation of completing the remaining standards. Failure to meet the remaining standards within a reasonable period following provisional approval will result in loss of the provisional qualification.
5. *Requests for Reconsideration.* An attorney who is not approved for appointment in a requested case type may request reconsideration by submitting to OPDC, within 21 calendar days of the notice of denial of qualification, additional information including supporting documents, if any, that the attorney believes demonstrates that the attorney meets the qualification criteria.
6. All attorneys providing OPDC funded representation must notify OPDC if they elect to change: their name, their place or name of business, their contact *information, or the nature of their practice.*
7. *OPDC may review and revise an attorney's qualifications at any time based on information* received that implicates the attorney's ability to provide adequate assistance to their clients.
8. OPDC may employ advisory panels to advise on the qualifications of attorneys.

9. OPDC may offer certification courses to satisfy one or more requirement for qualification at various levels.
10. Attorneys accepting cases for which they are not qualified will not be compensated for work on those cases.

Qualification Periods

Attorneys currently approved to represent clients under OPDS's prior Qualification Standards may continue to represent clients under the 2025 standards until their next CLE reporting year, at which time they will recertify. The conversion chart shows how an attorney's qualification under the 2019 standards converts under the 2025 standards. The 2025 qualifications will go into effect six months after adoption.

2019 Classification	2025 Equivalent
Misdemeanor Cases/Contempt	Criminal Attorney 1
Lesser Felony Cases	Criminal Attorney 2
Major Felony Cases	Criminal Attorney 3
Murder/JLaw Cases	Criminal Attorney 4
Capital Murder Cases	Criminal Attorney 5
Civil Commitment Proceedings	Civil Commitment Attorney 1 & 2
Juvenile Delinquency - Misdemeanor	Delinquency Attorney 1
Juvenile Delinquency - Lesser Felony	Delinquency Attorney 2
Juvenile Delinquency - Major Felony	Delinquency Attorney 3
Juvenile Delinquency - Murder	Delinquency Attorney 4
Juvenile Dependency	Dependency Attorney 1
Termination of Parental Rights	Dependency Attorney 2
Post-Conviction Relief (Non-Murder)	PCR Attorney 1
Post-Conviction Relief (Murder)	PCR Attorney 2
Post-Conviction Relief (Capital Murder)	PCR Attorney 3
Habeas Corpus Proceedings	Habeas Corpus Attorney 1 & 2
PSRB Proceedings (not specifically categorized)	PSRB Attorney

Attorneys will requalify every three years, to coincide with the date of their triennial Continuing Legal Education (CLE) certification with the Oregon State Bar.

- *For example, an attorney whose CLE certifications are due in December 2025 will requalify with OPDC at that time. An attorney who submitted their CLE certification in January 2025 will requalify with OPDC by January 2028.*

An attorney who is requalified or newly qualified by OPDC within one year of their triennial CLE certification date need not requalify until the following CLE certification date.

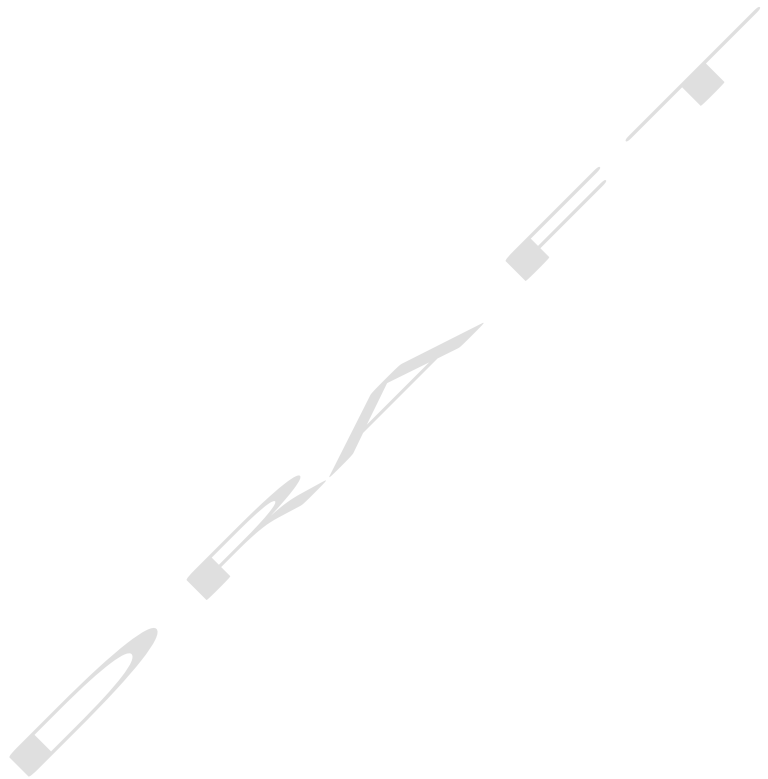
- *For example, an attorney who submits and is approved to have OPDC increase their certification from Criminal Attorney 1 to Criminal Attorney 2 on January 1, 2026, and who has a CLE certification date of November 1, 2026, need not requalify until November 1, 2029.*

OPDC may suspend or terminate contracts or modify qualification approvals if attorneys fail to requalify timely.

Equivalent Experience Qualification

1. An attorney who has practiced in a relevant area of law in a state other than Oregon or in a comparable practice area and who wishes to be certified in an area or practice level but does not meet the requirements set forth in the Attorney Qualification Standards due to differences in jurisdictional practices or types of experience must submit an application, in writing, explaining why their experience should satisfy the requirements of zealous and competent advocacy for the relevant practice area. The application should include, at minimum:
 - a. A curriculum vitae;
 - b. A list of at least five representative cases, including dispositions and a brief explanation of the work the applicant performed on each;
 - c. Five representative pleadings or portions of pleadings no longer than ten pages each;
 - d. An explanation of what parts of the relevant Qualification Standards the applicant meets directly or indirectly based on their equivalent work;
 - e. An explanation of what parts of the relevant Qualification Standards the applicant cannot meet and why the applicant believes their experience mitigates that shortcoming;
 - f. An explanation of what measures the applicant has taken to familiarize themselves with relevant Oregon practice and procedure and, if available, names of practitioners whom they are able to seek additional guidance from going forward;
 - g. Relevant training programs attended or taught and/or certifications obtained; and
 - h. Three letters of support from attorney defense practitioners or judges, who are familiar with the applicant's abilities and attest to the applicant's training, experience, and ability to provide competent representation in the relevant practice area and level.
2. In determining whether an applicant will be qualified, OPDC will consider, *inter alia*:
 - a. The length of time the applicant has practiced;
 - b. The amount of direct client representation that prior practice entailed;

- c. The percentage of time the applicant has devoted to the relevant practice area; and
 - d. Any indicia of competence in the relevant practice area. Time spent in a role supervising other attorneys in the relevant practice area will be considered favorably as evidence of competence.
- 3. After reviewing the Equivalent Experience Application, OPDC will notify the applicant of the results. After an initial qualification, the applicant can apply for increased qualifications through the Attorney Qualification Standards process.



Practicing Under Supervision

OPDC may, in its discretion, allow an attorney who does not otherwise meet the Attorney Qualification Standards to practice “under supervision.” An attorney, law student appearing under the student appearance rule, or Supervised Practice Portfolio Examinee, practicing “under supervision” working under an approved supervision plan may accept cases one level above their independent qualification (or at Level 1, if not independently qualified), except no attorney may accept appointment under supervision at Criminal Attorney Levels 4 or 5, or Delinquency Attorney Level 4. Prior to approving appointments under supervision, OPDC must approve both the supervision plan and the supervisor qualifications.

1. Approved Supervision Plans must have:
 - a. A procedure for regular check-ins with each attorney being supervised and the frequency of these check-ins;
 - b. A procedure for random observation of individual attorneys in court. Newer attorneys and attorneys who have just increased qualification standards should be observed relatively frequently, but the plan must include observation of all attorneys during the pendency of the supervision plan. The court observations must be documented, including type of case, type of hearing observed, whether testimony was taken during the hearing, etc.;
 - c. A procedure for random file review with each attorney being supervised. The supervising attorney should randomly select cases from the supervised attorney’s current caseload for the file review to ensure that, among other things, the client is receiving adequate attention, all issues have been spotted and addressed, appropriate motions have been filed or are in preparation, investigation is appropriate and progressing, and the use of expert witnesses has been considered and appropriately pursued;
 - d. A procedure for the supervising attorney to document concerns raised about individual attorneys, including a procedure for addressing complaints or concerns from a client, judge, or opposing counsel;
 - e. A procedure for monitoring case assignments will be monitored; and
 - f. An annual performance evaluation for each attorney.
2. Qualified Supervisors must:

- a. Be qualified by OPDC and have practiced at the relevant practice level for at least one year with substantial practice in the relevant practice area, and
- b. Have taken an OPDC Supervisor Training Course, when available; and
- c. Be willing to comply with OPDC Supervision Policies.
Organizations seeking supervisory approval should submit Supervision Plans and Supervisor Qualification applications through the OPDC website.

Duration

Supervision authorization will expire after one year. At the expiration of the supervision authorization, the attorney may apply for independent qualification or apply to renew authorization to practice under supervision.

Oregon Public Defense Commission

**Financial & Case
Management System
Update**

June 12, 2025

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

David Martin, CIO, FCMS



FCMS June 2025

Agenda



**CONTRACT AWARD
STATUS**



SCHEDULE



ACCOMPLISHMENTS



**UPCOMING
MILESTONES**

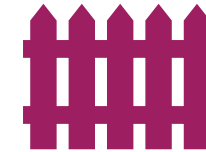


BUDGET

Implementation Planning Phase Approval & Procurement Status

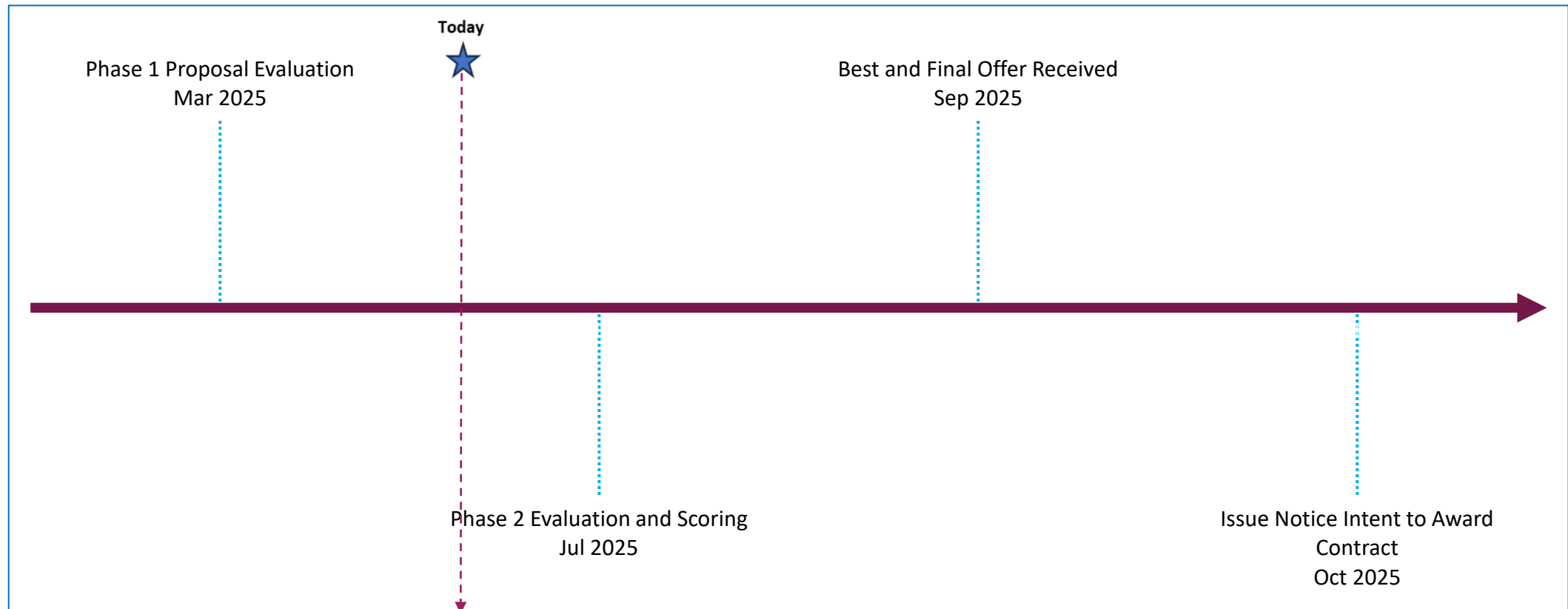


RFP / Procurement: The procurement is on track with the RFP. The Phase 2, Round 1 RFP addendum was released to proposers participating in the Competitive Range. The protest period elapsed with no protests received. OPDC is finalizing the schedule for Proposer project team presentations and technical solution demonstrations, as well as the Evaluation Committee's review of Phase 2, Round 1 written proposals and the associated presentations and demonstrations.



Implementation Planning: Implementation planning work has progressed towards 50% completion. The FCMS team is working toward completing business process mapping and use case development, data migration planning, governance artifact completion, and budget and schedule refinement.

Procurement Schedule



Accomplishments



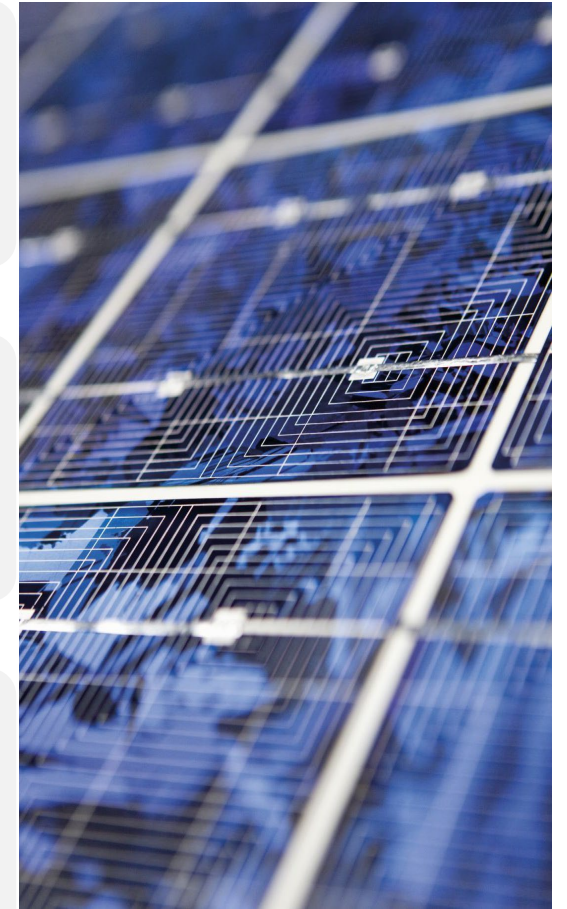
Appellate Division Future State Process Flows are complete, and Use Cases are 90% complete. Trial Division Case Setup Process Flow diagramming is complete.



2/3 of Implementation planning artifacts continued being refreshed.



FCMS RFP Addendum #3 approved and released to proposers participating in the competitive range. Protest period elapsed with no protests filed.



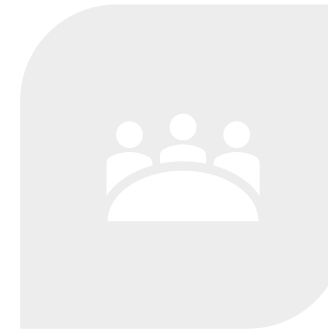
Upcoming Milestones



Trial Division Future Process Flow Documentation for Case Management has begun as well as Appellate Division gap analysis.

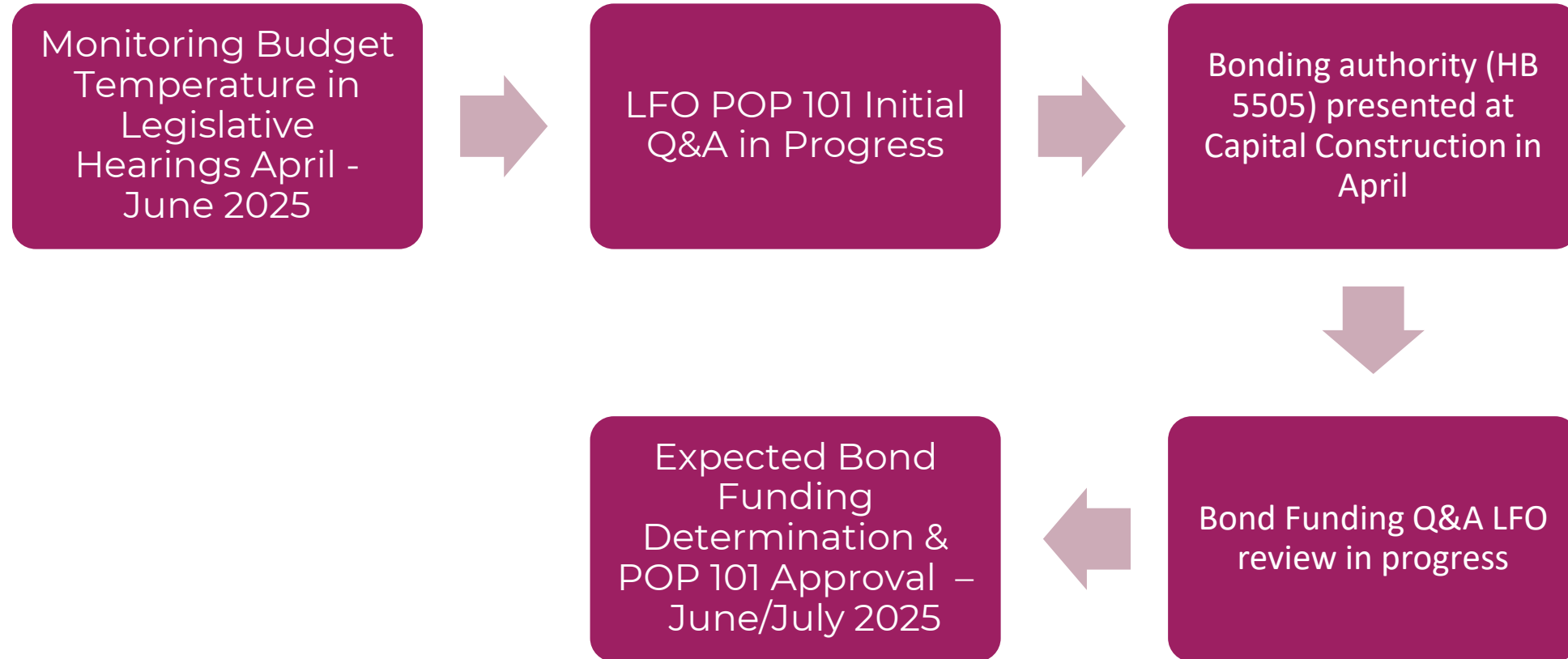


Implementation Planning work will continue with refreshing the project plan artifacts and performing data quality analysis for data migration.



Phase 2, Round 1 proposals are due the week of June 4, 2025. The Evaluation Committee will review the written proposals and participate in Proposer Project Team Presentations/ Technical Solution Demonstrations.

Budget



Thank You

