

The logo consists of three concentric circles. The outermost circle is a light blue-grey color. The middle circle is a medium blue color. The innermost circle is a dark blue color. The text "Oregon Public Defense Commission" is centered within the innermost circle.

Oregon Public Defense Commission

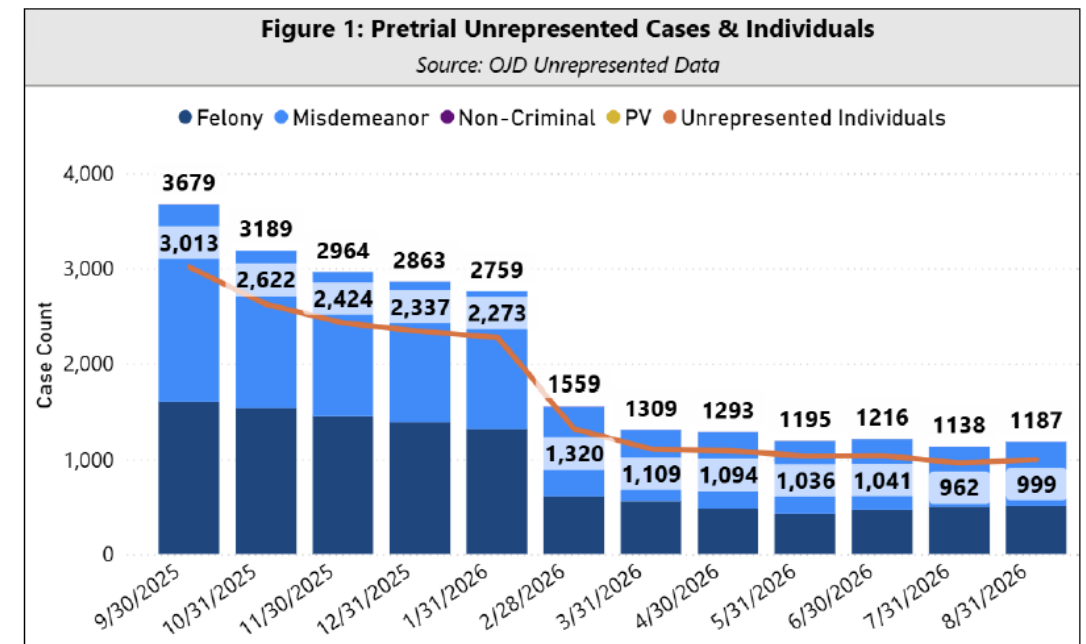
Director's Report

September 16, 2026

Kenneth Sanchagrin, Executive Director

Primary Takeaways – August 2026

- As of August 31, there were 1,104 unrepresented individuals statewide.
- Statewide, public defense contractors are operating at 93.8% MAC and the OPDC Trial Division is operating at 95.5% MAC.
- OPDC Assignment Coordinators assigned 611 cases in August, including 120 subject to *Betschart*.

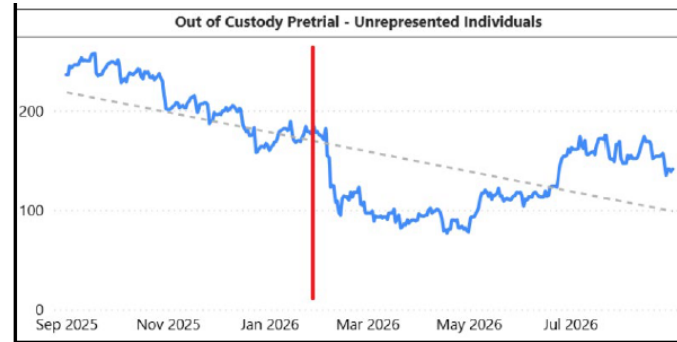


Crisis County Updates

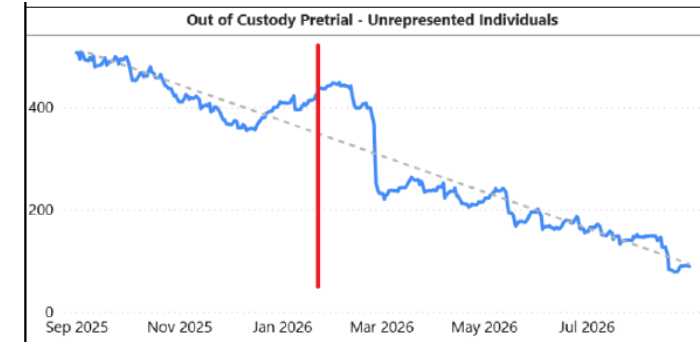
Mixed Results Across Crisis Counties

- Douglas and Washington Counties saw net **decreases** in unrepresented individuals (-11 and -62)
- Jackson and Multnomah Counties saw net **increases** in unrepresented individuals (+12 and +93)

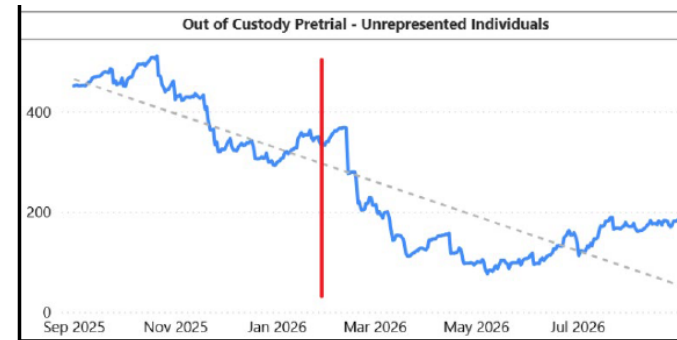
Douglas County



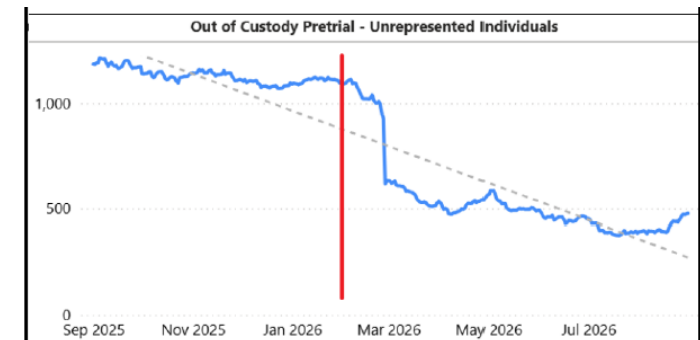
Washington County



Jackson County

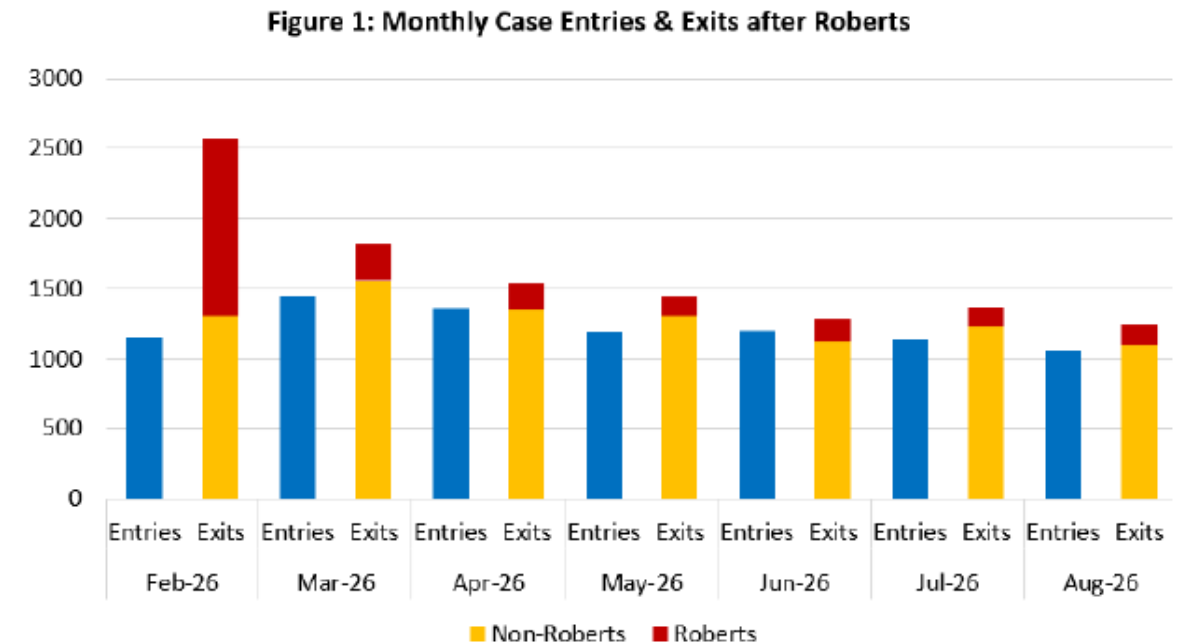


Multnomah County



State v. Roberts Impact

- Through the end of August, 2,296 cases were dismissed due to *Roberts*.
- *Roberts* dismissals represent 20% of the total case exits (11,259) from the unrepresented list since February.
- The share of cases exiting unrepresented status since February is highest in Multnomah County (39%) followed by Washington (18%), Jackson (17%), and Douglas (13%).



Upcoming Meetings

1

Governance, Policy, and Standards Subcommittee Meeting

Thursday, September 24th, 4:00pm to 5:30pm - Virtual

2

Legislative and Policy Impact Subcommittee Meeting

Wednesday, September 30th, 11:00am to 12:00pm - Virtual

3

Commission Workgroup Meeting

Thursday, October 1st, 5:00pm to 6:30pm - Virtual

4

October Commission Meeting

Wednesday, October 21st, 9:00am to 2:00pm - Virtual

September Legislative Days Highlights

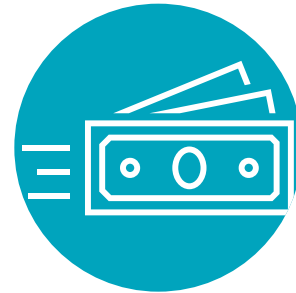


OPDC appeared before the [House Interim Committee on Judiciary](#) and the [Joint Emergency Board Interim Subcommittee on Public Safety](#) on Sept. 9 to present an update on progress in reducing the number of unrepresented defendants.



Both committees were pleased to hear that the number of unrepresented persons has declined by 66% over the past year.

We released a [press release](#), and the Governor's Office also recognized the progress [in a statement](#). The [Oregonian](#) and [Statesman Journal](#), among others, wrote stories about the progress.



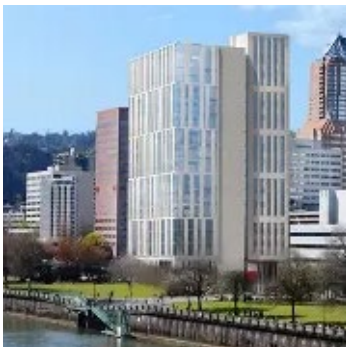
The Public Safety Subcommittee also approved our [request to transfer](#) \$20 million from our Adult Trial Division to our Court-Mandated Expenses Division.

Oregon Administrative Rules Update

- June 2026: OPDC Board voted to open rulemaking.
- OPDC staff engaged with the Rules Advisory Committee (RAC), Department of Justice (DOJ), and members of the public for feedback.
 - Concerns arose regarding the language in the Delegation of Rulemaking Authority Document around allowing staff to proceed with rulemaking without Board involvement.
 - Current OPDC statutes use the term "commission" with either a capital "C" or lowercase "c", leading to confusion regarding references to either the oversight board or the agency.
- With feedback from DOJ partners, OPDC staff will revise this rule to be more inclusive over the Board's involvement with rulemaking.
- Because the Delegation of Rulemaking Authority must be adopted before other rules can be effective, staff are pausing consideration of other rules at this time. All rules will be brought back for consideration after revisions are complete.
- The Presiding Officer's Report on Rulemaking Hearing is included in the Commission Meeting materials packet.



Oregon
Public
Defense
Commission



THANK YOU

FCMS Organizational Change Management Update

September Commission Meeting

Why is Change Management Critical to the Success of the FCMS project?



Major Organizational Change

FCMS is a **significant change** for OPDC, and its success depends on ensuring the people impacted by these changes are prepared, supported, and equipped to adopt new ways of working.



Best Practice for Large-Scale Projects

Change management is a **standard and critical component of large-scale technology implementations** for state agencies.



Need for Stakeholder Alignment

The FCMS project has a lot of history and every stakeholder groups is coming to this work with **different expectations**, so clear communication is especially important.

Our Firm & Public Sector Practice

- Our Public Sector Advisory team works with government organizations navigating complex operational, organizational, and technology change.
- Our organizational change team brings this public sector experience together with dedicated expertise in organizational readiness, communications, training, stakeholder engagement, and technology transformation.
- We've worked with OPDC since 2023 and began our support of FCMS change management in 2024.

3,800+

Oregon clients

Three offices

in the state of Oregon

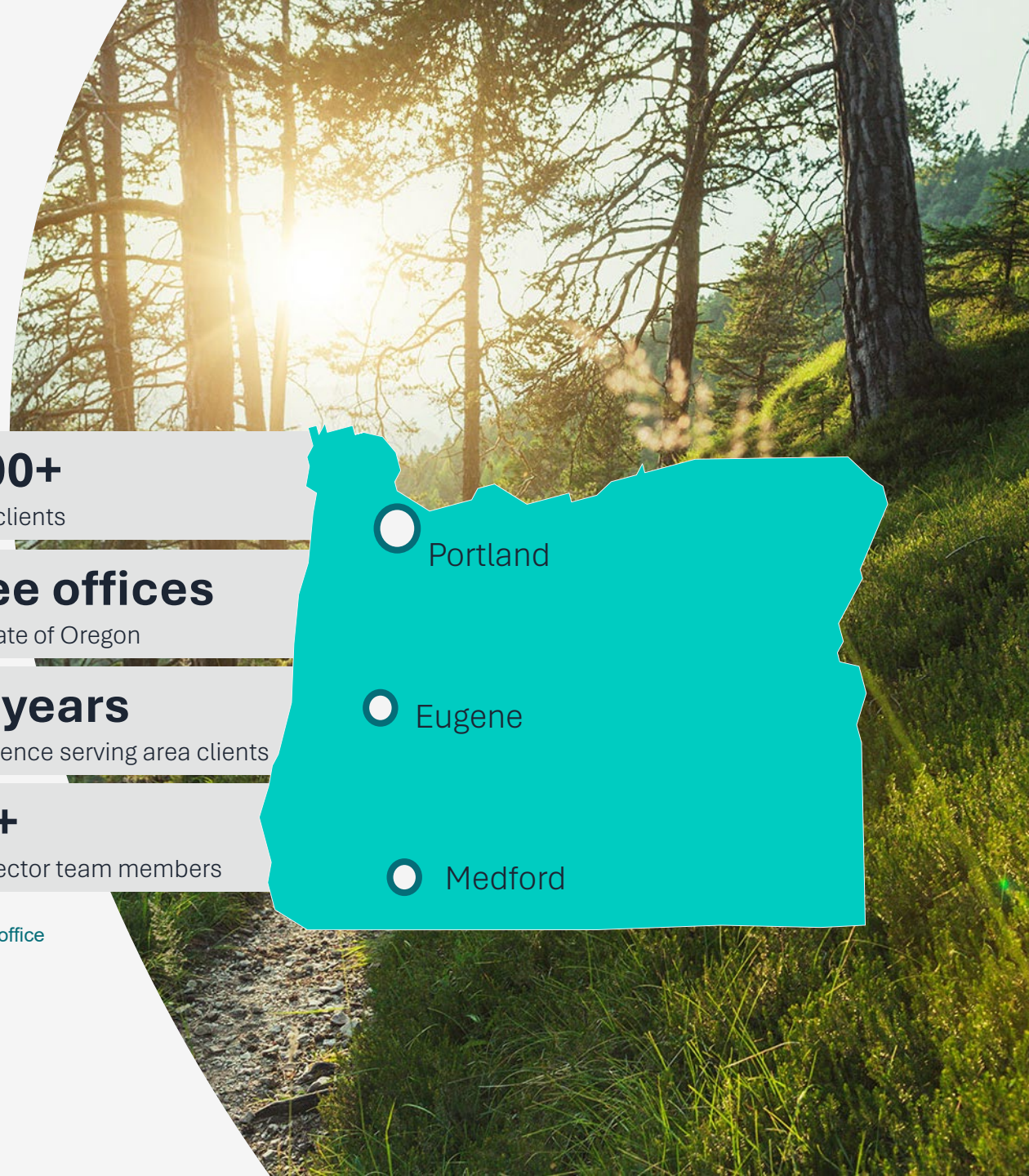
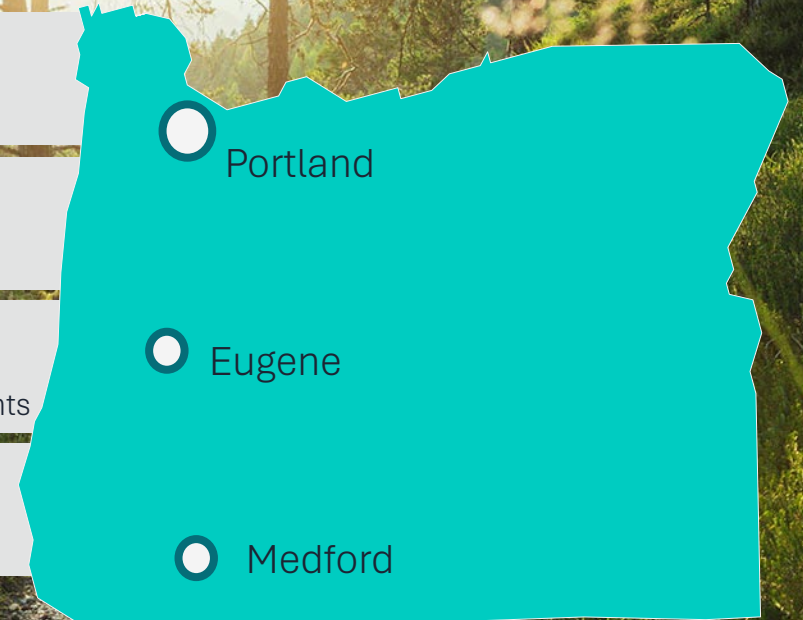
90+ years

of experience serving area clients

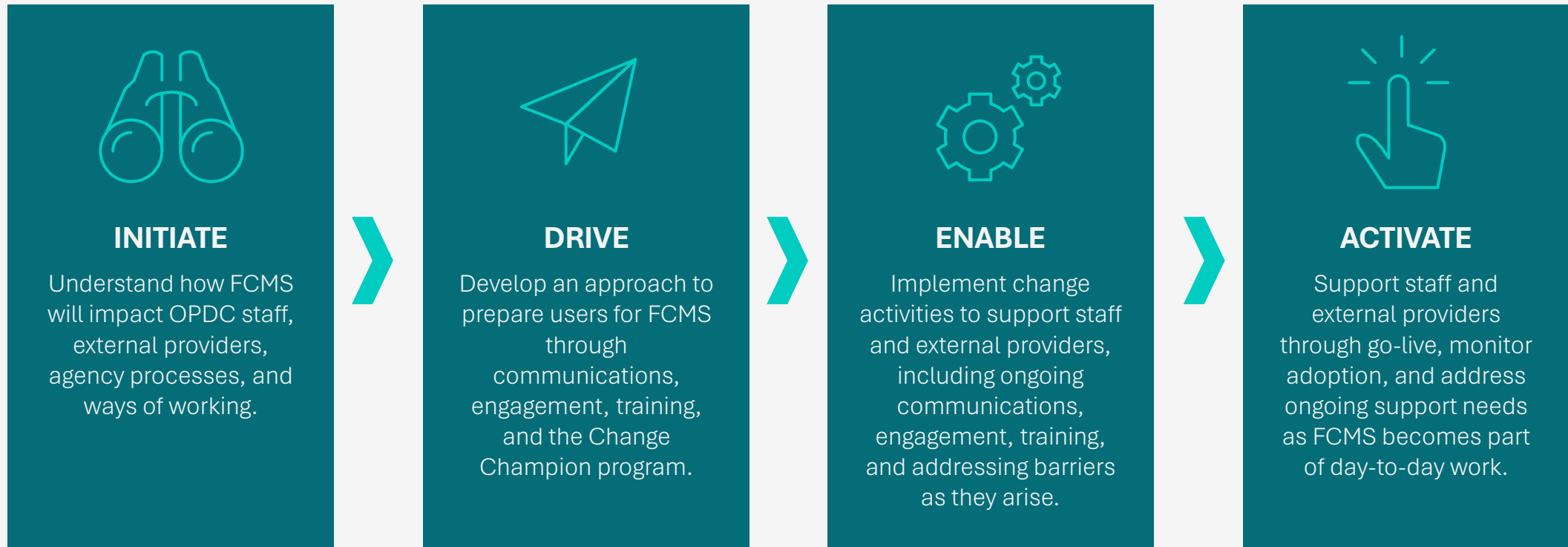
350+

public sector team members

 Baker Tilly office



Change Management Process



Current State

Change Management Activities

Our team has supported OPDC throughout the FCMS project by:

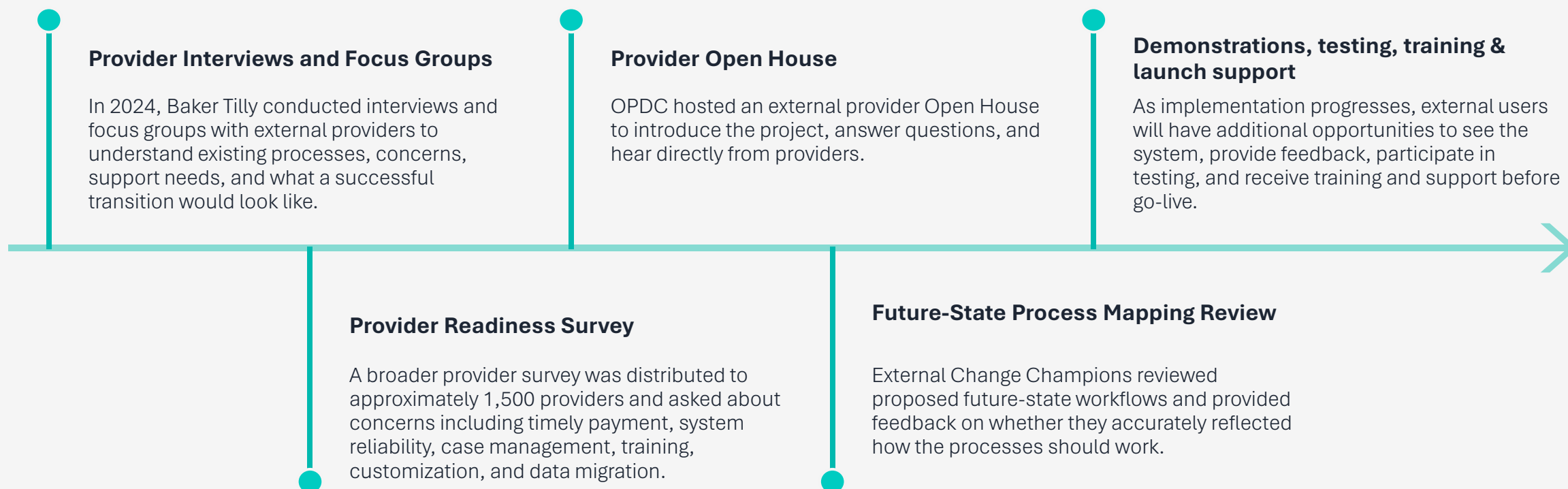
- Assessing impacts and stakeholder readiness for FCMS
- Developing communication and training strategies, plans, and project timelines
- Communicating with internal staff and external providers via emails, newsletters, events, and website updates
- Establishing and supporting the Change Champion program
- Supporting leadership alignment and decision-making

As this work progresses, our work is shifting toward:

- Coordinating with Aeon Nexus
- Preparing staff and providers for system testing and training
- Identifying and addressing concerns
- Monitoring adoption and support needs after go-live



Bringing the External Provider Voice Into FCMS



What's Next for External Providers

- **External User Portal Demonstration — November 2026**

Introduce the External User Portal, demonstrate the system with Aeon Nexus, and provide an opportunity for providers to learn more and ask questions.

- **Engagement & Feedback — Throughout Implementation**

Continue working with External Change Champions and the broader provider community to share updates, gather feedback, and identify questions and concerns.

- **Testing — 2027**

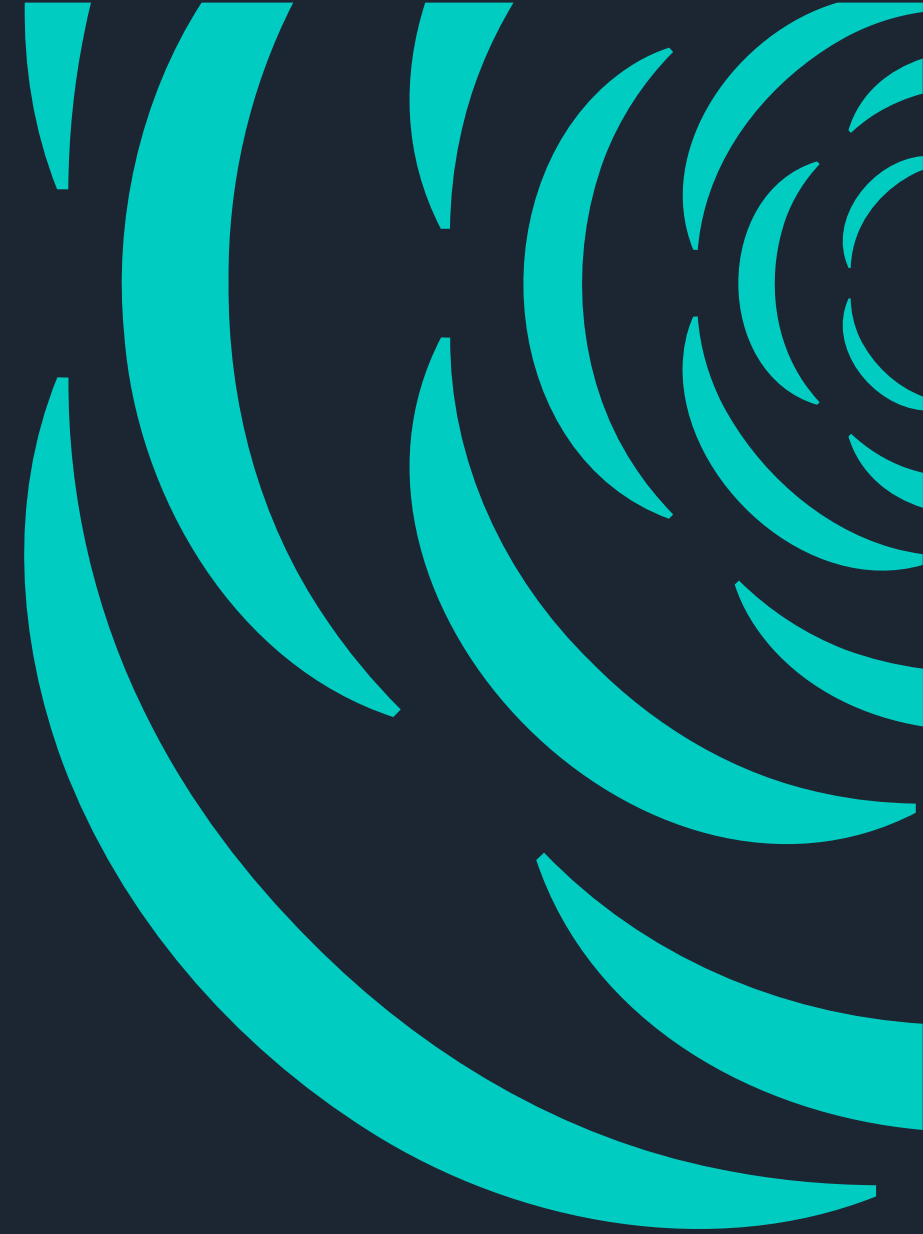
Invite External Change Champions to participate in testing of the External User Portal and provide feedback before go-live.

- **Training & Go-Live Support — Late 2027–Early 2028**

Provide training, documentation, and support to prepare external users before the portal becomes available.



Questions?



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Oregon Public Defense Commission

2026 Key Performance Measures

September 16th, 2026

Kim Freeman

2026 KPMs

Appellate Case Processing

Days to file opening brief

#1

Customer Service

Survey Results

#2

Best Practices for Boards & Commissions

Commissioner Survey

#3

Trial Level Representation

Continuing Legal Education (CLE)

#4

PCRPP

Client Contact Rate

#5

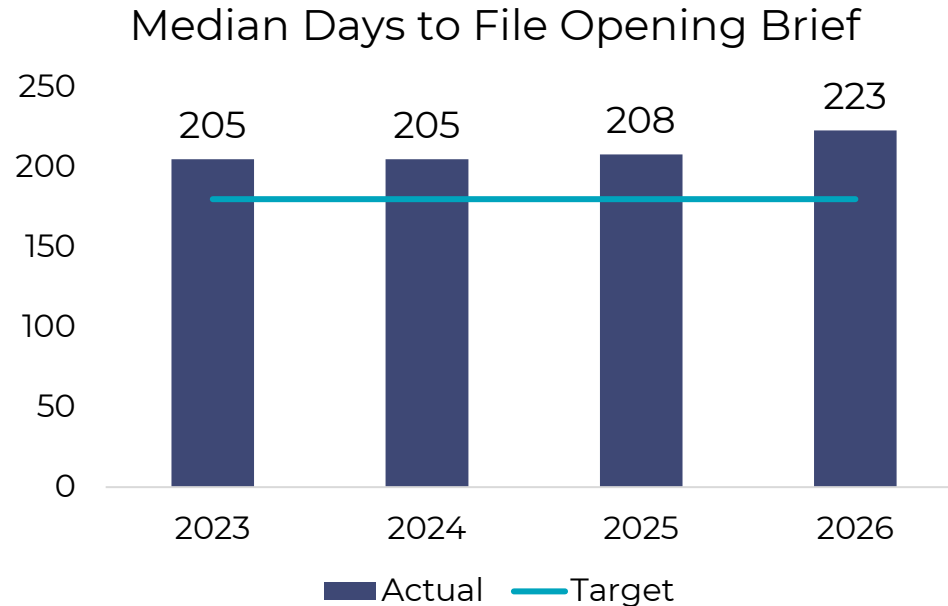
Provisioning of Public Defense

New in 2026

#6

Appellate Case Processing

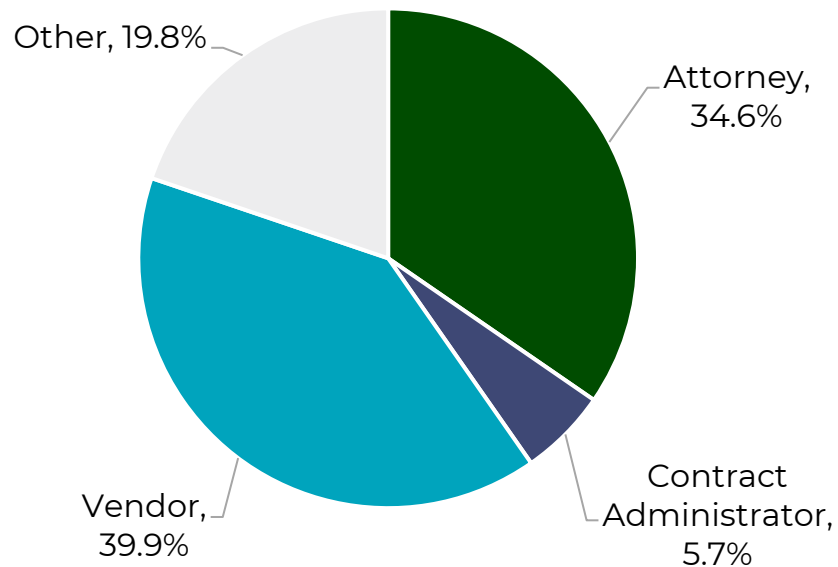
- Median number of days to file opening briefs July 2025 – June 2026 was 223.
- Appellate has seen an increase in the number of case referrals.



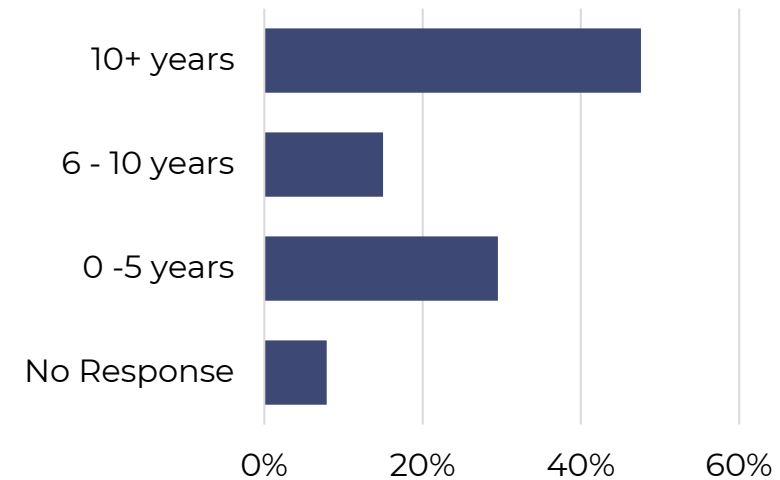
Customer Service Survey

- Survey sent to 2,096 providers
- 353 responses for a 17% response rate

Respondents by Current Role



Years in Public Defense



Customer Service Survey

Percent of customers rating OPDC “excellent or good”



Correct Services



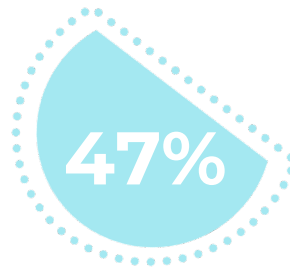
Accessibility



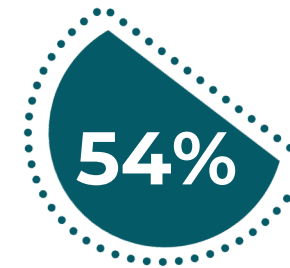
Helpfulness



Knowledge



Timeliness



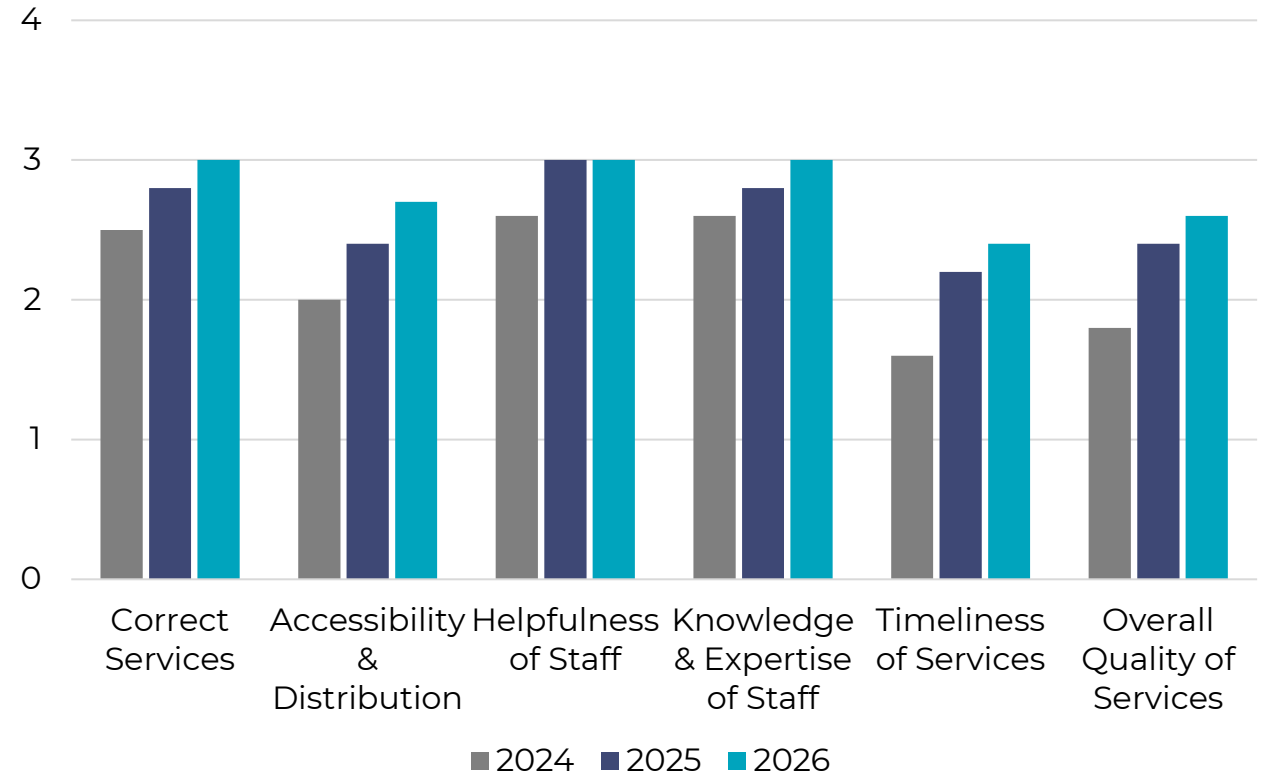
Overall Quality

Yearly Trends

Survey consisted of six main questions rated either poor, fair, good or excellent (1 – 4).

Customer Service Survey

Ratings by Year



OPDC Commissioners completed the 2026 Board Best Practices Survey in August.

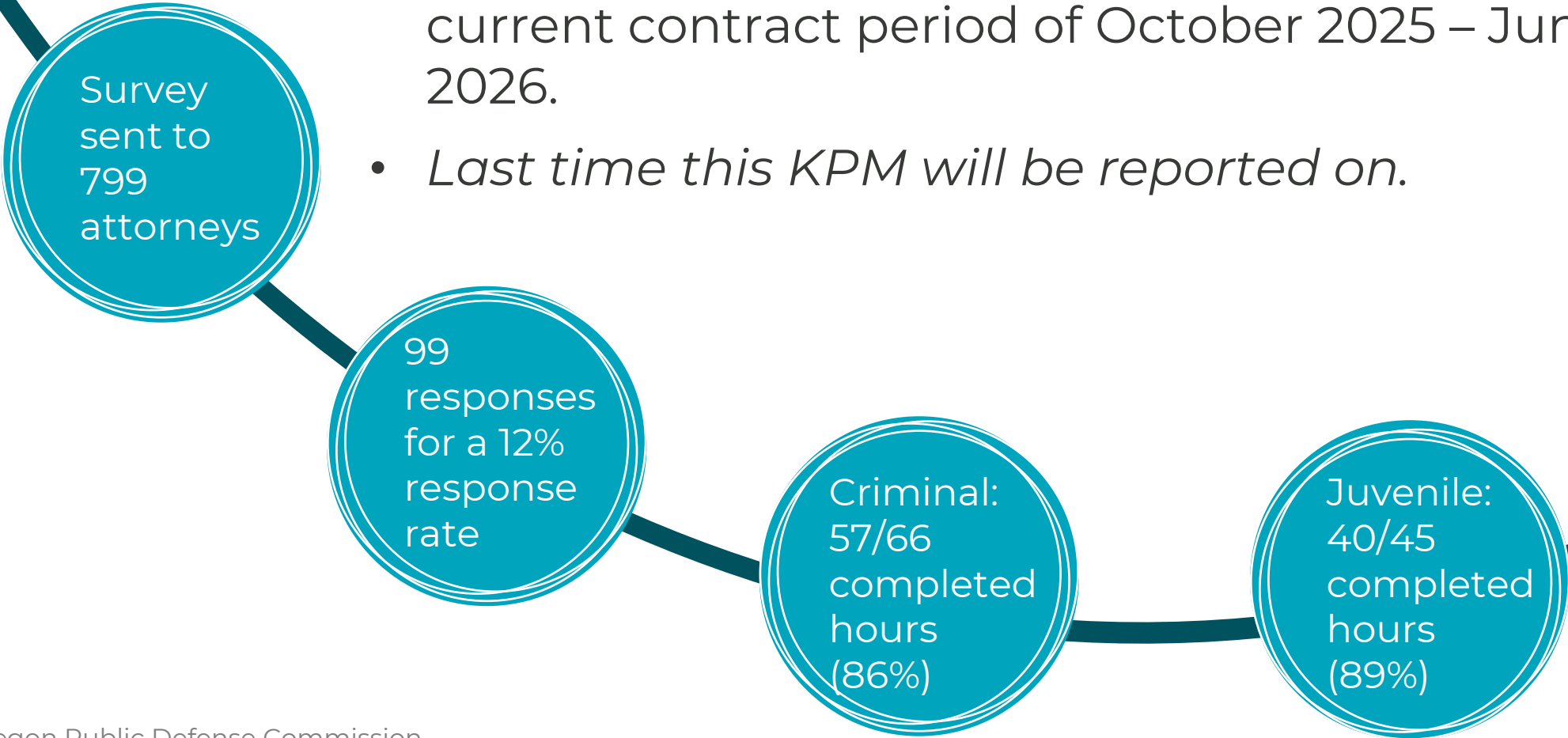
8 out of our current 12 Commissioners participated in the survey and provided responses to the 15 questions.

The Governance Subcommittee will further discuss updates to the standard 15 survey questions at a future meeting.

Best Practices for Boards & Commissions

Trial Level Representation: Continuing Legal Education

- Survey questions asking if contract attorneys obtained 12 hours of CLE credits during the current contract period of October 2025 – June 2026.
- *Last time this KPM will be reported on.*



Survey
sent to
799
attorneys

99
responses
for a 12%
response
rate

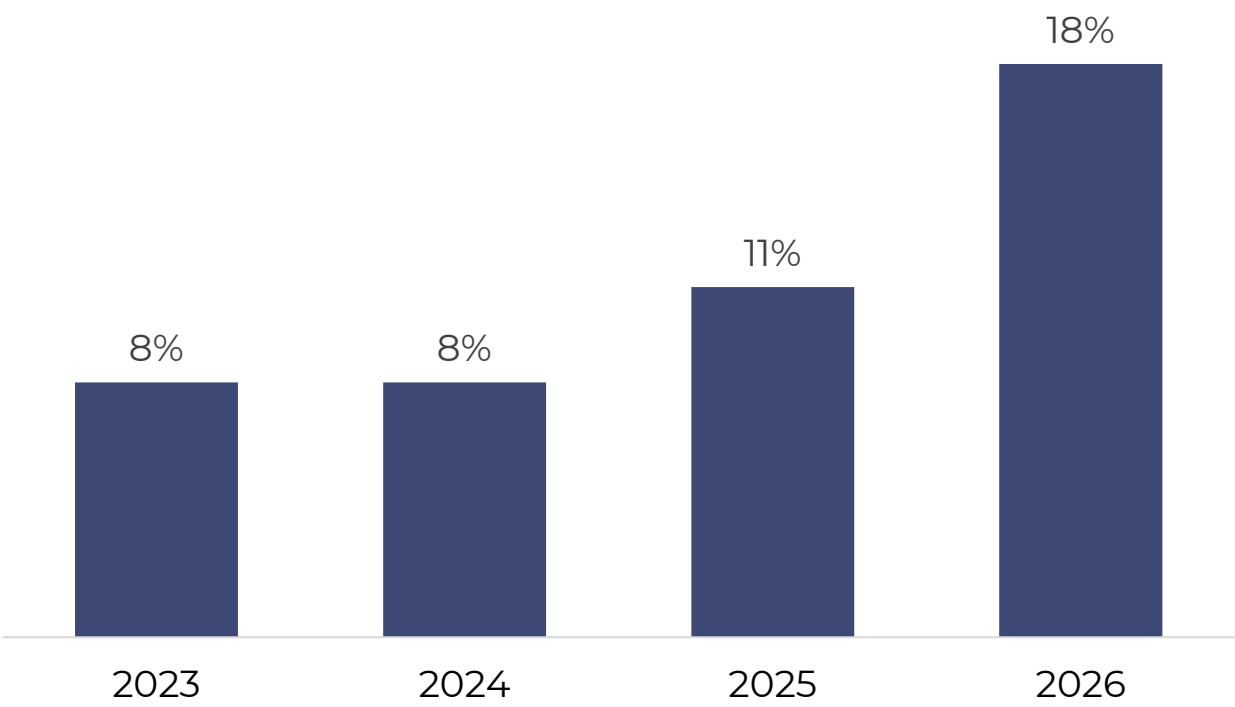
Criminal:
57/66
completed
hours
(86%)

Juvenile:
40/45
completed
hours
(89%)

- Average client contact rate: 25.2%
- 111 PCRCP Attorneys
 - 20 met or exceeded 33%
 - Almost half (50) at or above 25%

PCRCP Client Contact Rate

PCRCP Attorneys Meeting 1/3 Client Contact



Provisioning of Public Defense

KPM: Percentage of financially eligible persons receiving a public defender, with a target of 100%

- In and out of custody
- Excludes warrants
- Considers first time unrepresented (no prior attorneys)
- Unrepresented no more than 7 days

91%

Thank You

Oregon Public Defense Commission

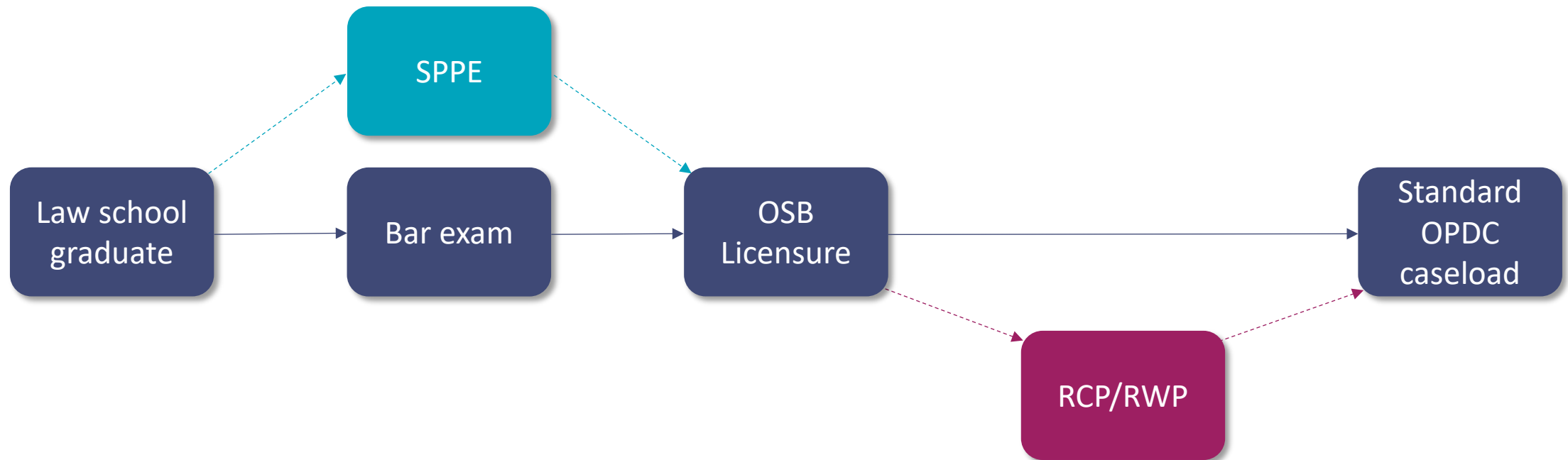
September 16, 2026

Supervised Practice Portfolio
Examination (SPPE) and
Reduced Case Programs (RCP/RWP)

Alena Haines, Contract Compliance Analyst
Megan Doak, Contract Compliance Analyst



SPPE and RCP/RWP Timeline



SPPE - Supervised Practice Portfolio Examination Program

RCP/RWP - Reduced Caseload/Workload Program

SPPE Overview

Program Owner	Oregon State Bar (OSB)
Participants	Law school graduates or attorneys new to Oregon
Primary Purpose	Alternative route to Oregon Bar licensure
Caseload	Based on 1.00 FTE: 15% MAC months 1-6, 25% MAC months 7-12 (equates to 60 misdemeanors in first year)
2025-27 Contract Highlights (Exhibit F)	• Requires supervision plan • Cannot fill an attorney vacancy • Program participation requires OPDC authorization • Funding limited to 12 months, calculated based on MAC, includes supervision • Adherence to OSB's SPPE Program Rules • Written client waivers to be filed with court as part of case record • Approval from supervising attorney and court • Limitations on client representation • Submission of portfolio work in accordance with OSB's reporting rules and timelines

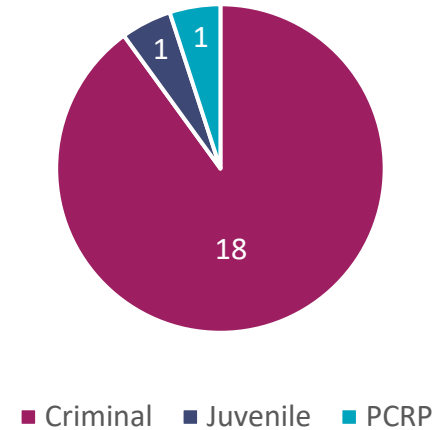
SPPE Data

Participants:

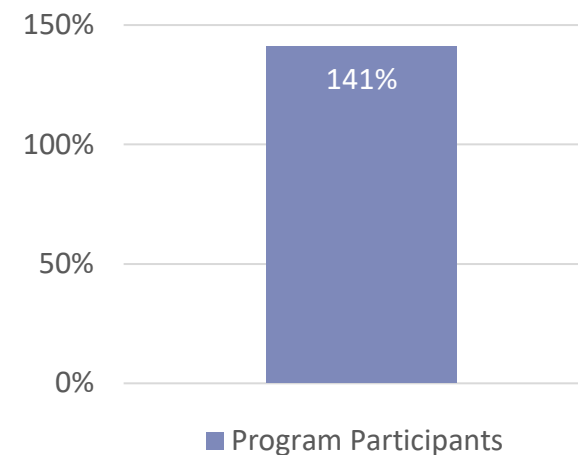
- **20** Licensees, (10 graduated, 1 departed)
- **8** counties (40% urban, 60% rural/frontier)
- **4** pending requests for Q6 (75% rural)

Utilization averages pertain to data reported from 10/01/2025 to 7/31/2026.

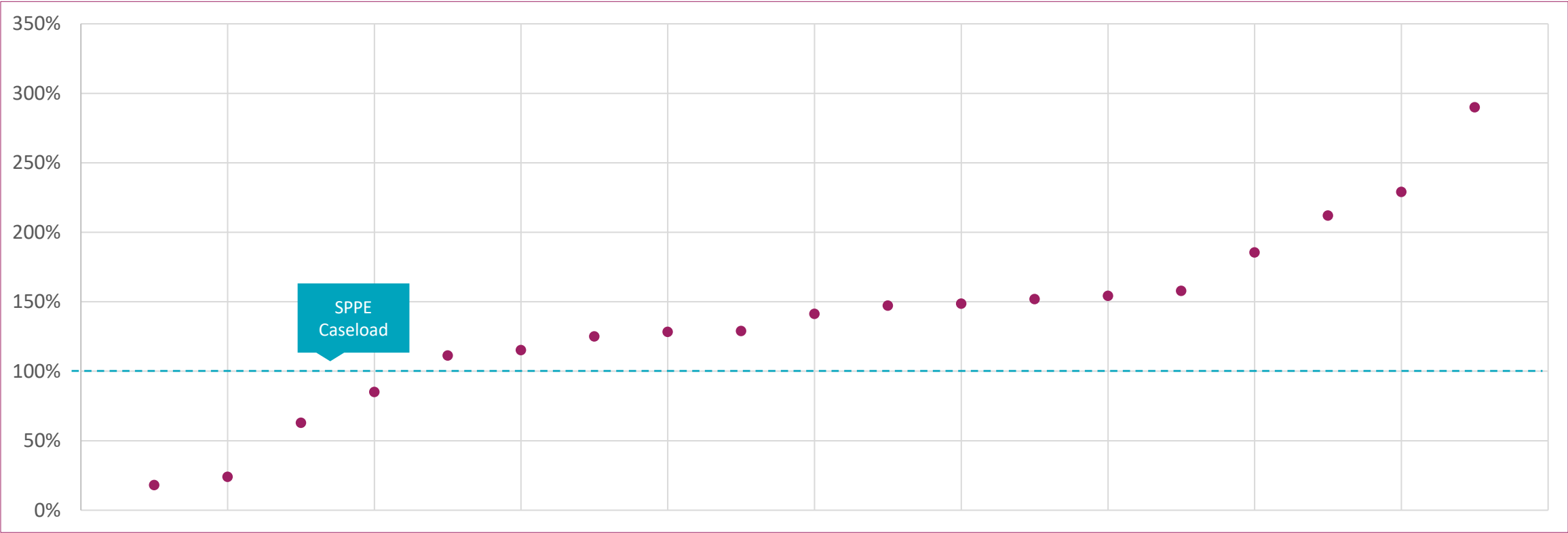
Current Attorneys



Median Utilization Rate



SPPE Utilization



Data reflects current contract cycle from 10/01/2025 to 7/31/2026.

SPPE Insights

- Contractors are regularly requesting an extension to the 12 month program limitation. Should the agency consider extending the program to 18 months?
- With a median utilization of 141% should the agency consider increasing the number of cases an SPPE can take at each step or creating an expected caseload similar to RCP?
- Given that over 60% of SPPE's are in rural jurisdictions should we consider allowing them to fill vacancies given recruitment challenges?

RCP/RWP Overview

Program Owner	OPDC
Participants	Newly licensed attorneys or attorneys with less than one year of direct representation in public defense
Primary Purpose	Reduces caseloads/workloads to allow time for participants to build skills around client care, case management and reduce turnover to increase system stability
Caseload (RCP)/ Workload (RWP)	Based on 1.00 FTE: • RCP criminal is 200 misdemeanor cases (~0.67 MAC) for the first year • RCP juvenile non-PCRCP is 46 dependency (~0.67 MAC) cases for the first year • RWP PCRCP is 55 cases (~0.69 FTE) within the first 4 months, maintained for the first year
2025-27 Contract Highlights (Exhibit B(C))	• RCP has no monthly prorated MAC limits • Requires a supervision plan • Could be applied to an attorney who filled a vacancy • Program participation requires application to OPDC and is limited to 12 months • Funding based on FTE, supervision funding not automatic • Attorney must remain funded at their initial qualification level to participate

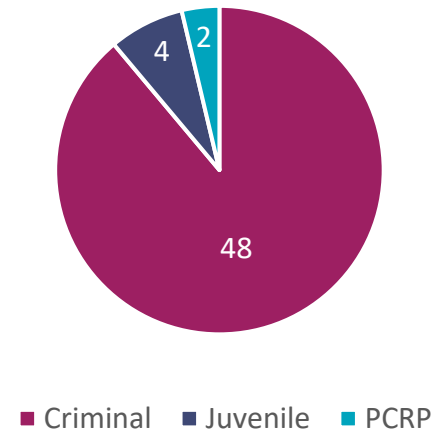
RCP/RWP Data

Participants:

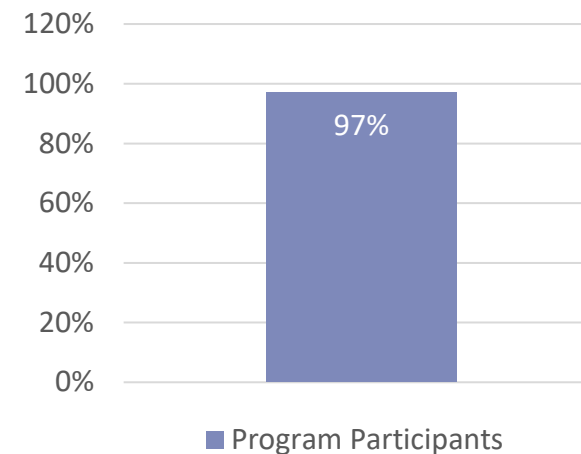
- **64** attorneys, **8** graduated, **6** departed
- **15** counties (53% urban, 47% rural/frontier)
- **5** attorneys previously in SPPE program

Utilization pertains to data reported from 10/01/2025 to 7/31/2026.

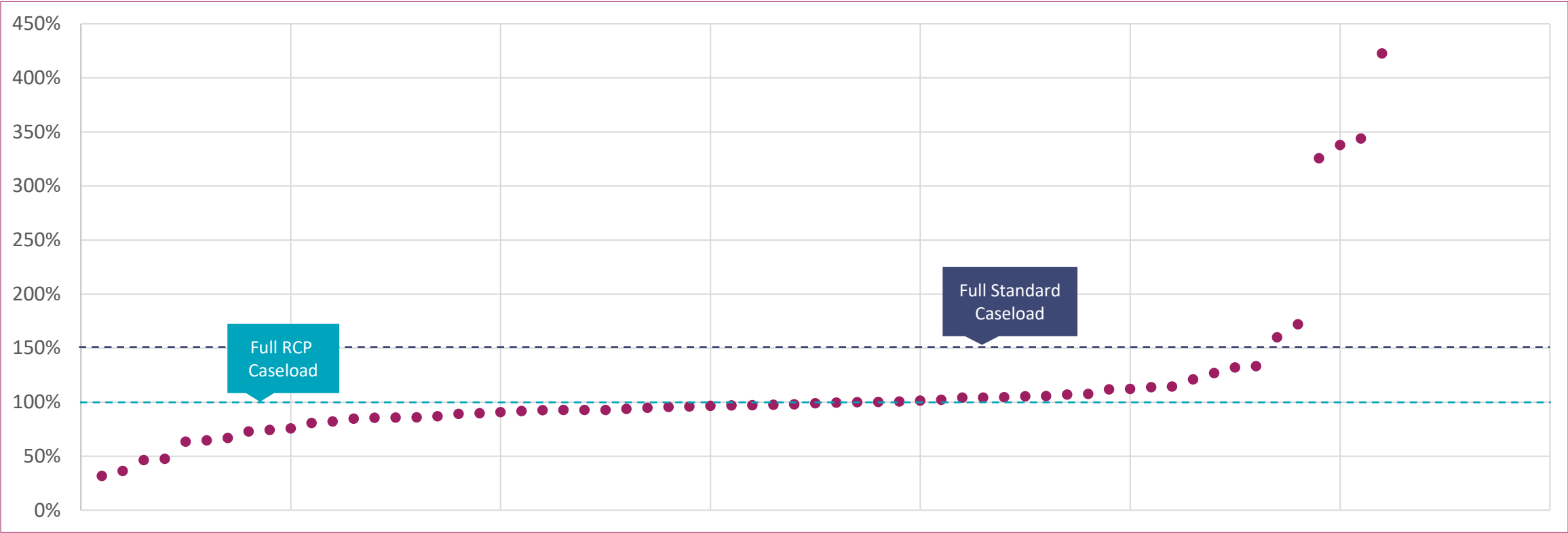
Current Attorneys



Median Utilization Rate



RCP Criminal Utilization



Utilization pertain to data reported from 10/01/2025 to 7/31/2026.

RCP/RWP Insights

- Should RCP/RWP attorneys have a monthly prorated MAC limit to allow them to ramp up their caseload so they may easily transition to full standard caseload at 1 year?
- Should an attorney be allowed to stay in the program if they are exceeding the reduced caseload/workload?
- Should participants enter RCP after SPPE?

Thank you



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Oregon Public Defense Commission

PAE Discussion

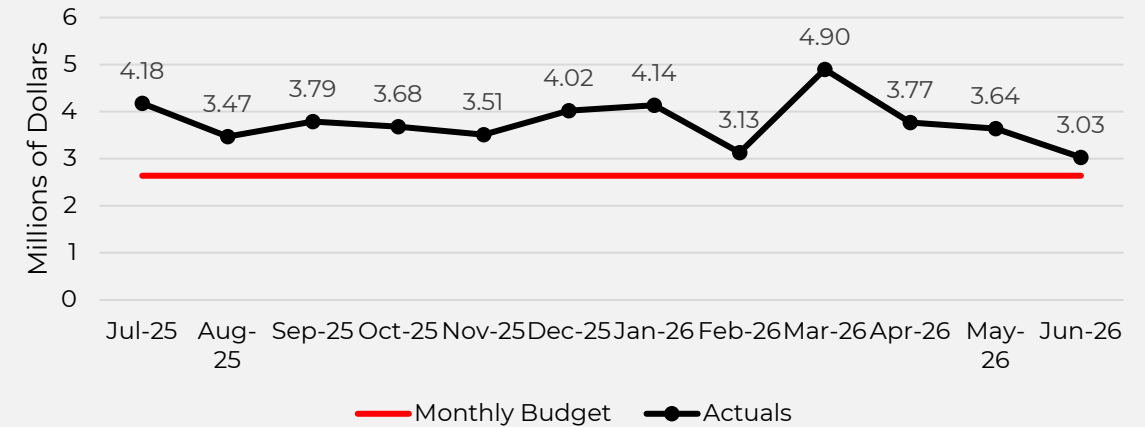
September 16, 2026

Ken Sanchagrin, Executive Director

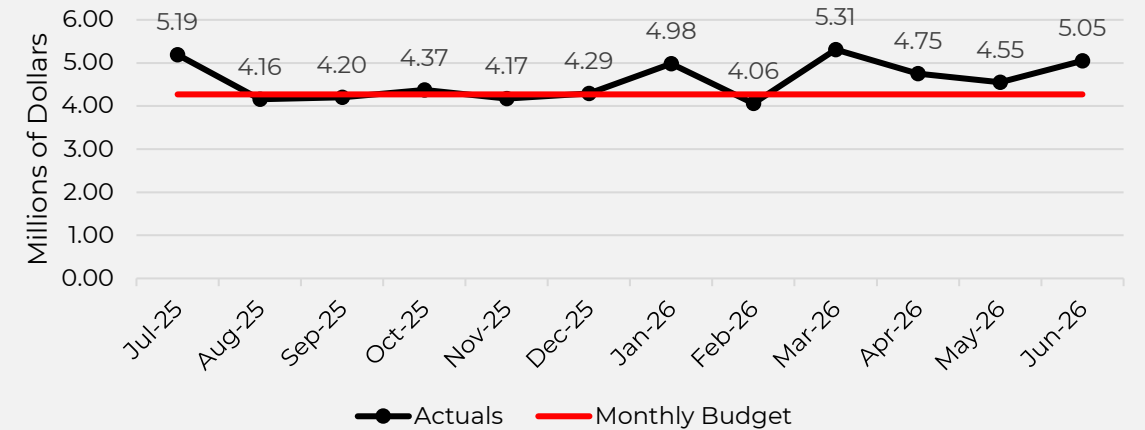
Brief Recap

- *Court Mandated Expenses*, which pays for attorneys to take cases hourly, has a total budget of \$63.36M (~\$2.64M per month).
- Monthly CME billings are over budget by an average of \$1.13M per month.
- *Preauthorized Expenses*, which pays for investigation, expert testimony, and associated expenses, has a total budget of \$102.48M (~\$4.27 per month).
- Monthly PAE billings, particularly in the past four months, have exceeded budget expectations.
- Over the next several meetings, I hope to contribute to Commission discussions about PAE and CME policy. Today we will begin talking about PAE.

Court Mandated Expenses Budget to Actual



Preauthorized Expenses Budget to Actual



PAE Process Background

- PAE requests are initiated online at OPDC's website via one of two forms:
 - **PAE Short Form:** used for straightforward requests that only need limited information to evaluate and approve. Short form requests are processed as "automatic" once case eligibility is verified.
 - **PAE Long Form:** used for more complex, higher-level requests that require additional detail and justification. Long forms receive substantive review of the requested services and supporting justification.
- In early 2024, PAE experienced a significant backlog. At its peak, long form requests were 42 days behind. At this time, other than a short form for investigation and rapid aid and assist*, all other requests required the long form.

PAE Process

- To address the 2024 backlog:
 - Five* additional short forms were added.
 - Automatic approvals for investigation hours were increased to further reduce the number of long form submissions:
 - PCRA/PCR/JLAW: 100hrs → 150hrs
 - Measure 11: 80hrs → 120hrs
 - Felonies, DVio, and PCS: 40hrs → 80hrs
- As of today, long forms average 5 days to review and short form requests are approved in 48 hours.

Current Short Forms

Investigation: counsel's first request for investigation

Aid and Assist: all standard aid and assist requests

Psycho-Sexual: counsel's first request for psycho-sexual evaluation

ASAM/Drug & Alcohol Evaluation: all standard ASAM or drug and alcohol evaluation requests

Alternative Sentencing Evaluation/OPE: all standard alternative sentencing evaluation or optional probation evaluation requests

Polygraph: all standard polygraph requests

PAE forms, policies,
instructions, and
FAQs are found on
OPDC's website.



Pre-Authorized Expenses

APPELLATE DIVISION

Criminal & Juvenile Panels
Referral Forms

FCMS PROJECT

Project Information

THE COMMISSION

Meeting Agendas & Schedule
Subcommittee Meetings & Agendas

GENERAL INFORMATION AND RESOURCES

Complaint Policy

If you are having trouble locating a particular type of expert, psychologist, interpreter, etc., the PAE department may be able to help! Please contact us at CSS@opds.state.or.us with information on the type of provider that's needed.

While OPDC does not recommend or refer service providers, we can provide a list of options that are already approved and on file with PAE.

Forms and Instructions

Pre-Authorized Expenses Request Forms

Online PAE Nintex submission form

- [Nintex Short Form Instructions](#)
- [Nintex Long Form Instructions](#)

Pro Se Instructions

- [Online PAE Nintex submission form](#) (recommended)
- [Print-and-mail form](#)

[Hourly Service and Expense Rates](#)

Contact Information

Business Services
198 Commercial St SE, Suite # 205
Salem, Oregon 97301
Phone: 503.378.2700
Email: Pre-Authorized Expenses

PAE Data: Initial Investigation

- The agency has reliable data regarding PAE invoice submissions starting in July 2021. For the slides that follow, data is included through the end of June 2026.
- In total, the agency paid 219,278 PAE requests for work on 173,687 cases during the period, at a total cost of \$201.4M.
- The most frequently requested PAE reimbursements were for investigation, travel, and psychiatric/psychological expertise.

Table 1. PAE Payments, Cases, and Amounts (July 2021-June 2026)

Category	Invoices	Pct	Cases	Pct	Amount	Pct
Direct Services						
Case Management	5,339	2.43%	3,593	2.07%	3,823,896	1.90%
Investigation/Mitigation	55,899	25.49%	43,632	25.12%	69,019,691	34.26%
Psychiatric/Psychological	24,354	11.11%	21,039	12.11%	65,025,456	32.28%
Interpretation	2,220	1.01%	1,652	0.95%	1,609,897	0.80%
Other Experts	19,377	8.84%	15,411	8.87%	34,976,482	17.36%
Other Pub Defense Services	2,998	1.37%	2,070	1.19%	5,910,058	2.93%
Lay Witness Fees/Expenses	25	0.01%	20	0.01%	17,930	0.01%
Paralegal	1,169	0.53%	761	0.44%	1,119,203	0.56%
Polygraph	2,053	0.94%	1,959	1.13%	1,041,833	0.52%
Travel						
Mileage	52,238	23.82%	39,740	22.88%	6,162,402	3.06%
Meals/Lodging	5,025	2.29%	3,156	1.82%	1,549,685	0.77%
Non-Attorney Travel	19,106	8.71%	15,754	9.07%	7,088,104	3.52%
Other Travel Reimb	2,569	1.17%	1,811	1.04%	222,300	0.11%
Other						
Out-of-Pocket Expenses	21,136	9.64%	18,373	10.58%	768,641	0.38%
Scanning	554	0.25%	456	0.26%	5,208	0.00%
Transcriptions/Depositions	5,206	2.37%	4,250	2.45%	3,089,568	1.53%
Discovery Costs	10	0.00%	10	0.01%	9,049	0.00%
Total	219,278	100.00%	173,687	100.00%	201,439,403	100.00%

PAE Data: Initial Investigation

- Between the second half of 2021 and first six months of 2026, the number of cases with a PAE request increased by 55%.
- At the same time, the amount spent by the agency increased by 83%.
- A few service areas saw reductions in either PAE requests or payments, while a few areas saw significant growth between these two time periods.

Table 2. Comparing Cases with PAE Requests and Costs (2021-2026)

Category	Cases with a PAE			Amounts Paid by OPDC		
	2021.2	2026.1	Pct Chg	2021.2	2026.1	Pct Chg
Direct Services						
Case Management	159	436	174%	139,791	425,197	204%
Investigation/Mitigation	3,669	4,791	31%	4,340,933	8,576,173	98%
Psychiatric/Psychological	1,717	1,892	10%	4,703,873	6,502,857	38%
Interpretation	106	379	258%	61,446	217,499	254%
Other Experts	1,065	1,757	65%	2,012,715	4,156,738	107%
Other Pub Def Services	81	381	370%	360,323	752,228	109%
Lay Witness Expenses	2	2	0%	1,171	696	-41%
Paralegal	81	56	-31%	97,122	115,485	19%
Polygraph	202	187	-7%	93,219	123,647	33%
Travel						
Mileage	3,114	4,336	39%	426,164	695,324	63%
Meals/Lodging	237	351	48%	118,030	169,427	44%
Non-Attorney Travel	382	2,772	626%	115,075	1,273,850	1,007%
Other Travel Reimb	109	219	101%	18,057	22,140	23%
Other						
Out-of-Pocket Expenses	1,443	1,981	37%	62,062	76,529	23%
Scanning	21	90	329%	565	469	-17%
Transcriptions/Depositions	479	315	-34%	236,656	304,126	29%
Discovery Costs	5	0	-100%	3,807	0	-100%
Total	12,872	19,945	55%	12,791,010	23,412,385	83%

PAE Data: Initial Investigation

- The majority of the increase in PAE utilization or amounts paid comes in Adult Criminal Cases.
 - Overall, PAE requests for Adult Criminal cases increased by 62%, while PAE requests for Juvenile cases increased by 4% (not shown here, data available upon request).
 - Amounts paid for PAE requests for Adult Criminal Cases increased by 91%, with several categories far exceeding that growth during the same time period.
 - The most meaningful increase in Juvenile PAE requests was for travel. Other areas saw smaller increases or even decreases.

Table 3. Change over Time between Adult Criminal and Juvenile Cases

Category	Adult Crim Amount Paid			Juvenile Amount Paid		
	2021.1	2026.2	Pct Chg	2021.1	2026.2	Pct Chg
Direct Services						
Case Management	39,741	242,129	509%	100,051	183,068	83%
Investigation/Mitigation	3,822,216	7,745,792	103%	285,286	422,503	48%
Psychiatric/Psychological	3,954,691	5,690,266	44%	716,559	775,618	8%
Interpretation	49,718	206,275	315%	9,510	7,568	-20%
Other Experts	1,781,517	3,745,229	110%	151,172	168,138	11%
Other Pub Defense Services	234,966	693,822	195%	81,701	32,468	-60%
Lay Witness Fees/Expenses	520	696	34%	652	0	-100%
Paralegal	63,828	75,167	18%	10,000	6,940	-31%
Polygraph	81,567	114,339	40%	11,652	9,308	-20%
Travel						
Mileage	372,979	635,863	70%	40,385	49,953	24%
Meals/Lodging	102,762	140,149	36%	10,545	23,552	123%
Non-Attorney Travel	95,787	1,168,256	1,120%	18,299	80,601	340%
Other Travel Reimb	16,883	20,635	22%	962	792	-18%
Other						
Out-of-Pocket Expenses	56,640	68,854	22%	4,085	2,103	-49%
Scanning	370	273	-26%	8	2	-75%
Transcriptions/Depositions	192,956	258,474	34%	14,745	10,707	-27%
Discovery Costs	591	0	-100%	0	0	n/a
Total	10,867,732	20,806,219	91%	1,455,612	1,773,321	22%

Staff Topics for Initial Discussion

Also, please think of any PAE data questions you have for our next meeting.

- Should the agency return to pre-2024 levels for automatically approved investigation hours via the short form?
- Should the agency return to pre-2024 levels for automatically approved mileage (from 250 to 150)?

Staff Topics for Initial Discussion

- Should any of the following policy changes be pursued?
 - Require counsel to confirm they will seek remote testimony from the court when requesting services from a provider (psychologist or other expert) that is 3 or more hours away (6 hours round trip).
 - Require counsel to seek investigators in their own jurisdictions.
 - Update policy language related to travel origination (i.e., provider may not request travel to begin at a location that is different from their place of business unless the alternative origin is closer to their destination).

Staff Topics for Initial Discussion

- Should the agency revision travel time reimbursement rates?
 - Compensate hourly providers at a percentage of the provider's hourly rate (rather than the full rate).
 - Reduce compensation for flat rate providers from \$75 to \$50 (ASAM, ASE, polygraphs, some mental health evals, cell phone extractions).