

**3/26/25**

**OPDC, Written Public Comment**

I am submitting written public comments regarding the Parent Child Representation Program, OPDC's multidisciplinary model of juvenile legal representation. Along with my written comments I have attached some data and information that reflects our work.

The Parent Child Representation Program has been operational in Oregon since 2014. It was developed alongside the national movement that recognized that bolstering legal defense teams with social work professionals led to better outcomes for clients.<sup>1</sup> For the past 10 years we have served over 2800 clients in both dependency and delinquency cases. We have 21 contracted PCRCP Case Managers across ten jurisdictions who work primarily with parent clients but also youths in dependency cases and a growing number of youths involved in the delinquency system. Our case managers are valued by referring attorneys, but they are at contract capacity without the ability to take on new client referrals. We must continue to develop and expand this workforce and resume PCRCP expansion plans.

Understandably OPDC has been focused on the unrepresented person crisis, but we must not neglect the unique needs of juvenile representation. The PCRCP model of multidisciplinary representation is client driven and delivers valuable client outcomes. The components of our program, including provider contracts and an administration structure, have attracted and retained quality providers. It is imperative that OPDC continue to promote the PCRCP program structure through the next contract cycle and beyond with adequate compensation. It is my understanding that OPDC's budget neglects to include inflationary increases for contract providers which must be remedied. Given the retention crisis it seems critical that our contract case manager providers be adequately compensated and included during the budget planning process.

I have witnessed the impacts of strong, multidisciplinary defense teams in my role as the Senior PCRCP Case Manager Administrator. I am proud of my institutional knowledge and dedication to Oregon public defense. It is my hope to continue in this role - training and supporting multidisciplinary legal teams. I want this commission to hear from our providers about the positive client outcomes they see every day doing this work. I look forward to sharing more information and data with the agency and commission in future meetings. Please do not hesitate to reach out with any questions.

**Dana Brandon, MSW**

**Senior PCRCP Case Manager Administrator (independent contractor)**

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[https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/child\\_law\\_practiceonline/january-december-2019/providing-parents-multidisciplinary-legal-representation-signifi/](https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/january-december-2019/providing-parents-multidisciplinary-legal-representation-signifi/)

# PCRP CASE MANAGER ADMINISTRATOR REPORT

## OVERVIEW OF CASE MANAGER IMPACT

### CASE MANAGER OBJECTIVES

PCRP (Parent Child Representation Program) Case Managers are trained and supported to provide confidential, client-driven advocacy within legal defense teams. They focus on client engagement and system navigation while supporting clients in meeting their legal and interrelated needs.

### DATA COLLECTION

Case manager data for PCRP cases is collected through referral forms as well as case closure reports. Our database allows us to assess conflicts of interest, case manager capacity, balance caseloads, and track client outcomes. In 2025, these forms were improved to capture client stabilization factors (accessing housing, treatment, employment, etc.) which leads to client sustainability and potential state cost savings.

### CLIENT DEMOGRAPHICS

Client Type	Percentage
Parent	76% (51% Mothers 25% Fathers)
Child (Dependency)	16%
Youth (Delinquency)	9%

### CASE MANAGER UTILIZATION AND OUTCOMES

- PCRP Case Managers have served over 2800 clients
- Case Managers are used at capacity in all jurisdictions, 524 open cases (currently)
- Case Managers have worked with over 140 attorney providers
- 41% of dependency cases result in reunification

### ADMINISTRATION OBJECTIVES

- Routine outreach to ODHS and other system partners facilitating open dialogue
- Participation in county JCIP (Juvenile Court Improvement Program) Meetings
- Statewide Case Manager Meetings and biannual PCRP county meetings
- Database management and contract oversight/quality assurance
- Training and technical assistance to PCRP Attorneys and Case Managers

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FEBRUARY 2025

## **OPDC Public Comment 3/26/25**

My name is Nicole Thomas and I am a PCRCP Case Manager in Yamhill County. I have had a contract with OPDC since 2014 when the program began. Dana Brandon, the Senior Group Administrator, asked me to share my perspective on my role as a Case Manager. I would like to share what it means for our clients, attorneys and for myself.

### **What does this work mean for clients:**

- Client-centered advocacy - amplifying the voice of the client
- Co-regulator - creating a safe space and supportive environment for clients
- Providing empathy, positive messaging, encouragement and validating emotions
- A confidential sounding board - active listening and problem-solving together
- Support navigating the system and services, resource coordination
- Someone that can enhance client's capacity and opportunity to change
- Building bridges of support for clients with attorneys and other system providers to address underlying client needs

### **What does this work mean for attorneys:**

- Collaborator in developing creative solutions
- Provide social work insight and a comprehensive understanding of client's needs
- Improve client-attorney relationship, enabling better advocacy and case outcomes
- Reduced caseloads allowing attorneys to focus on legal strategy and advocacy
- Improved client understanding of the legal process
- Greater client engagement and cooperation, increased information sharing

### **The support of Group Administrators in doing this work:**

- Provide advocacy and administrative support in payment structure and invoice submission to ensure prompt payment
- Negotiates increase in rates, preserve integrity of work and caseload limits
- Streamlining of referral process for prompt assignment
- Provide support and consultation needed when staffing cases
- Sustain existing relationships with community partners, they are the much needed voice in rooms, meetings, sessions when we cannot be there – knowing this work unlike people in other roles that are removed from Case Managers
- Group Administrators make administrative processes manageable and provide essential support which in turn keeps our focus on our clients

It is my hope to continue in this meaningful role. Feel free to reach out with any questions.

Respectfully,

Nicole Thomas, PCRCP Case Manager

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March 26, 2025

To: Oregon Public Defense Commissioners  
From: Heather Busby, Executive Director  
Heather.b@youthrightsjustice.org  
RE: Proposed OPDC Policies

To the Oregon Public Defense Commission:

Youth, Rights & Justice (YRJ), a non-profit public defense provider, has been dedicated exclusively to juvenile law for 50 years. Each year, we provide holistic, client-centered representation to hundreds of children, youth, and parents in Oregon's juvenile court system.

I am writing to you to express our concerns with some of the proposed OPDC policies that, especially in light of current practice and our recent discussions with agency staff, will put employers like YRJ and other public defense providers at risk of violating state and federal labor laws. I believe that it is not the intention of the Commission to create contract provisions that penalize providers for following laws regarding legally protected leave. However, the agency has to date been unwilling to distinguish between a vacancy and protected leave. We have been instructed that if an attorney will be on leave, we are to classify this as a vacancy and submit the vacancy form. The agency will then amend our contract to reduce funding during the leave.

In the first quarter of 2024, YRJ had a case manager go on partial medical leave. The agency amended our contract and reduced our funding during this time, which resulted in a financial deficit for our agency while we continued to provide paid time off as legally required.

Later in the year when we learned of another legally protected medical leave that might occur in our office, we were told by agency staff that this would still be viewed as a vacancy and that we were not concerned about our legal obligations to employees because we are just

contractors and not agency employees. While the distinction that YRJ employees are not state employees, and therefore the agency does not have the same direct legal obligations to a contractor's employees, may be accurate, we sincerely doubt that Commissioners, the Governor, or the Oregon Legislature would want to create a scenario in which state contracts and agency policies force contractors to violate state and federal law.

Below are the comments we submitted to the agency during the rushed window in which they sought feedback from providers on these proposed policies. We were disappointed to learn that the agency made no changes after receiving such feedback and urge the Commission to reconsider this decision, to consult with outside counsel specializing in employment law, and to draft policies that contemplate and respect all state and federal labor laws with which public defense providers are legally required to comply.

#### Proposal #7: Vacancy Funding Policy

We caution OPDC not to create a policy that creates a situation where providers would be in violation of law. This policy must be amended to address protected leave under state and federal law. If an attorney is out for this amount of time as part of protected leave, this is not a vacancy and should not be considered as such.

Further, 60 days is insufficient time to recruit and hire attorneys and staff, especially if we are trying to recruit the highest caliber attorneys to our field. We recommend amending to provide at least 90 days of continued funding.

#### Proposal #8: Contract Compliance/Enforcement

Once again, we oppose any policies that create conditions where providers could be in violation of state and federal law. Any proposed policy must allow contractors to follow state and federal law around protected leave.

If we are meeting our contract numbers as an office as an office, we should be able to move cases around while an attorney is out on leave and not fall out of compliance with our contract. Providers need to have flexibility to meet client needs and manage caseloads. A two-month time frame does not allow for an attorney to meet their ethical obligations to clients by thoughtfully preparing for leave and allow for a reasonable ramp-up upon return.

Further, changing the policy to two consecutive months is too small of a data set and could trigger unnecessary OPDC meetings/compliance plans. We often go through waves of case pick-ups and then a few lighter months. The 6-month timeframe in the current contract is sufficient and will result in more thoughtful and data driven decisions.

Finally, this policy is too harsh and will lead to further burnout and more attorneys leaving. If the goal is to make inroads in the attorney shortage, creating punitive policies is not the

right move. This will lead to further dissatisfaction, more burnout, and more attorneys leaving public defense. Policies that penalize providers for taking care of their health, their families, and to take meaningful breaks so they can continue this work long-term are short-sighted, cruel, and are likely to exacerbate, rather than relieve, problems.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to be 'HB' or 'HBusby', written in a cursive, stylized manner.

Heather Busby, Executive Director