Members:

Susan Mandiberg, Chair
Leslie Kay
Philippe Knab
Haley Olson

Executive Director:

Ken Sanchagrin

Oregon Public Defense Commission

Governance, Policy, and Standards Subcommittee Meeting

Meeting will occur virtually
Thursday, November 19, 2026
4:00pm – 5:30 PM PST
*Via Zoom**

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)
4:00-4:05	Welcome and Call to Order	Chair Mandiberg
4:05-5:30	**Update/Discussion:** • Subcommittee Future Tasks • Commission Decision-Making and Policy Involvement	Chair Mandiberg Philippe Knab
5:30 (Approximately)	**Adjourn**	

To join the Zoom meeting, click this link: https://zoom.us/j/93191875490. 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.

Oregon Public Defense Commission

Date: November 16, 2026

To: OPDC Governance, Policy, and Standards Subcommittee Members

Cc: Kenneth Sanchagrin, Executive Director

From: Mara Ewing, Executive Assistant to the Commission

Re: Governance, Policy, and Standards Subcommittee Future Tasks

Nature of Presentation: Briefing and Assignment

Background:

At the October 29th Governance, Policy, and Standards Subcommittee meeting, we began to develop a list of the types of tasks the committee should undertake in 2027. The consensus was that the tasks should focus on substantive issues, but that we would also need to undertake some technical or procedural issues.

Our list will be useful in at least two ways:

1. Contributing to a discussion of the Board's duties that will probably occur at the December Commission meeting.
2. Helping us work with the Agency to determine the tasks on which the Agency should bring ideas for the Board to consider (versus tasks on which the Board should initiate the ideas and possibly do the necessary background research).

The following are some suggestions that were discussed at the October 29th meeting.

Suggested Tasks:

- **Substantive Issues**
    - Coherent model for contracting, including how available funds are distributed among types of providers of the same services
    - Coherent model for determining whether and when different rates apply to different providers of the same service

- Coherent model for differentiating between rural and urban service needs
- Coherent model for differentiating between needs and cultures of different counties (court systems, sheriff's departments, DAs)
- Coherent model for supporting early resolution docket
- Policies and procedures for accounting for provider use of funds
- Policies and procedures for assessing quality of provider services to clients

- **Procedural or Technical Issues**
  - The Audit Committee Charter (if applicable)
  - Amendments to OPDC Bylaws
- **Definition of governance: "the act or process of governing or overseeing control and direction of something … such as an organization"**

Next Steps

Please send me:

1. Any comments on this list, including whether you think items are in the correct category;
2. Additional tasks you think the Committee might want or need to undertake in the coming year.

OPDC Board Action Items – 2022-Present

2022 – Public Defense Services Commission

- January 20, 2022
  - Approval to create an Audit Committee as a Subcommittee of the Commission - Approved
  - Strategic Planning Steering Committee Appointment – Approved
- March 17, 2022
  - Approval of Audit Committee Charter - Approved
  - Approval of Guardianships & Conservatorships Policy - Approved
- April 21, 2022
  - Approval of OPDS Employee Leave Provisions - Approved
  - Information Technology Subcommittee Members Designation - Approved
  - Approval of Draft E-Board Letters – Approved
  - Approval of RFQ for July 2022 Contracts – Approved
- May 19, 2022
  - Possible Amendments to Contract Terms
    - All proposed amendments except section 3.5.2 were approved, with the direction to staff to reword the section not approved and bring it back for approval at a later meeting.
- June 23, 2022
  - Approval of Public Defense Contracts for July 1, 2022 – Approved
- July 29, 2022
  - Approval of new Jackson Juvenile Contract - Approved
  - Approval of new Union/Wallowa Counties Contract - Approved
  - Approval of new Washington County Contract – Approved
  - Approval of Unrepresented Client Proposals – Approved
- August 18, 2022
  - Removal of PDSC Executive Director – Approved
  - Appointment of Interim PDSC Leadership:
    - Legal Side: Laurie Bender and Shannon Flowers - Approved
    - Administrative Side: Brian DeForest - Approved
  - Approval of September E-Board Letters
    - Discussed and determined to revisit at 8/25 meeting
  - Approval of Policy Option Packages (POPs)

        - Discussed and determined to revisit at 8/25 meeting
    - Approval to Expand $158 Program – Approved
- August 25, 2022
    - Approval of Policy Option Packages (POPs) - Approved
    - Approval of September E-Board Letters
        - Approved with agreed amendments to letter 2A
    - Approval of 2023-25 PDSC Budget - Approved
- September 1, 2022
    - Approval of new Habeas Cases Contract - Approved
- September 15, 2022
    - Approval of new Tillamook County Juvenile (Colette Cameron) Contract - Approved
    - Discussion and Consideration of Letter from OCDLA Public Defense Reform Task Force
        - Motion presented and approved to support consideration of procedural and UTCR rule changes to improve court efficiency in criminal cases and increase capacity to serve defendants or clients in criminal cases
- October 13, 2022
    - Executive Director Decision
        - Motion presented and approved to extend a job offer to Jessica Kampfe to become the next PDSC Director
    - Unrepresented Persons Proposals
        - Quorum was lost, so these proposals were tabled to the 10/20 meeting.
- October 20, 2022
    - Unrepresented Persons Proposals
        - Incremental Increase in MAC Incentive
            - This proposal was discussed and tabled for later consideration as it needed to receive edits.
        - New Attorney Recruitment Incentive - Approved
        - Increased Investigator Rate for $158/hr. Program - Approved
        - Supervision for Private Civil Attorneys & Newer Attorneys - Approved
        - Discretionary Approval for Provider Plan to Increase Capacity - Approved
    - Unrepresented Persons Concepts – Approved
- November 17, 2022

- Selection of Counsel to Advise PDSC in Hannah v. Oregon Et Al
  - Approved selection of Jeff Pitzer to represent PDSC in the matter.
- Appoint a Commissioner to the Audit Committee
  - Approved appointment of Commissioner Max Williams

- December 15, 2022
  - Approval to Expand New Attorney Incentive Plan - Approved
  - Approval of New Contracts – Klamath, Lake and Washington Counties - Approved
  - Approval to Temporarily Extend the $158 Hourly Program - Approved
  - Approval of Columbia County PCRP Case Manager
    - Motion presented and approved to establish a contract with Sean Syreck, total contract value $42,354.90
  - Approval of 2023 PDSC Meeting Schedule – Approved with adjustments suggested

---

2023 – Public Defense Services Commission

- January 9, 2023
  - Direct Agency to Issue Letter of Intent to Legislative Leadership for Proposed Programs to Spend $10 Million Emergency Funding to Address Unrepresented Persons Crisis
    - Edits suggested for draft letter – staff were instructed to rework and resubmit the letter to the Board for consideration at a near subsequent meeting.
- January 13, 2023
  - Approval of Agency Letter to Presiding Officers Detailing Spending to Address Unrepresented Persons Crisis – staff returned with the suggested edits to the letter and it was approved.
- January 19, 2023
  - Approval of Proposals to Spend $10 Million Emergency Funding to Address Unrepresented Persons Crisis - Approved
  - Approval of Submission of the Report on the Unrepresented Crisis - Approved
  - Approval of Contract with Reza Khanjan - Approved
- February 23, 2023
  - Approval of PDSC Bylaws – Approved

- March 16, 2023
    - Approval of Expansion of Updated Hourly Rate Program - Approved
- March 29, 2023
    - Approval of Contract Terms for ’23-25
        - Approved with an amendment that states the requirement to be at least a 50% provider through OPDS can be waived based upon good cause as demonstrated by the contracting party.
    - Adopt Commission Testimony on SB 0337
        - Motion presented and approved to delegate the task of preparing and delivering comments to Commissioners Winemiller, Buckley, and Williams
- April 18, 2023
    - Approval of .5 PCRP Case Manager Contract for Linn County
        - Motion presented and approved to establish a contract with Amelia Bremer-Wyckhuyse, total contract value $10,591.20
- May 18, 2023
    - Approval of Early Court Resolution Pilot Program in Multnomah County
        - Motion presented and approved to send the proposed letter with removal of paragraph 4 on page 2 to Senate President Wagner and Speaker Rayfield
    - Direct agency to draft letter regarding 337-A5 amendments – Approved
    - Unrepresented persons planning for the 2023-25 biennium
        - Discussed and determined to revisit at a near subsequent meeting
- June 2, 2023
    - Direct that transcripts be prepared for all PDSC meetings and adopted as part of the record at the next subsequent PDSC meeting - Approved
    - Direct the agency to prepare transcripts for the meetings in 2022 and 2023 where transcripts have not yet been prepared for approval at a subsequent meeting – Approved
    - Append the public meeting portion of prepared transcripts for the meeting minutes and make them publicly available on the PDSC website - Approved
    - Formal Commission Response to SB 337A-8 Amendments
        - Motion presented and approved to delegate the task of preparing a letter to Chair Soloman, Commissioner Buckley, and Commissioner Winemiller
- June 8, 2023
    - Create rights to counsel sub-committee of the PDSC - Approved

    - Continue increase and expand hourly pay rates for attorney & Investigators – Approved
    - Create state employee trial level public defenders' office - Approved
    - Require OPDS to report quarterly on public defense modernization - Approved
    - Encourage development of early disposition programs - Approved
    - Direct the agency to create proposals for attorney trainings - Approved
    - Encourage Oregon Law Schools to submit proposals for Public Defense training and career paths
        - Motions presented and approved to encourage proposals from Willamette University and Lewis and Clark Law School
    - Continue the civil firm initiative program – Approved
- July 20, 2023
    - Approval of agency's guidance plan and authorize the agency to disseminate to the Chief Justice - Approved
    - Contract Approval - KMS Juvenile Law, P.C.
        - Motion presented and approved to establish a contract with Kathleen Strek's Law Firm, KMS Juvenile Law, total contract value $31,942.00
- August 24, 2023
    - Approval of Contract compensation rate
        - Due to time constraints this action item and all others were moved to a near subsequent meeting.
- August 29, 2023
    - Approval of public defense contract compensation rate - Approved
    - Allocation of remaining trial level services funding – Approved
    - Authorize funding of training and supervision for 1 Year ~$6.5 Million – Approved
    - Authorize funding of in-house Investigation for 1 Year ~$4.73 Million – Approved
    - Approval of contract with Disability Rights Oregon to administer protective proceedings program - Approved
    - Retroactive approval of LFO reports – Approved
- September 21, 2023
    - Increased Hourly Rates for Attorneys - Approved
    - Increased Hourly Rates for Investigators - Approved
    - Extension and modification of temporary enhanced hourly rates for unrepresented - Approved

    - December E-Board request to utilize existing resources to fund contracted training supervision, investigation, and ten additional MAC for 2023-25 biennium - Approved
    - Approval of 2023-25 Public Defense Contracts – Approved
- October 26, 2023
    - Compensation Changes - Approved
    - Remediation & Modernization Report – Approved
- November 16, 2023
    - Request for Interim Ways & Means - Approved
        - Strategic agency positions from gap analysis; agency rebalance; request for social workers, case managers, and paralegals; request to allocate the special purpose appropriations for regional trial office in the metro region, southern Oregon, and the central Willamette Valley
    - Extension of THIP – Approved
    - Routine Expense Policy – Tabled for further discussion and consideration at the next meeting
    - Pre-Authorized Expense Policy - Tabled for further discussion and consideration at the next meeting
    - Schedule of Guideline Amounts - Tabled for further discussion and consideration at the next meeting
- December 14, 2023
    - Routine Expense Policy - Approved
    - Pre-Authorized Expense Policy – Approved with a small amendment to verbiage in section 3.2
    - Schedule of Guideline Amounts – Approved

2024 – Oregon Public Defense Commission

- January 5, 2024
    - Approval of Interim Bylaws – Approved with small amendment to verbiage to require a “majority of voting members” instead of a “two-thirds vote”
    - Election of Chair
        - Motion presented and approved to elect Commissioner Jennifer Nash to a 2-year term as Commission Chair
    - Authorization of Governance Subcommittee
        - Motion presented and approved to create a Governance Subcommittee, and Commissioners Mandiberg, Harris, Smith, Parrish

Taylor, and Wright volunteered to serve on the newly formed Committee.
    - Approval of 2024 Meeting Schedule - Approved
    - Approval of Draft Legislative Reports – Approved
- March 20, 2024
    - Adoption of OPDC Bylaws – Tabled for approval at a future meeting
- March 21, 2024
    - Retention Incentive Payments - Approved
    - Pre-Authorized Expense Policy – Approved with a small amendment to verbiage in section 2.1
    - Routine Expense Policy – Approved with small amendment to verbiage in section 1.16
    - Schedule of Guideline Amounts – Approved
- April 17, 2024
    - Approval of Legislative Reports
        - Quality Management Plan - Approved
        - FCMS Status Report - Approved
        - Executive Branch Transition - Approved
        - Modernization & Remediation Plan - Approved
    - May Legislative Days Request
        - Temporary Hourly Increase Program
            - Motion presented and approved to direct the agency to request an extension of the THIP program through December 2024
        - Position Requests (IT and Procurement Personnel) - Approved
    - Policy Updates
        - Pre-Authorized Expenses Policy – Approved
        - Schedule of Guideline Amounts – Approved
    - Election of Vice Chair
        - Motion presented and approved to elect Commissioner Susan Mandiberg to Vice Chair for a 2-year term
    - Adoption of OPDC Bylaws - Approved
- May 8, 2024
    - Direct OPDC Staff to work with Moss Adams to update Six-Year Plan with annual caseload and workload standard - Approved
    - Approval of Comprehensive Public Defense Report - Approved
- May 23, 2024
    - Hourly Rate and Economic Survey:
        - Adoption of Compensation Formula

        - Motion presented and approved to adopt the proposed formula to calculate attorney rates: mandated salary and wages + deductions + overhead + profit
        - Motion presented and approved to adopt the proposed formula to calculate core staff (investigators, paralegals, interpreters, legal secretaries, case managers) rates: mandated salary and wages + deductions + overhead + profit
    - Direction for Policy Option Packages
        - Motion presented and approved to direct the agency to develop policy option packages based on the above adopted formulas as a market leader annualized to 1,578 hours
- June 13, 2024
    - Extension of Temporary Hourly Increase Program from July 1, 2024 to December 31, 2024 - Approved
    - Approval of Policy Option Package Concepts – Tabled for a future meeting due to time constraints and additional discussion required
    - Updating Policies on Pre-Authorized Expense, Routine Expenses, and Schedule of Guideline Amounts – Tabled for a future meeting due to time constraints
    - Supervised Practice Portfolio Examination Policy – Approved
- June 20, 2024
    - Approval of Policy Option Package Concepts
        - POP 101: FCMS Project ~$15 Million – Approved
        - POP 102: Criminal Contract model with one-third implementation at the market match rate using 2080 hours and in-house staff included – Approved
        - POP 103: Trial Division ~$22.6 Million including 40 attorney positions and accompanying staff – Approved
        - POP 104: Hourly Rate including 40 new panel lawyers at the market match rate with 1,578 billable hours, including investigators ($75/hr) and mitigators ($85/hr) - Approved
        - POP 105: Juvenile Contract with one-third implementation at the market match rate with 2,080 hours and in-house staff included – Approved
        - POP 106: Administrative Staff – Approved
        - POP 107:

- Authorize the agency to include in the policy option package to pay bills for cases that are appointed through December 31 2024, in the next biennium – Approved
- If the commission authorizes it to be extended from January 1st, 2025, to June 30th, 2025, the money throughout the next biennium to pay those bills that will come due in the next biennium – Approved
- Expand the THIP program to Betschart releases – include in POP 107 a budget for payment of those bills that come due in the next biennium – Approved

        - POP 108: Continued law school misdemeanor programs, law student stipends, training for new attorneys, OCDLA proposals, and SPPE Supervisors – Approved
        - POP 109: Authorization to the Legislative Subcommittee to develop an Unrepresented Persons Plan including funding options that will be brought back for Commission consideration in July 2024 - Approved
    - Temporary Hourly Increase Program (THIP)
        - Motion presented and approved to expand the Temporary Hourly Increase Program to apply enhanced rates to unrepresented defendants released from custody pursuant to Betschart at such time as the agency has access to adequate information and funding to implement that expansion - Approved
    - Updating Policies on Pre-Authorized Expense, Routine Expenses, and Schedule of Guideline Amounts – Approved
- July 24, 2024
    - Unrepresented Governor's Report
        - Approved with edits suggested to the Legislative Subcommittee to complete before submitting the final response
    - Notice of Intent to request E-Board Funding – broken down into 6 motions:
        - OPDC Organizational Structure: creating budget and positions and moving positions around as needed – Approved
        - Update the E-Board about the cost of extending THIP from June 2024 to December 2024 - Approved
        - Ask for authorization from the E-Board to continue THIP from January 2025 to June 2025 without a funding request, and come back in December with a cost estimate to continue the program through the end of the biennium – Approved

        - Ask for authorization to establish a state trial office serving the Southwest division – Approved
        - Additional assignment coordination staff within the agency for the remainder of the biennium – Approved
        - Ask for additional funding for 25 additional C Felony Qualified MAC for criminal contracts – Approved
    - Draft Policy Option Package Narratives for 2025 Agency Budget Request – Draft narratives approved with a plan to grant approval to final drafts in August 2024
- August 21, 2024
    - Approve Agency Request Budget - Approved
    - Approve September E-Board Requests
        - Organizational structure requests – Approved
            - Request for Agency staff against the executive SPA – Approved
        - 25 Additional MAC, ~$4.2 Million General Fund Request – Approved
        - Opening a Southwest Trial Office applying agency savings, SPA Funds, and requesting the remaining balance – Approved
        - Authorize the THIP program to be extended through June 30, 2025 and update the E-Board about funding, potentially asking for a rebalance or new funds in December 2024 if necessary – Approved
        - 2 Assignment Coordinator positions to help assign counsel under THIP - Approved
    - Approve Legislative Reports (for Leg Days) - Approved
- September 18, 2024
    - Policy Updates
        - Pre-Authorized Expenses - Approved
        - Schedule of Guideline Amounts - Approved
        - Routine Expenses - Approved
    - OPDC Federal Public Loan Forgiveness Program Policy – Approved
- October 16, 2024
    - Approve Modernization and Remediation Plan - Approved
    - Approve December E-Board Requests
        - Rebalance of existing budget to use agency resources that are in excess in certain buckets and reallocate them to cover deficits in PAE and CME – Approved
        - Authorize the extension of THIP through the end of the biennium and request access to the special purpose appropriation that has been withheld for that purpose by the legislature – Approved

        - Authorization to seek approval for position authority and possible access to Executive Branch SPA to cover the opening of a Southwest Division Trial Office - Approved
    - 2025 Commission Meeting Calendar - Approved
    - OPDC Six-Year Plan Approval – Approved
- November 13, 2024
    - Approve Comprehensive Public Defense Report - Approved
    - Approve Organizational Chart – Approved
- December 6, 2024
    - Conditional Extension of THIP – Approved from January 1 through June 30, 2025
    - Policy Updates
        - Pre-Authorized Expenses - Approved
        - Schedule of Guideline Amounts - Approved
        - Routine Expenses - Approved
    - OPDC Strategic Plan – Tabled for consideration after feedback is incorporated at a later meeting

---

2025 – Oregon Public Defense Commission

- January 15, 2025
    - Approve Audit Committee Policies:
        - Internal Audit Risk Assessment Policy - Approved
        - Internal Audit Report Distribution Policy - Approved
    - Interim Hourly Attorney Policy – Approved, effective April 1 2025
    - Contract Funding for Supervised Practice Portfolio Examination Provisional Licensees Policy – Approved
- February 19, 2025
    - Approve OPDC Strategic Plan - Approved
    - Core Staff Role Definitions, Qualification Standards & Performance Standards – Approved
- March 26, 2025
    - Audit Committee Member Confirmation – Tabled for a later meeting due to lack of quorum
- April 16, 2025
    - Contract Policy Changes Approval

        - Reduce PCRP requirements for first-year attorneys from 80 to 55 – Approved
        - Reduce criminal caseload from 300 weighted to 200 weighted misdemeanors for first-year attorneys - Approved
    - Audit Committee Member Confirmation – Approved appointment of 2 new members and reappointment of existing members
- May 21, 2025
    - Approval of 2025-2027 Contract Extensions
        - Motion presented and approved to extend '23-'25 provider contracts until September 30th 2025 without requiring a signed Schedule F document
    - Commission Response to Governor's Letter of Expectations – Approved
- July 16, 2025
    - Billing Policy - Approved
    - Schedule of Guideline Amounts Update - Approved
    - Attorney Qualification Standards – Approved with amendments to change language under the supervision section to clarify "supervisee" rather than "attorney" & change language in criminal attorney one qualification to add that it includes people who represented clients in criminal cases as a supervisee who is an attorney.
- September 17, 2025
    - Pre-Authorized Expenses Policy - Approved
    - Routine Expense Policy - Approved
- November 19, 2025
    - Delinquency Attorney Standards - Approved
    - 2026 Commission Calendar - Approved
- December 5, 2025
    - Election of Chair and Vice Chair
        - Motion presented and approved to elect Commissioner Rob Harris to a 2-year term as Commission Chair and Commissioner Susan Mandiberg to a 2-year term as Vice Chair
    - Commission Key Performance Measures (KPMs)
        - Tabled for a later meeting
    - Parent-Child Representation (PCRP) Standards
        - Tabled for a later meeting due to additional provider community dialogue and feedback needed to rework the draft document.
    - Dependency Attorney Standards - Approved
    - OPDC New Key Performance Measures (KPMs)

        - Tabled for a later meeting
    - Comprehensive Public Defense Report - Approved
    - Public Defense Status Report – Approved

2026 – Oregon Public Defense Commission

- January 21, 2026
    - Civil Commitment Standards – Approved with recommendation to change pronoun use to they/them throughout document
    - Psychiatric Security Review Board (PSRB) - Approved with recommendation to change pronoun use to they/them throughout document
    - Habeas Performance Standards
        - Discussed and tabled for approval at a later meeting after further Board review and feedback
    - Post-Conviction Relief Attorney Performance Standards
        - Discussed and tabled for approval at a later meeting after public commentary and Board review/feedback are incorporated
    - Commission Key Performance Measures (KPMs)
        - Removed as an action item and instead determined to provide an explanation to Commissioners regarding what each Key Performance Measure means before completing the next annual KPM survey
    - New Key Performance Measures - Approved with suggested verbiage changes to state "workload" instead of MAC and 43 days instead of 45 days regarding payment processing time.
- February 18, 2026
    - Habeas Performance Standards - Approved
    - Post-Conviction Relief Attorney Performance Standards - Approved
    - Board Bylaws Update - Approved
- March 18, 2026
    - Updates to the Public Comment Guidelines - Approved
- April 15, 2026
    - Guardianship Billing Policy – Discussed and tabled for a later meeting after revisions are completed
- May 7, 2026 – Workgroup Meeting
    - Guardianship Billing Policy - Approved
- June 11, 2026

    - Oregon Administrative Rules – Motion presented and approved to open rulemaking and establish the following:
        - Uniform and Model Rules of Procedure
        - Notice of Proposed Rulemaking and Adoption of Temporary Rules
        - Delegation of Authority
- August 19, 2026
    - OPDC Key Performance Measures: 2026 Board Best Practices Survey Briefing and Updates to Standard Questions - Approved