

Members

Per A. Ramfjord, Chair
Hon. Elizabeth Welch, Vice-Chair
Mark Hardin
Paul Solomon
Lisa Ludwig
Kristen Bell
Thomas M. Christ



Ex-Officio Member

Chief Justice Martha Walters

Executive Director

Lane Borg

PUBLIC DEFENSE SERVICES COMMISSION

Thursday July 16, 2020
10:00am – approx. 2:00pm
Via Microsoft Teams Live Event

MEETING AGENDA

1.	Action Item: Approval of Meeting Transcript – PDSC meeting held on June 25, 2020 (<i>Attachment 1</i>)	Chair Ramfjord
2.	Secretary of State Audit – Scope & Timing (<i>Attachment 2</i>)	L. Borg & J. Fetsch
3.	Legislative Update - Special Session	K. McCullough
*	<i>Five-minute break scheduled for approximately 11:00am PST</i>	All
4.	Action Item: Approval of PCR Contract (<i>Attachment 3</i>)	K. Farkas
5.	Current Service Level Presentation (<i>Attachment 4</i>)	L. Borg & J. Fetsch
6.	Action Item: Policy Option Package Adoption (<i>Attachment 5</i>)	L. Borg & J. Fetsch
*	<i>Five-minute break scheduled for approximately 12:00pm PST</i>	All
7.	OPDS Staff Update	OPDS Staff
8.	Public Comment	All

In compliance with the Governor’s Executive Order No. 20-12 issued on March 27, 2020, this meeting will occur via Microsoft Teams Live Event videoconference and will be available for both live-stream and archived viewing at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGUzZTBiMGUtOWI1Ni00MjAyLThkMDktZDRlZjlyYzA4MWU2%40thread.v2/0?context=%7b%22Tid%22%3a%229b3a1822-c6e0-47c7-a089-fb98da7887be%22%2c%22Oid%22%3a%223d7cf095-922e-45b6-ba97-3e8edd1f03db%22%2c%22IsBroadcastMeeting%22%3a%22true%7d

Please make requests for an interpreter for the hearing impaired, or other accommodation for persons with disabilities, at least 48 hours before the meeting to Kaysea Dahlstrom at (503) 378-3349.

Upcoming meetings: PDSC Retreat on Thursday, August 20th, 2020, and the next PDSC meeting is currently scheduled for October 23, 2020. Details to be announced at a later date.

Meeting dates, times, and locations are subject to change; future meetings dates are posted at: <https://www.oregon.gov/opds/commission/Pages/meetings.aspx>

Attachment 1

Kaysea Dahlstrom: Good morning and welcome to the June 25th Public Defense Service Commission meeting. We are waiting on a couple of people to join us, so please be patient and we will be with you shortly.

[Silence 00:00:21 to 00:02:32]

Kaysea Dahlstrom: Good morning again, this is Kaysea Dahlstrom, the Executive Assistant at the Office of Public Defense Services. Welcome to the June 25th Public Defense Services Commission meeting. Per, I believe we now have a quorum so I will go ahead and get this meeting started.

Chair Per Ramfjord: All right. Thank you, everyone, appreciate it. Again, welcome to the June 25th meeting, this is going to be a relatively short meeting. We really have a couple of items on the agenda today. One of them is approving the meeting transcript from the prior meeting and the other one is really just actually getting formal approval from the Commission of the contract extensions. As you recall during the last meeting, we actually spoke about the contract extensions but we did not take formal action at that point in time and we are required to take formal action to approve those extensions so that's what we're going to be doing today, hopefully. So with that, we'll start with approving the meeting transcript from the prior meeting. Is there a motion to approve that transcript?

Paul Solomon: So moved.

Lisa Ludwig: Second.

Chair Per Ramfjord: Any discussion? All right. All those in favor, please say "Aye."

Commission: Aye.

Chair Per Ramfjord: Any opposed? All right, motion passes. Okay, we're going to talk now again about the contract extensions which is the principle reason that we're here today and I believe that Eric Deitrick will lead us through this issue. Go ahead, Eric. Eric, are you on?

Eric Deitrick: Yeah, sorry, Per. This is Eric Deitrick, General Counsel for OPDS. I am on. I believe Heather Pate was going to be presenting the contract extensions to the Commission.

Chair Per Ramfjord: My apologies. I thought it was going to be you.

Lane Borg: I don't think Heather's here.

Chair Per Ramfjord: Yeah.

Lane Borg: She was out today.

Chair Per Ramfjord: That's what I was understanding, she was out.

Eric Deitrick: Well, in that case, Per, I don't have much formal to add to the Commission other than we did offer six-month extensions of existing contracts to providers based upon the current value that they have been receiving. [Inaudible 00:05:30], I don't know to the extent they've all been signed or not signed but to the extent those providers have signed contract extensions, we would ask that the Commission approve those contract extensions. Anecdotally, I've heard from our contracts team that providers have mostly been embracing the extensions and actually had a sense of relief that this was the direction the agency was going at this time. And so based on that, I would ask that the extensions be approved.

Chair Per Ramfjord: Okay. And just to follow up a little bit on that, just to put this in context for those who may not have been at the last meeting, we were originally going to be moving away from something other than the case credit model on the contracts. We had hoped, and the 2019 legislature had basically set aside funds to help us achieve a more balanced system and address certain disparities in the existing contracting models when we made that shift. Since that time, we've obviously been impaired by the COVID-19 crisis and the added funds that we were hoping to get weren't there, which made it more difficult for us to just redo the existing contracts without taking some additional time and that is the reason why we've asked for the six-month extensions. Is there anybody who would like to address any comments on this issue before we go ahead with a vote? I want to make sure that people have an opportunity to make any comments as necessary.

Thomas Christ: This is Commissioner Christ, am I heard?

Chair Per Ramfjord: Yes, go ahead.

Thomas Christ: Okay. I just want to be clear that these are not just extensions of the contracts, we are also modifying them in the sense that there's no longer a requirement to take a certain number of cases, correct?

Lane Borg: I can answer that.

Chair Per Ramfjord: Go ahead, Lane.

Lane Borg: Yeah. Thank you, Chair Ramfjord and Commissioner Christ. Yes. I mean, in fact we have — not to beat a dead horse — but we eliminated that concept that was a vestige of the case credit model, really, a year ago once we start — I'm sorry, six months ago — with the first six-month extension when we were trying, we thought we might get the SPA and we were going to be making other modifications and reforms. So, already, contractors are not in a situation where if the cases don't come in, they owe us money or that there's some deficit that they're building up.

Now, that said, in the contracts, we are trying to cover the caseload that we predict out there and so there are targets in the caseload, there are descriptions of what the expectations and mix of cases a particular contractor is qualified to

take and would take, but we don't have a quota in there that says, "You take these cases or you don't get this money." And so we are relying on the good faith and efforts of the contractors to take as many cases as they feel ethically they are competent to handle. That is really the only standard we have right now would be the Bar ethics rules about a lawyer's personal obligation and competency. So far, that has been working, people have been taking the cases. We've had a few times we've had to go in and find somebody and we will in the future.

Sort of, I think, the biggest hallmark of this extension is that it is, to the best extent possible, revenue neutral because we did have that unexpected implication of the crisis of not getting the SPA released. And so it is trying to hold things as much as possible revenue neutral as we try to address disparities while moving into a new contracting model.

Thomas Christ: Well, thank you, Lane. So, for part of that year, I was off the Commission and I still feel like I'm getting a little back up to speed. But you have noticed no falloff in the number of cases that providers were taking once we eliminated the requirement to take a certain number, is that correct?

Lane Borg: So, I guess the way I would answer that, Commissioner Christ is that the first step really was in changing away from the case credit to, "We are hoping that you can cover about as many cases as you were doing before because as long as you are resourced at a certain number of attorneys and support staff and that type of thing." One of the things we are doing in this extension as we try to gather better information for understanding our change in our model moving forward is we are requiring that the contractors report to us — and Eric can correct me if I get this wrong — I think it's quarterly how many cases individual attorneys have so that we can better understand. We did get some additional positions, the 9 out of 24 that were authorized, that we were hoping to get out of SPA. We did get some and with those, we have a couple of research positions that we're getting a lot better understanding of how many cases a particular jurisdiction produces, how many cases we are assigning to various contractors, and now I'm hopeful that we'll be able to even bore that down into how many cases are assigned to an individual attorney so that we can better understand that.

I want to remind the Commission, maybe this was while in the absence, Commissioner Christ, but we did add 30 — in between with our current service level budget approved on the 2019 session — we added 30 new representational units, if you will, attorneys, support staff around the state. And that was spread pretty evenly between nonprofits and consortia, between urban and rural, and we're just now really seeing the full impact of adding that capacity to lower caseloads in some situations. One thing I'm looking forward to in what we're trying to get out of this extension is getting that information about what individual attorneys are handling.

Thomas Christ: Well, I guess...

[Crosstalk 00:12:46]

Thomas Christ: Sorry. My lingering concern is that going forward that we don't run out of money. If as I expect and as if we actually hope, providers who had been taking too many cases stop doing so. I mean, are we confident that we've got enough providers and enough money to cover the cases under these extensions? Barring the legislature coming and taking money back because of the pandemic.

Lane Borg: I believe that we do. I want to say that with some asterisk to it that it's not an ideal situation, we know we should lower caseloads, I think we'll have a better understanding of where we should lower caseloads as we get this information moving forward. But in looking at our budgets and looking as we are tracking that and we're in discussions, because we're already having to build our budget for the 2021 session, and we've been in conversations even last week with LFO and the Governor's equivalent of that — the CFO office — about where we think contracts are, where we think our budget is at.

And so I think we've got it. The thing that could always happen is people who just say, "We're not going to take cases," and then we could get into a crisis. I don't want to promise you that somehow there never will be a problem in the future, I don't think that will happen. So far, we've had some very good... I think there's real commitment on the level of the line public defenders, whether they're in consortia or whether they are in nonprofits, to work hard, to represent the clients and take the cases. But we have at least started the conversation around thinking about, if you think you've got... By taking away the incentive to pay per case through the case credit model, we understand that there's no longer that incentive for the person to take more cases just because it's going to get them more money. And yes, so let's be raw about it. People, we're agreeing to pay them, and they can say, "Nope. We're not going to take any more cases."

Now we have contract rights also, if we look at it and say, "Well, gosh, you've only taken half the cases that you thought you could take." Well then, we can have a discussion about that and certainly, we can say, "Okay, you're not... We need more cases, we need other contractors in there." And that's always going to be, frankly, a concern in this private market model that if other contractors say, "Fine. I'm going to move into that market. I'm going to make the effort and set up an office and do that." Well then frankly, that's a threat to the people existing. So market incentives are not completely erased from this conversation but I think we're in a better position to incentivize the right behavior which should be around, "Do I take the cases that I can do a good job on and ethically represent the client and they're no longer in a situation where simply taking more cases nets them more money."

But this is not completely without risk. This is something we are going to have to continue to monitor. I say in good faith I believe, based upon the number of FTE that we have contracted for out in the community and the cases that we predict may be coming in that we should have it covered. But we really won't know until later, probably the end of 2020, the beginning of 2021, when we start to do our true up because we would then have to predict in the legislature typically every

single biennia of this agency, we've gone back to the legislature and said, "Okay. We need a couple more million dollars to this, this is where we're predicting to get that." And frankly, every agency does that if they have a need for more money to finish up the biennia. Or not, and then there's adjustments made. So, we're in constant conversations, even this week with LFO about that analysis.

Thomas Christ: Well, bear with me just to finish this up. I appreciate this is inexact, it's not a science, I'm trying to assess the risk going forward. And I don't assume anything improper or nefarious on the part of providers in taking fewer cases. Because in fact, we are trying to do that because we know that many of them have taken on too many cases. I'm just trying to assess the risk going forward. And so now I'm wondering if we should create some sort of reserve of money so that down the road, if we find that we do need to go out and get more providers, we have the money there to handle that. As opposed to just, I guess in the past, we go back and run to the legislature and say, "Give us more."

Eric Deitrick: Commissioner Christ, I can maybe jump in on this for a second because I do kind of work with the contract analysts and helping find coverage when contractors aren't able to take the cases. And one of the things you would expect that'd happen when we changed the contracts is what you're talking about, is contractors would be more willing to say no to cases.

I think there's a couple of reasons why that hasn't happened to the extent that one would think. One is because of COVID. I just think that the general workflow for the public defense community is certainly different right now but they're not feeling the same pressures they often feel when court's running as functional as it normally is. The second piece is this is a change in culture and so despite the fact that we have changed the payments so that it's not contingent upon taking a certain quota of cases to get the money, there are still a large number of providers out there who are used to the idea that their compensation is contingent upon taking cases.

And so I do think that the rollout on this is slow because it does involve culture change. Now we have had some providers, especially with more serious cases, say they didn't have the bandwidth to take the case. But luckily because we do have a large number of attorneys on our list — statewide, county by county — who will accept cases, they're not on contract but they're available to take cases, we've been able to use them. And in particular with the change in the aggravated murder statute, we also had some attorneys who historically have been on contract with us to do aggravated murder cases and we find that they've been more available to take some of the more complicated Jessica Law or homicide cases around the state.

So, I guess I would answer your question by saying it is. With the change in funding model, you would expect attorneys to say, "No," more, but so far, it hasn't been anything we haven't been able to absorb or deal with. More importantly, I think the issues we'll see are what's happening with one of our providers in Lane County who just lost two very experienced criminal defense attorneys and they

are refusing certain case types, but that's because they lost the attorneys who had that experience. So, I do think Lane's right. There is a lot of buy-in from the trial community to make this work. We haven't seen people flatly rejecting cases unless they really are in a bind.

Paul Solomon: Lane, if I may?

Lane Borg: Yes.

Paul Solomon: Is there a process at the end of the year to evaluate these contracts, really looking at kind of more of an equity lens, and what that looks like in terms of disparities from one jurisdiction to another in terms of what the attorneys are getting?

Lane Borg: Yeah. So, that actually is the hope of what the retreat that we just got set in August would be looking at that, would be the idea was let's get another six month — that's what this extension that's up for a vote today on — give us that time to first gather information, disseminate that to the Commission, have a retreat in August to talk about what the values, what should we be funding, what shouldn't we be funding, or how should we be looking at that so that we can then see within the amount of money that we have in the PSA, how do we do contracts moving forward, how do we try to eliminate disparities, and how do we make it clear what it is that we are purchasing within a given jurisdiction.

And so that really is the hope. It wouldn't be at the end of the year, it would be really within the Commission at the August retreat that I'm hopeful we can and confident that we can have a discussion about that. Because then we can start through the contract analyst and the agency can take that information and desires from the Commission and start structuring how we approach contracts moving forward. Because it is where we are headed at this point is that we'll maintain, there's no movement at this point towards a public employee trial level system. So, it would be contracting with providers around the state where we're essentially buying their time and effort. So, we're looking at qualifications, we're looking at the resources they have, and then how much time they're willing to commit to public defense.

Another aspect of this extension though, and this is, I think, I believe fits in with the equity lens with the contracting moving forward is that one of the provisions that Eric's team came up with, general counsel's team came up with with contracts, was that part of the contract even in the extension moving forward is that any contract members, contractors within consortia, have to say that, "Yeah, I've read the contract. I understand essentially what the resources are that are going to their overall entity that they work within." So, people understand that because I do believe that part of the solution moving forward is transparency but transparency all around. That even the people working within the system understand how much the agency is paying for a particular level of representation or percentage of FTE or effort on that. Does that answer your question, Commissioner?

Paul Solomon: Yeah, it does, and thank you for reminding me about the retreat. I mean, seems like the sooner we get on this, the better.

Lane Borg: Right.

Mark Hardin: I'd like to [Distortion 00:24:59]. Can you hear me?

Per Ramfjord: I can hear you.

Lane Borg: Yes, I can hear you.

Mark Hardin: Okay. My understanding is this extension is to enable PDSC to develop a more objective, transparent, consistent way of measuring and providing compensation and that the time of extension will allow for input and analysis of input by providers and that it will allow time for PDSC to carefully think and rethink its compensation policies and then ultimately for the Commission to also take that into account. And on this understanding, I think this is a very good direction for OPDS and the Commission. And I just want to indicate my support for the extensions, and my support for the plans of OPDS in regard to compensation.

Per Ramfjord: All right, thank you. Are there other commissioners who want to comment at this point in time?

Lisa Ludwig: I have one question.

Per Ramfjord: Okay.

Lisa Ludwig: This is Commissioner Ludwig. This is kinds of adjacent to the issue we've been discussing, but what is the plan for dealing with Multnomah County contractors who are dealing with PCRCP and the, kind of, upcoming PCRCP, who have more than 80 cases, sometimes as many as 120 cases in their caseload right now? Are we planning to reassign those cases or will they be just stopping picking up? Or is there some other kind of attrition that you expect to bring those caseloads down into the 80-case range for PCRCP contractors?

Lane Borg: Yes, thank you Commissioner Ludwig, Chair Ramfjord. The plan is essentially to, in most cases – I'm not going to say in every case there would be a reassignment – but in most cases, because of the nature of the relationship between the attorney and the client is for the people who are significantly above is to cut them off. In fact, I'm not sure but they may already have been cut off in anticipation of the contracts approved last month and will go into effect next week. The idea is that we really are looking at the first three to four months to adjust caseloads by cutting off from people who are at the highest, and adding capacity and funneling new cases to those people with the goal of getting to – as close as possible – the caseload caps by the end of the first quarter. We also want to remind the Commission, as part of our conversation with LFO, is that we had a range in our analysis of attorneys that might be needed in Multnomah County for the PCRCP model, I went with – and directed Keren Farkas – is to contract with the lower end

of it – not the lowest – but the lower end of that. So we added what I believe was three or four attorneys to the entire mix in Multnomah County. The idea, then, is that we can always add. It's going to be easier to add attorneys that it would be to subtract if we've overshot the mark. Also, due to the current crisis, there's a wild speculation about where our caseloads are going to go, DHS is somewhat impressed right now, but there's also a belief and expectation that that can change rapidly as circumstances progress. And so, our plan there is to get to the caseload caps, and we hope to do that within the first quarter. We will be monitoring it all the time, and we will really be checking where we can get to make the adjustments that we have. And then, if we need to, we will add more attorneys and support staff associated with that to keep within the guidelines of PCRCP.

Lisa Ludwig: Thank you.

Per Ramfjord: Okay. I should just add that we did receive one comment from Olcott Thompson, who echoed what Commissioner, or, Executive Director Borg was saying, which was that providers really will do their best to cover the cases that are available. And a good point which he also made, is that if the prosecutor's office decides, despite COVID 19, to really move forward aggressively, which we don't expect. But in the long term I have to say this, that from my perspective having observed this, we haven't seen a real problem in terms of getting coverage so far this year. I think there are many factors that do come to play when you involve the statistics of the COVID 19 crisis including location, number of cases, workload, etc., and including the fact that we can ultimately come back later on through the legislature if there is an uptick driven by prosecutor offices. I think that we're probably going to be okay. So, other than that, there were no other public comments or questions. SO unless there is further discussion on this issue, I'd ask if there's a motion to approve the six-month contract extensions through December 31, 2020.

Mark Hardin: This is Mark Hardin. So moved.

Per Ramfjord: Is there a second?

Lisa Ludwig: I second,

Per Ramfjord: Any further discussion? All right. All those in favor?

Commission: Aye.

Per Ramfjord: Any opposed? All right. Motion carries. At this point in time, that concludes the items on the agenda. Given the recency of the last meeting and whatnot, we are not having any staff updates as part of this meeting, but if there's anything that anybody, or Executive Director Borg, or anybody else wants to add, I would open it up for that.

Lane Borg: Thank you, Chair. This is Lane Borg again, for the record. Just to remind folks, we will be having a meeting in July to take up any business or, because they're in special session now, so we don't know, there may be something that changes that we actually do have action items in July. But as I was talking with Commissioner Solomon, to let people know that we have a retreat set for August. Kaysea is busy working on getting that put together. We are hopeful, and we are looking at venues that are spread out enough that we could meet live for the people that would feel comfortable to meet live. But we will also make sure that it has electronic participation like this for people who don't want to. But we are looking at that. People should anticipate that August is really the time to have this more robust discussion about values and contracts moving forward.

Per Ramfjord: And, just so everybody knows, the date of the retreat is August 20th, and the next meeting date that we have is July 16th. Yes?

Lisa Ludwig: You're muted.

Per Ramfjord: Yes, Commissioner Solomon, go ahead. You're muted.

Lane Borg: You're on mute, Paul.

Paul Solomon: Talking to myself! Sorry about that. I have the August date on my calendar, but I don't have the length of time. Is this going to be an all-day event? What's the timeframe?

Lane Borg: I think we should plan on at least four hours. I don't think it has to be all-day all-day, but I think we should have enough time where people can be like we made a commitment and we will get information out to commissioners ahead of time so it's not just all information that you're processing that day. But I also wouldn't want to limit us to just an hour or two. There will be lunch provided for the people who meet live. Maybe we can get it sent to your house through Grub Hub or something. But I would like for people to have – I don't want to speak for Per on this – but I think if we could have at least four hours I think that would be useful.

Per Ramfjord: Yeah, I would be inclined to hold the day. I think it may well stretch more than four hours. There's a lot to cover here.

Paul Solomon: Yup, great.

Lisa Ludwig: Can I ask one other question before we close? Without opening up a can of worms, if possible?

Per Ramfjord: Of course.

Lisa Ludwig: Does OPDS have any role to play in this special session that's starting right now? And could you very briefly tell us what?

Lane Borg: Sure. In fact, that's why Kimberly McCullough is not with us on this meeting. I just got an email from her. She's going to be testifying. Most of our participation... there are no bills that directly affect us. There's no money bill that is going to be a direct impact on the agency. There was some discussion bills that didn't pass during the short session this year, and we got nothing further on that. But what Kimberly McCullough has been working on within work groups is getting input on the work group around the bill to allow extensions of certain timelines for people in custody pre-trial. And she, in fact, will be testifying on that. But the agency is not taking any position on that. We did participate in the process to give input and concerns, as did Carl Macpherson from MPD, and I believe there were some others on that, too. So we've had input on that and she's going to be presenting that the agency isn't taking a position for or against the bill, but we did participate in the formation input for that.

Lisa Ludwig: Okay, thanks.

Lane Borg: Sure.

Per Ramfjord: Okay, with that I think our business for the day is concluded, so is there a motion to adjourn?

Lisa Ludwig: So moved.

Per Ramfjord: Second?

Thomas Christ: Second.

Per Ramfjord: All those in favor?

Commission: Aye.

Per Ramfjord: Any opposed? All right, motion carries. Thank you very much, and we look forward to seeing you all again on July 16th.

Lane Borg: Thank you, everybody. Take care.

Lisa Ludwig: Bye.

Mark Hardin: Bye.

Attachment 2

SECRETARY OF STATE
AUDITS DIVISION
SWA 2020 Entrance Conference

Date: Friday, June 26, 2020

Time: 9:00am

Attendees:

Office of Public Defense Services:

Lane Borg, Executive Director

Julie Fetsch, Budget and Finance Manager

Audits Division:

Kelly Olson, Audit Manager

Kari Mott, Principal Auditor, Lead

Introductions

Statewide Audit of Oregon Comprehensive Annual Financial Report (CAFR)

The objective of the audit is to express an opinion on whether the financial statements contained in the CAFR are fairly presented, in all material respects, in conformity with generally accepted accounting principles. Audit work to be performed at the Office of Public Defense Services (department) for the year ending June 30, 2020, will, in part, allow us to achieve this objective.

- ✓ Service and Supplies (Professional Services Non-IT)

Audit Approach

- ✓ Focus on risks / significant accounts
 - Include those accounts that are quantitatively and/or qualitatively material, which is a matter of auditor judgment
- ✓ Obtain an understanding of risks (risks of error and/or fraud) of entity and significant accounts
- ✓ Identify key internal controls and verify implemented by the agency
- ✓ Based on understanding of risks and nature of accounts, we will plan testing which may include tests of controls, tests of details and/or analytical procedures

Timing of Audit Work

- ✓ July – August: Planning procedures and understanding of risks and controls
- ✓ August – October: Perform planned testing for significant audit areas
- ✓ November/December: Complete final audit procedures for CAFR
- ✓ December/January: Issue management letter (includes any findings/recommendations)

Primary Audit Liaison

Components of a Successful Audit

- ✓ Progress meetings
- ✓ Timely receipt of audit documentation requests
- ✓ Clarification about an audit request
- ✓ Access to agency staff and documentation
- ✓ Confidential documentation
- ✓ Availability of key audit contacts

SECRETARY OF STATE
AUDITS DIVISION
SWA 2020 Entrance Conference

Accommodations and Access Requests

- ✓ We plan to work remotely and hold meetings and interviews virtually. We will only come onsite if necessary, to review hard-copy documentation that is not available in electronic format.

Inquiries

- ✓ Has the agency experienced any of the following:
 - Change in key agency personnel (Deputy Director, CFO, Accounting Manager, key programs, etc.)?
 - Stephanie left the agency and was replaced by Julie during FY2020.
 - Significant change in regulatory environment?
 - Significant change in budget limitation?
 - Beginning in January 2020 (when new contracts are entered) OPDS instituted a FTE model or an hourly rate or a combination of the two to pay public defenders.
 - Any significant change(s) that necessitated a change to accounting procedures / policy?
 - Same as above, change in public defender compensation basis.
- ✓ Agency Disclosures – throughout the audit we will make various inquiries as required by audit standards (e.g. litigation, noncompliance, fraud, subsequent events). We ask the agency to disclose all issues, concerns, and circumstances with the auditors if you are unsure whether something might impact our financial audit.

Attachment 3



Oregon

Office of Public Defense Services

198 Commercial St. SE, Suite #205

Salem, Oregon 97301

Telephone: (503) 378-3349

FAX (503) 378-4463

www.opd.state.or.us

To: Public Defense Services Commission
Lane Borg, OPDS Executive Director

From: Keren Farkas, OPDS PCRCP Manager

RE: Parent Child Representation Program (PCRCP) Contract in Multnomah County

Date: July 9, 2020

Proposed Motion: I move to approve the proposed PCRCP Contract in Multnomah County.¹

Overview of the Issue: Following the June 11, 2020 PDSC Meeting, where the Commission approved seven PCRCP attorney contracts and twelve independent case manager contracts, OPDS offered an additional PCRCP attorney contract at the following amount:

	Attorney FTE	Staff FTE	Administration/ Supervision Value	Total Contract Value
Law Office of Judith Rosenberg	2.65	2.65	\$42,170	\$1,004,303

Agency Recommendation: OPDS recommends the PDSC approve the proposed Multnomah PCRCP Contract.

¹ For a detailed description of OPDS' review and decision-making process in awarding the Multnomah PCRCP Contracts, please refer to the June, 4, 2020 PDSC Memo To: PDSC, Lane Borg, Director From: Keren Farkas, OPDS PCRCP Manager Re: PCRCP Contracts in Multnomah County, which was presented at the June 11, 2020 PDSC meeting.

Attachment 4



Oregon

Office of Public Defense Services

198 Commercial St. SE, Suite #205

Salem, Oregon 97301

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www.opd.state.or.us

To: Public Defense Services Commission
Lane Borg, OPDS Executive Director

From: Julie Fetsch, OPDS Budget and Finance Manager

Re: 2021-23 Current Service Level (CSL) Budget Review

Date: July 9, 2020

The Current Service Level (CSL) budget for the Office of Public Defense Services is detailed in the attached documents. The CSL budget is an estimate of the costs to continue current legislatively approved programs into the next biennium. It is the starting point for building the 2021-23 Agency Requested Budget (ARB) which will fund the agency from July 1, 2021 through June 30, 2023.

The process for building a State agency budget request starts with the current '19-'21 Legislative Authorized Budget (LAB), taking the amount before any one-time reductions were applied and building from there.

Allowable CSL adjustments include the following:

- a) Removal of one-time expenses
- b) Vacancy savings and employee inflationary expenses
- c) Program phase ins/outs
- d) Inflation for services, supplies, and medical costs
- e) Fund shifts
- f) Technical adjustments

Currently, the net adjustment request for the items listed above is \$30.9M including inflation, however, it is unlikely the State will allow an inflation increase for any State agency given the current budget shortfalls.

Another allowable CSL adjustment is for changes in mandated caseload levels. Mandated caseload levels are subject to the volume of cases heard by the courts, and therefore any increase in proceedings can translate to higher services and costs. The adjustment requested in the 2021-23 CSL budget is approximately \$8.5M.

This amount is the net sum of a decrease in death penalty caseload, and a projected increase in trial and appellate cases due to the US Supreme Court decision in *Ramos v. Louisiana*. If mandated caseload levels increase significantly during an *existing* biennium, the agency can request additional funding as part of the rebalance adjustments in the fall of each fiscal year.

Any adjustments or additional funding requests outside of the CSL process are addressed with a Policy Option Package (POP) request. It is through this process that the agency has the opportunity to request *additional* funding for any program need the agency feels is relevant and necessary.

Due to the current COVID environment and the projected State budget shortfall next biennium, these requests may have a slim chance of passing, but we still want to present certain policy option packages to the Legislature to ensure that we continue to represent the agency's needs appropriately.

There are four POP's that will be presented to the Commission with a motion request to incorporate them into the Agency Requested Budget (ARB).

- POP 102 addresses trial level sustainability and requests funding to increase the statewide provider pool by 30 representation units to stabilize contractor workloads.
- POP 103 addresses CBS infrastructure needs and requests funding for additional staff to perform the business functions necessary to support the agency.
- POP 104 proposes an expansion of the Parent Child Representation Program (PCRP) and requests funding to expand the PCRP into three additional counties, including Clackamas County, Douglas County and Clatsop County, and add internal infrastructure to appropriately direct, oversee and support PCRP.
- POP 105 addresses Appellate Division mandated caseload requirements and requests funding for additional staff to meet the Appellate Division's KPM of attaining a median number of days to file opening briefs and also to address current case intake.

Once all of these elements have been incorporated into the CSL budget, the document then becomes the 2021-23 Agency Requested Budget (ARB). The ARB budget will then be entered into the state system where LFO and the Governor's office will review and make recommendations before it is presented to the Legislature for approval in January 2021.

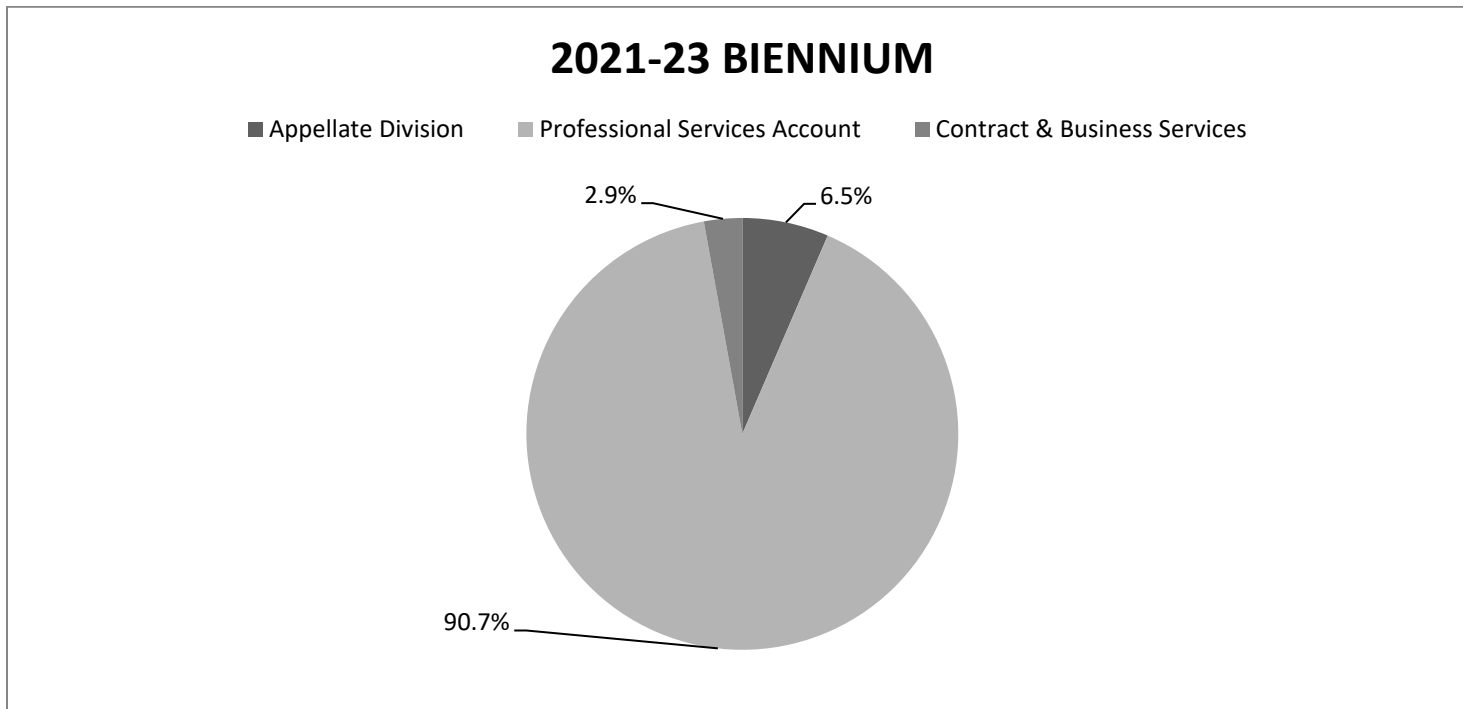
Public Defense Services Commission

Agency Summary

The Public Defense Services Commission (PDSC) is the judicial branch agency responsible for establishing and maintaining a public defense system that ensures the provision of public defense services in the most cost-efficient manner consistent with the Oregon Constitution, the United States Constitution, and Oregon and national standards of justice.

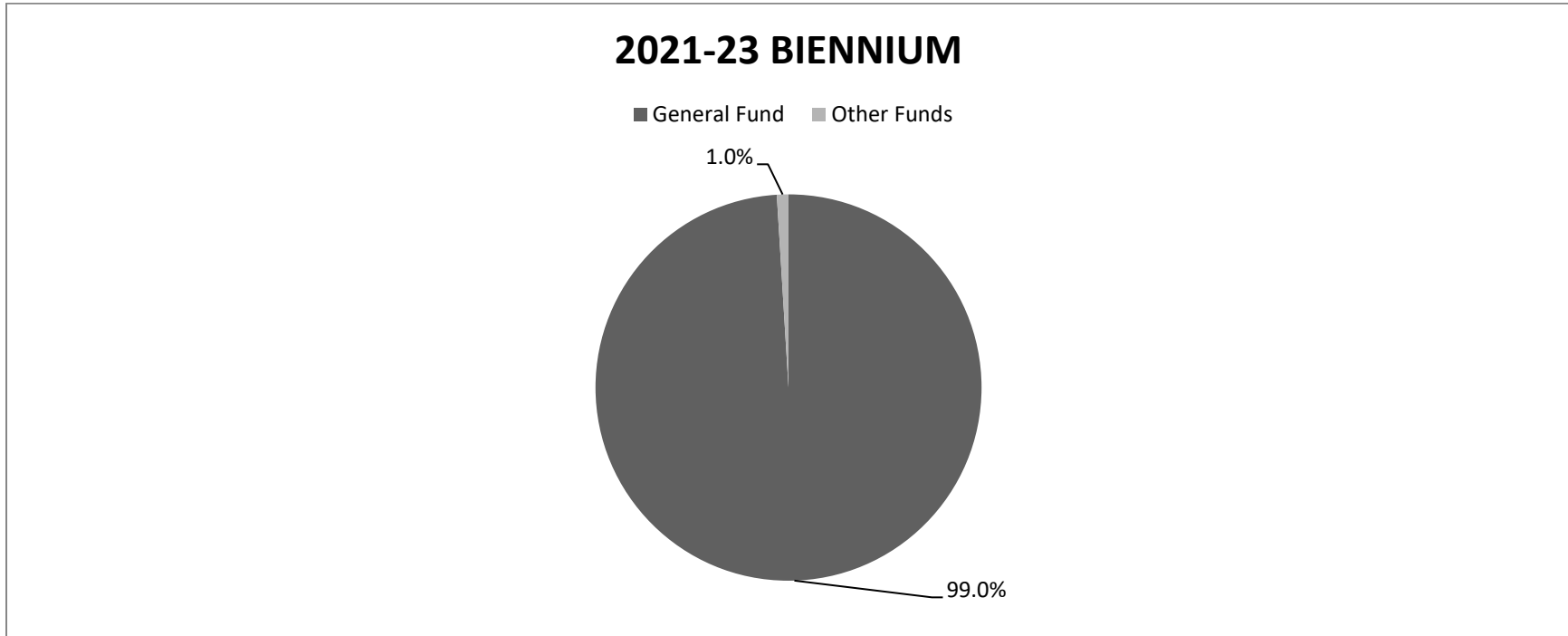
Budget Summary Graphics

Budget Program Allocation



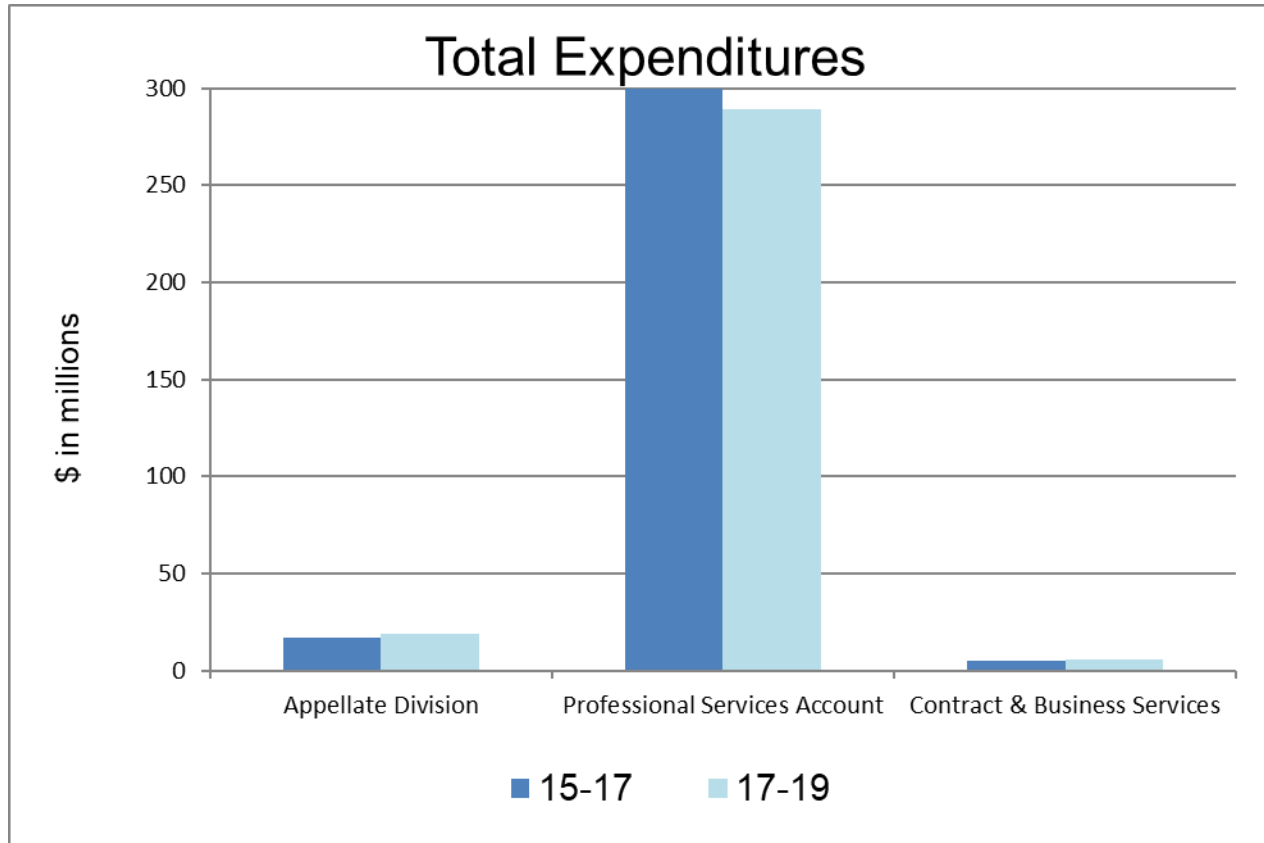
2021-23 Current Service Level

Distribution by Fund Types



2021-23 Current Service Level

Comparison of 2015-17 Expenditures with the 2017-19 Expenditures



Mission Statement and Statutory Authority

The PDSC's mission is to "ensure that eligible individuals have timely access to legal services, consistent with Oregon and national standards of justice." ORS 151.216 further directs PDSC to administer "a public defense system that ensures the provision of public defense services in the most cost-efficient manner consistent with the Oregon Constitution, the United States Constitution, and Oregon and national standards of justice."

Oregon Revised Statutes: PDSC's authority is derived from ORS 151.211 et seq.

Long-Term Plan

A well-functioning statewide public defense system is an essential part of Oregon's public safety and child welfare system. The long-term plan of the PDSC is the maintenance of a sustainable, effective, and cost-efficient public defense system. A key to securing such a system is funding that enables the PDSC to attract and retain qualified attorneys who are supported with appropriate training and other resources, with caseloads that permit competent and appropriate representation of each and every client.

While a defense attorney's first duty is to represent individual clients with skill, loyalty, and zeal, the fulfillment of those obligations generally benefits the entire system. No public interest is served in allowing the innocent to be convicted or in allowing children to be removed from their parents without just cause, or in committing persons to mental institutions who do not require such placements. Judges and prosecutors rely on the defense to protect their clients' interests and the integrity of the system. When the defense does not meet its obligations, the court, prosecution, and community cannot be confident that justice is done.

In communities around the state, judges, prosecutors, and defense attorneys work together to find efficient methods of handling large volumes of cases while preserving the rights of all involved. There are early resolution programs in many communities which help identify cases that can be resolved without trial and moved out of the system so that resources can be concentrated on the cases that require litigation. Drug courts, family courts, and mental health courts rely on judges, prosecutors, and defenders to identify, engage, and support appropriate clients for participation in and successful completion of these treatment-focused systems. All parties participate in moving ceremonies to celebrate successful completions. When clients are convicted of criminal offenses, defense attorneys aid the system by helping to identify appropriate evidence-based programs and sanctions that can assist in their clients' rehabilitation. Attorneys for parents and children have been able to identify family members or others who can help address the family's needs without requiring that the family be separated. Some of these attorneys also identify treatment resources previously unknown to the child welfare system.

2021-23 Current Service Level

In order for the public defense system to perform its statutory and constitutional function, it must be adequately funded. Quality representation requires that there be qualified, experienced, and dedicated defenders. In order to sustain Oregon's unique public defense system, comprised entirely of private providers at the trial level, defense providers and their employees must be fairly and adequately compensated. An efficient system also ensures that lawyers who provide quality representation continue to provide services as an essential component of the public defense system. The consequences of inadequate funding were dramatically illustrated in 2003, when public defense funding was reduced by nearly 20% in response to a statewide budget shortfall. Subsequent layoffs, furloughs, and the closure of public defense offices, resulted in the loss of skilled and talented defense attorneys and staff. At the same time, without these attorneys, courts were no longer able to process entire categories of criminal cases, and many criminal cases were either not charged, or were dismissed. Police and prosecutors were not able to hold persons accountable for criminal conduct. Public safety leaders acknowledged that adequate public defense funding was essential to healthy and livable Oregon communities.

Although the crisis of 2003 has not recurred, the system continues to face challenges to its long-term stability. The PDSC's budget and strategic plan target the three main challenges faced by the agency: 1) the need to attract and retain quality public defense providers; 2) the need to improve the quality of representation, especially in juvenile dependency cases; and 3) the need to enable contractors to reduce caseloads while maintaining adequate revenue to support continued operation.

All three of these challenges are interrelated. Among the agency's long-term providers, some of the most senior attorneys are reaching retirement age. Due to increases in the cost of living over the past two decades, and the lack of a corresponding increase in the public defense budget, these providers do not have sufficient savings to retire when they should. Additionally, providers experience increasing difficulty in recruiting and retaining new attorneys. High caseloads also contribute to the difficulty of attracting new attorneys. The major reason that public defense caseloads in Oregon exceed national standards is that public defense contractors accept ever-increasing caseloads in order to meet rising costs. Quality of representation as well as morale and long-term job satisfaction has been negatively affected by excessive caseloads.

Taking these steps will reduce the chance that employees and providers will leave public defense practice and improve the quality of representation in all case types.

2021-23 Short-Term Plan

Agency Programs – The Office of Public Defense Services is divided into two primary work areas: The Appellate Division (AD) and Contract and Business Services (CBS):

- The Appellate Division (AD), led by the Chief Defender for the Criminal Appellate Section and the Chief Defender for the Juvenile Appellate Section, provides direct legal services in the Oregon Supreme Court and Court of Appeals on behalf of financially eligible clients appealing trial court judgments of conviction in criminal cases, and trial court judgments in juvenile dependency and termination of parental rights cases. Through best practices in performance management, results-based attorney work plans and regular performance evaluations of every employee, AD plans to continue making progress in increasing office efficiencies and, as a result of such efficiencies, continue the elimination of historic criminal case backlogs in the state’s appellate courts and achieve established timelines for briefing in these cases.
- Contract and Business Services (CBS) is comprised of several work units:
 - Contract Services, led by the Contracts Manager, negotiates and administers approximately 82 public defense contracts for the provision of legal services. This unit is also responsible for the intake of all Non-Routine Expense Requests for the agency.
 - Financial Services, led by the Chief Financial Officer, processes operating bills for the Appellate Division, Business Services and Contract Services, as well as all fee statements submitted for payment on public defense cases across the state. This unit is also responsible for ensuring compliance with agency payment policy and state accounting rules.
 - Accounting and Budget, led by the Chief Financial Officer, performs accounting services and maintains agency compliance with statewide accounting principles. This unit is also responsible for preparing management reports on the agency budget for distribution to executive management, stakeholders and legislative agencies.
 - Executive Services includes General Counsel’s Office, Human Resources and Operations Support.
- The PDSC’s Executive Director, General Counsel, and Deputy General Counsel, in collaboration with the Chief Defenders and Chief Financial Officer, will continue to implement quality assurance programs that evaluate the operations and performance of PDSC’s major contractors throughout the state and their adoption of best practices in public defense and law office management:
 - (1) PDSC has reviewed the public defense delivery systems in 24 of Oregon’s 27 judicial districts and will continue to hold meetings and conduct investigations throughout Oregon for the purposes of developing a “Service Delivery Plan” for every county or judicial district in the state. Such reviews are conducted with the cooperation of the public defense contractors in the area, the Circuit Court judges, the District Attorneys, and many other representatives of the local criminal and juvenile justice systems. PDSC prepares

2021-23 Current Service Level

written reports that include final service delivery plans for each district; these reports are on its website for review by any interested person or group. The service delivery plans establish the most cost-effective local organizations, structures, and policies for the delivery of public defense services, taking into account the justice system practices and resources in each locality.

- (2) The agency's General Counsel performs quality assurance assessments of providers in each judicial district. This unique program involves the volunteer effort of dozens of public and private defense attorneys and other professionals who devote two and a half days to on-site interviews, in addition to other study and analysis of the quality of representation being provided by a particular contractor or contractors in the county or district. To date, 50 of these assessments have been performed. Detailed reports are provided to the subject contractors identifying areas of special achievement as well as areas in which improvement is needed and recommendations for actions to be taken to address any deficits. PDSC is not aware of any other state public defense system that is able to achieve thorough assessments of its providers with the use of an all-volunteer group of lawyers and other professionals. The contribution made by these volunteers is an indication of their commitment to supporting high-quality representation for public defense clients.

- (3) PDSC, along with the Oregon Criminal Defense Lawyers Association (OCDLA, a membership organization of defense providers), co-sponsors two conferences each year. The first is a two-day training for public defense managers which includes training on best practices for law office management, quality improvement initiatives, updates on technical developments that can affect productivity, and many other issues of interest to contractors. OCDLA is the organization that provides the great majority of continuing legal education programs for lawyers engaged in the practice of criminal law. PDSC also co-sponsors, along with OCDLA, the Juvenile Court Improvement Program, Department of Justice, and other juvenile law stakeholders, a two-day Juvenile Law Training Academy for all participants in the juvenile law system.

- (4) The agency's Parent Child Representation Program (PCRP), implemented in 2014 as a pilot project in Yamhill and Linn counties, specifically targets improved representation in juvenile cases. Modeled after a very successful Washington state program that reduced time children spent in foster care and reduced the time required to achieve permanency, the PCRP ensures that lawyers have reduced caseloads and the assistance of social workers, adhere to best practices, and receive additional training. Through self-funding and additional legislative appropriation, the program was extended to Columbia County in January 2016 and Coos and Lincoln Counties in October 2018. Multnomah county was implemented in July 2020.

Environmental Factors – The public defense services that PDSC provides are mandated by state and federal constitutions and statutes.

The factors that drive the demand for public defense services are beyond the control of PDSC. These factors include demographic factors such as population growth and an increase in the at-risk population for juvenile and criminal offenses, the state’s crime rate, policy decisions regarding criminal law made by the Legislative Assembly, and by the voters through ballot initiatives, and the law enforcement policies and practices of state and local police agencies and the 36 independently elected district attorneys.

PDSC is committed to ensuring that taxpayer funds devoted to public defense services are spent wisely by carrying out its obligation to provide quality legal services in a cost-effect way. PDSC is accomplishing that through results-based agency operations and management, and a commitment to performance measurement and evaluation, as well as through collaborations with public defense contractors to implement best practices in law office management and quality assurance throughout the state.

Public defender compensation is well below the compensation received for legal services not only by attorneys in other areas of practice, but also by their counterparts in public prosecutors’ offices. Qualified lawyers are increasingly unavailable to provide public defense services. As a result, local public safety systems throughout the state suffer with caseloads that are too high, and systems that are at risk because of the legal impossibility of prosecuting criminal and juvenile cases without public defense attorneys, as occurred statewide in the 2001-2003 biennium.

Criteria for the 2021-23 Budget Development

To continue to provide constitutionally and statutorily mandated legal representation to financially eligible persons while improving the quality of representation and maintaining the long-term viability of the program.

Summary of 2021-23 Biennium Budget

Public Defense Svcs Comm
Public Defense Svcs Comm
2021-23 Biennium

Agency Working
Cross Reference Number: 40400-000-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2019-21 Leg Adopted Budget	81	80.80	346,358,306	342,319,238	-	4,039,068	-	-	-
2019-21 Emergency Boards	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	81	80.80	346,358,306	342,319,238	-	4,039,068	-	-	-
2021-23 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(2)	(2.00)	5,339,670	5,322,552	-	17,118	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2021-23 Base Budget	79	78.80	351,697,976	347,641,790	-	4,056,186	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	344,065	342,129	-	1,936	-	-	-
Subtotal	-	-	344,065	342,129	-	1,936	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	12,660,425	12,268,880	-	391,545	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(603,237)	(603,237)	-	-	-	-	-
Subtotal	-	-	12,057,188	11,665,643	-	391,545	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	62,096,137	62,096,137	-	-	-	-	-
State Gov't & Services Charges Increase/(Decrease)			267,366	267,366	-	-	-	-	-
Subtotal	-	-	62,363,503	62,363,503	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Public Defense Svcs Comm
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-000-00-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	8,545,220	8,545,220	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2021-23 Current Service Level	79	78.80	435,007,952	430,558,285	-	4,449,667	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Public Defense Svcs Comm
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-000-00-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2021-23 Current Service Level	79	78.80	435,007,952	430,558,285	-	4,449,667	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2021-23 Current Service Level	79	78.80	435,007,952	430,558,285	-	4,449,667	-	-	-
080 - E-Boards									
080 - March 2020 Eboard	-	-	-	-	-	-	-	-	-
081 - April 2020 Eboard	-	-	-	-	-	-	-	-	-
082 - May 2020 Eboard	-	-	-	-	-	-	-	-	-
083 - June 2020 Eboard	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
084 - June 2020 Special Session	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2021-23 Agency Request Budget	79	78.80	435,007,952	430,558,285	-	4,449,667	-	-	-
Percentage Change From 2019-21 Leg Approved Budget	-2.47%	-2.48%	25.59%	25.78%	-	10.17%	-	-	-
Percentage Change From 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Appellate Division
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-001-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2019-21 Leg Adopted Budget	57	56.80	22,553,674	22,553,674	-	-	-	-	-
2019-21 Emergency Boards	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	57	56.80	22,553,674	22,553,674	-	-	-	-	-
2021-23 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(1)	(1.00)	4,388,406	4,388,406	-	-	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2021-23 Base Budget	56	55.80	26,942,080	26,942,080	-	-	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	257,050	257,050	-	-	-	-	-
Subtotal	-	-	257,050	257,050	-	-	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(603,237)	(603,237)	-	-	-	-	-
Subtotal	-	-	(603,237)	(603,237)	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	156,776	156,776	-	-	-	-	-
State Gov't & Services Charges Increase/(Decrease)			182,645	182,645	-	-	-	-	-
Subtotal	-	-	339,421	339,421	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Appellate Division
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-001-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2021-23 Current Service Level	56	55.80	26,935,314	26,935,314	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Appellate Division
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-001-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2021-23 Current Service Level	56	55.80	26,935,314	26,935,314	-	-	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2021-23 Current Service Level	56	55.80	26,935,314	26,935,314	-	-	-	-	-
080 - E-Boards									
080 - March 2020 Eboard	-	-	-	-	-	-	-	-	-
081 - April 2020 Eboard	-	-	-	-	-	-	-	-	-
082 - May 2020 Eboard	-	-	-	-	-	-	-	-	-
083 - June 2020 Eboard	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
084 - June 2020 Special Session	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2021-23 Agency Request Budget	56	55.80	26,935,314	26,935,314	-	-	-	-	-
Percentage Change From 2019-21 Leg Approved Budget	-1.75%	-1.76%	19.43%	19.43%	-	-	-	-	-
Percentage Change From 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Juvenile Division
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-001-02-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2019-21 Leg Adopted Budget	-	-	-	-	-	-	-	-	-
2019-21 Emergency Boards	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	-	-	-	-	-	-	-	-	-
2021-23 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	-	-	-	-	-	-	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2021-23 Base Budget	-	-	-	-	-	-	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Juvenile Division
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-001-02-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-
080 - E-Boards									
080 - March 2020 Eboard	-	-	-	-	-	-	-	-	-
081 - April 2020 Eboard	-	-	-	-	-	-	-	-	-
082 - May 2020 Eboard	-	-	-	-	-	-	-	-	-
083 - June 2020 Eboard	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
084 - June 2020 Special Session	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2021-23 Agency Request Budget	-	-	-	-	-	-	-	-	-
Percentage Change From 2019-21 Leg Approved Budget	-	-	-	-	-	-	-	-	-
Percentage Change From 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Professional Services Account
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-002-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2019-21 Leg Adopted Budget	-	-	315,720,622	312,520,622	-	3,200,000	-	-	-
2019-21 Emergency Boards	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	-	-	315,720,622	312,520,622	-	3,200,000	-	-	-
2021-23 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	-	-	-	-	-	-	-	-	-
Estimated Cost of Merit Increase	-	-	-	-	-	-	-	-	-
Base Debt Service Adjustment	-	-	-	-	-	-	-	-	-
Base Nonlimited Adjustment	-	-	-	-	-	-	-	-	-
Capital Construction	-	-	-	-	-	-	-	-	-
Subtotal 2021-23 Base Budget	-	-	315,720,622	312,520,622	-	3,200,000	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	12,107,832	11,716,527	-	391,305	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	12,107,832	11,716,527	-	391,305	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	61,859,693	61,859,693	-	-	-	-	-
Subtotal	-	-	61,859,693	61,859,693	-	-	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	8,545,220	8,545,220	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Professional Services Account
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-002-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2021-23 Current Service Level	-	-	398,233,367	394,642,062	-	3,591,305	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Professional Services Account
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-002-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2021-23 Current Service Level	-	-	398,233,367	394,642,062	-	3,591,305	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2021-23 Current Service Level	-	-	398,233,367	394,642,062	-	3,591,305	-	-	-
080 - E-Boards									
080 - March 2020 Eboard	-	-	-	-	-	-	-	-	-
081 - April 2020 Eboard	-	-	-	-	-	-	-	-	-
082 - May 2020 Eboard	-	-	-	-	-	-	-	-	-
083 - June 2020 Eboard	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
084 - June 2020 Special Session	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2021-23 Agency Request Budget	-	-	398,233,367	394,642,062	-	3,591,305	-	-	-
Percentage Change From 2019-21 Leg Approved Budget	-	-	26.13%	26.28%	-	12.23%	-	-	-
Percentage Change From 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Contract & Business Svcs. Div.
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-004-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2019-21 Leg Adopted Budget	24	24.00	8,084,010	7,244,942	-	839,068	-	-	-
2019-21 Emergency Boards	-	-	-	-	-	-	-	-	-
2019-21 Leg Approved Budget	24	24.00	8,084,010	7,244,942	-	839,068	-	-	-
2021-23 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(1)	(1.00)	951,264	934,146	-	17,118	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2021-23 Base Budget	23	23.00	9,035,274	8,179,088	-	856,186	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	87,015	85,079	-	1,936	-	-	-
Subtotal	-	-	87,015	85,079	-	1,936	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	552,593	552,353	-	240	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	552,593	552,353	-	240	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	79,668	79,668	-	-	-	-	-
State Gov't & Services Charges Increase/(Decrease)	-	-	84,721	84,721	-	-	-	-	-
Subtotal	-	-	164,389	164,389	-	-	-	-	-

Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Contract & Business Svcs. Div.
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-004-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2021-23 Current Service Level	23	23.00	9,839,271	8,980,909	-	858,362	-	-	-

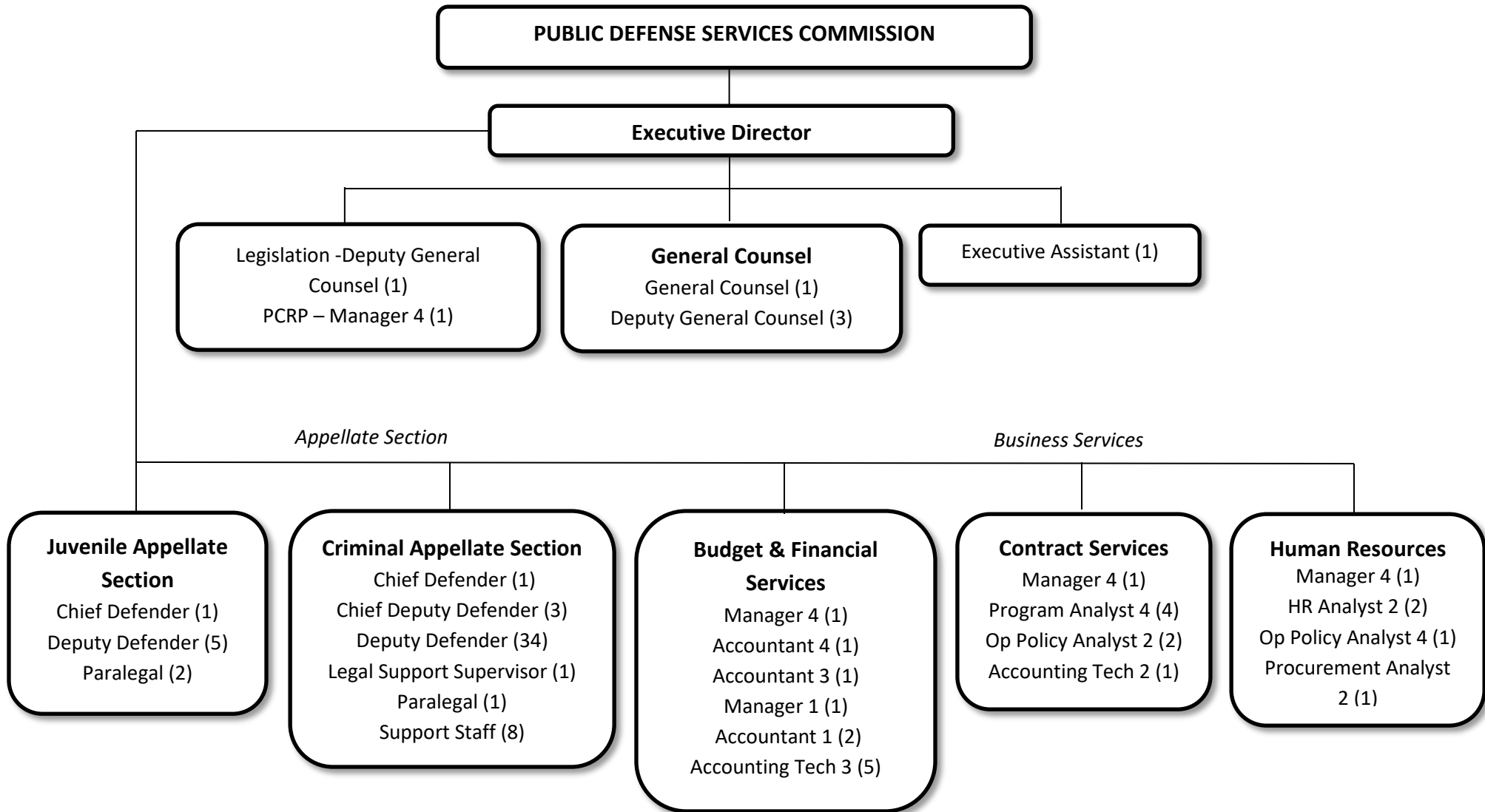
Summary of 2021-23 Biennium Budget

**Public Defense Svcs Comm
Contract & Business Svcs. Div.
2021-23 Biennium**

**Agency Working
Cross Reference Number: 40400-004-01-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2021-23 Current Service Level	23	23.00	9,839,271	8,980,909	-	858,362	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2021-23 Current Service Level	23	23.00	9,839,271	8,980,909	-	858,362	-	-	-
080 - E-Boards									
080 - March 2020 Eboard	-	-	-	-	-	-	-	-	-
081 - April 2020 Eboard	-	-	-	-	-	-	-	-	-
082 - May 2020 Eboard	-	-	-	-	-	-	-	-	-
083 - June 2020 Eboard	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
084 - June 2020 Special Session	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2021-23 Agency Request Budget	23	23.00	9,839,271	8,980,909	-	858,362	-	-	-
Percentage Change From 2019-21 Leg Approved Budget	-4.17%	-4.17%	21.71%	23.96%	-	2.30%	-	-	-
Percentage Change From 2021-23 Current Service Level	-	-	-	-	-	-	-	-	-

2021-23 ORGANIZATIONAL CHART



*Agency-wide
88 positions
87.80 FTE*

2021-23 Current Service Level

Each classification indicates one position, unless otherwise noted in (parentheses).

PICS100 - Position Budget Report

Public Defense Svcs Comm

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-000-00-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
Total Salary											20,342,203	-	565,584	-	20,907,787
Total OPE											7,778,427	-	256,383	-	8,034,810
Total Personal Services											28,120,630	-	821,967	-	28,942,597

PICS100 - Position Budget Report

Appellate Division

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-001-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
0000230	WDM D9434 AP	CHIEF DEFENDER - CAS	40	PF	1	1.00	24	9	16702	SAL	400,848	-	-	-	400,848
										OPE	130,296	-	-	-	130,296
0000231	WDM D9433 AP	CHIEF DEPUTY DEFENDER	39	PF	1	1.00	24	9	15907	SAL	381,768	-	-	-	381,768
										OPE	126,751	-	-	-	126,751
0000233	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000234	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
0000236	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000237	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000238	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000239	WDR D9431 AP	DEPUTY DEFENDER 2	38	PP	1	0.80	19.2	7	13846	SAL	265,843	-	-	-	265,843
										OPE	98,162	-	-	-	98,162
0000240	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000241	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	3	11420	SAL	274,080	-	-	-	274,080
										OPE	106,661	-	-	-	106,661
0000242	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0000243	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	3	11420	SAL	274,080	-	-	-	274,080
										OPE	106,661	-	-	-	106,661
0000244	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	6	13192	SAL	316,608	-	-	-	316,608
										OPE	114,645	-	-	-	114,645
0000246	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0002230	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	3	11420	SAL	274,080	-	-	-	274,080
										OPE	106,661	-	-	-	106,661
0002231	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048

PICS100 - Position Budget Report

Appellate Division

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-001-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
										OPE	123,830	-	-	-	123,830
0002233	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
0002234	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	4	9102	SAL	218,448	-	-	-	218,448
										OPE	92,875	-	-	-	92,875
0002235	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
0002237	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
0002238	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0002239	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	3	8688	SAL	208,512	-	-	-	208,512
										OPE	90,413	-	-	-	90,413
0002240	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0004203	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0008001	WDR D9403 AP	OFFICE SPECIALIST 2	16	PF	1	1.00	24	9	4884	SAL	117,216	-	-	-	117,216
										OPE	67,790	-	-	-	67,790
0013001	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	5	4434	SAL	106,416	-	-	-	106,416
										OPE	65,114	-	-	-	65,114
0013002	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
0014004	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0014006	WDM D9426 AP	LEGAL SECRETARY SUPERVISOR	22	PF	1	1.00	24	9	6543	SAL	157,032	-	-	-	157,032
										OPE	77,657	-	-	-	77,657
0014008	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0014017	WDM D9433 AP	CHIEF DEPUTY DEFENDER	39	PF	1	1.00	24	9	15907	SAL	381,768	-	-	-	381,768
										OPE	126,751	-	-	-	126,751

PICS100 - Position Budget Report

Appellate Division

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-001-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
0014018	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	4	11979	SAL	287,496	-	-	-	287,496
										OPE	109,235	-	-	-	109,235
0014020	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014021	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	6	13192	SAL	316,608	-	-	-	316,608
										OPE	114,645	-	-	-	114,645
0014022	WDM D9436 AP	CHIEF DEFENDER - JAS	39	PF	1	1.00	24	9	15907	SAL	381,768	-	-	-	381,768
										OPE	126,751	-	-	-	126,751
0014023	WDR D9428 AP	PARALEGAL	19	PF	1	1.00	24	6	5128	SAL	123,072	-	-	-	123,072
										OPE	69,241	-	-	-	69,241
0014024	WDM D9433 AP	CHIEF DEPUTY DEFENDER	39	PF	1	1.00	24	9	15907	SAL	381,768	-	-	-	381,768
										OPE	126,751	-	-	-	126,751
0014025	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0014027	WDR D9428 AP	PARALEGAL	19	PF	1	1.00	24	9	5935	SAL	142,440	-	-	-	142,440
										OPE	74,041	-	-	-	74,041
0014028	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014029	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014030	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014031	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014032	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014047	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	4	9102	SAL	218,448	-	-	-	218,448
										OPE	92,875	-	-	-	92,875
0014048	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014049	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048

PICS100 - Position Budget Report

Appellate Division

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-001-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
										OPE	123,830	-	-	-	123,830
0014050	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014051	WDR D9431 AP	DEPUTY DEFENDER 2	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
0014057	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0015999	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
4040001	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
4040003	WDR D9428 AP	PARALEGAL	19	PF	1	1.00	24	9	5935	SAL	142,440	-	-	-	142,440
										OPE	74,041	-	-	-	74,041
9000245	WDR D9432 AP	SENIOR DEPUTY DEFENDER	38	PF	1	1.00	24	9	15252	SAL	366,048	-	-	-	366,048
										OPE	123,830	-	-	-	123,830
9002236	WDR D9430 AP	DEPUTY DEFENDER 1	31	PF	1	1.00	24	7	10477	SAL	251,448	-	-	-	251,448
										OPE	101,053	-	-	-	101,053
9014007	WDR D9425 AP	LEGAL SECRETARY	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
Total Salary											15,959,083	-	-	-	15,959,083
Total OPE											5,954,196	-	-	-	5,954,196
Total Personal Services											21,913,279	-	-	-	21,913,279

PICS100 - Position Budget Report

Contract & Business Svcs. Div.

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-004-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
0000229	WDM D9446 AP	EXECUTIVE DIRECTOR	44	PF	1	1.00	24	9	18413	SAL	441,912	-	-	-	441,912
										OPE	137,927	-	-	-	137,927
0004108	WDU D9411 AP	ACCOUNTING TECH 2	17	PF	1	1.00	24	6	4434	SAL	106,416	-	-	-	106,416
										OPE	65,114	-	-	-	65,114
0004116	WDU D9465 AP	BUSINESS ANALYST 1	18	PF	1	1.00	24	2	3824	SAL	91,776	-	-	-	91,776
										OPE	61,486	-	-	-	61,486
0004148	WDU D9503 AP	PROGRAM ANALYST 4	29	PF	1	1.00	24	9	9202	SAL	220,848	-	-	-	220,848
										OPE	93,470	-	-	-	93,470
0004158	WDM D9493 AP	MANAGER 4	34	PF	1	1.00	24	9	15149	SAL	363,576	-	-	-	363,576
										OPE	123,372	-	-	-	123,372
0004160	WDU D9411 AP	ACCOUNTING TECH 2	17	PF	1	1.00	24	5	4219	SAL	101,256	-	-	-	101,256
										OPE	63,835	-	-	-	63,835
0004161	WDU D9412 AP	ACCOUNTING TECH 3	18	PF	1	1.00	24	9	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0004165	WDM D9493 AP	MANAGER 4	34	PF	1	1.00	24	7	13741	SAL	329,784	-	-	-	329,784
										OPE	117,093	-	-	-	117,093
0004166	WDU D9461 AP	ACCOUNTANT 2	25	PF	1	1.00	24	2	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
0004167	WDU D9502 AP	PROGRAM ANALYST 3	27	PF	1	1.00	24	9	8348	SAL	-	-	200,352	-	200,352
										OPE	-	-	88,391	-	88,391
0004200	WDM D9493 AP	MANAGER 4	34	PF	1	1.00	24	8	14428	SAL	346,272	-	-	-	346,272
										OPE	120,156	-	-	-	120,156
0004201	WDU D9478 AP	OPERATIONS AND POLICY ANALYST 4	29	PF	1	1.00	24	9	9202	SAL	220,848	-	-	-	220,848
										OPE	93,470	-	-	-	93,470
0008003	WDM D9455 AP	EXECUTIVE ASSISTANT	24	PF	1	1.00	24	4	5710	SAL	137,040	-	-	-	137,040
										OPE	72,703	-	-	-	72,703
0014026	WDU D9411 AP	ACCOUNTING TECH 2	17	PF	1	1.00	24	9	5128	SAL	123,072	-	-	-	123,072
										OPE	69,241	-	-	-	69,241
2601030	WDU D9411 AP	ACCOUNTING TECH 2	17	PF	1	1.00	24	9	5128	SAL	123,072	-	-	-	123,072
										OPE	69,241	-	-	-	69,241
4040004	WDM D9445 AP	DEPUTY GENERAL COUNSEL	34	PF	1	1.00	24	7	13741	SAL	329,784	-	-	-	329,784

PICS100 - Position Budget Report

Contract & Business Svcs. Div.

**2021-23 Biennium
Budget Preparation**

**Cross Reference Number: 40400-004-01-00-00000
Freeze**

Position Number	Classification	Classification Name	Sal Rng	Pos Type	Pos Cnt	FTE	Mos	Step	Rate	SAL/OPE	Salary/OPE				
											GF	LF	OF	FF	AF
										OPE	117,093	-	-	-	117,093
4041906	WDN D9445 AP	DEPUTY GENERAL COUNSEL	34	PF	1	1.00	24	8	14428	SAL	346,272	-	-	-	346,272
										OPE	120,156	-	-	-	120,156
4041909	WDU D9476 AP	OPERATIONS AND POLICY ANALYST 2	25	PF	1	1.00	24	2	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
4041910	WDU D9476 AP	OPERATIONS AND POLICY ANALYST 2	25	PF	1	1.00	24	2	5383	SAL	129,192	-	-	-	129,192
										OPE	70,758	-	-	-	70,758
6000223	WDM D9420 AP	GENERAL COUNSEL	40	PF	1	1.00	24	7	15149	SAL	363,576	-	-	-	363,576
										OPE	123,372	-	-	-	123,372
6000224	WDU D9503 AP	PROGRAM ANALYST 4	29	PF	1	1.00	24	9	9202	SAL	220,848	-	-	-	220,848
										OPE	93,470	-	-	-	93,470
9719683	WDU D9462 AP	ACCOUNTANT 3	27	PF	1	1.00	24	9	8348	SAL	-	-	200,352	-	200,352
										OPE	-	-	88,391	-	88,391
9719693	WDU D9495 AP	PROCUREMENT ANALYST 1	24	PF	1	1.00	24	8	6870	SAL	-	-	164,880	-	164,880
										OPE	-	-	79,601	-	79,601
Total Salary											4,383,120	-	565,584	-	4,948,704
Total OPE											1,824,231	-	256,383	-	2,080,614
Total Personal Services											6,207,351	-	821,967	-	7,029,318

Public Defense Svcs Comm

Agency Number: 40400

Detail Revenues & Expenditures - Requested Budget

Version: A - 01 - Agency Working

2021-23 Biennium

Cross Reference Number: 40400-000-00-00-00000

Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
REVENUE CATEGORIES					
GENERAL FUND APPROPRIATION					
0050 General Fund Appropriation					
8000 General Fund	347,641,790	82,916,495	430,558,285	-	430,558,285
TRANSFERS IN					
1010 Transfer In - Intrafund					
3400 Other Funds Ltd	3,591,305	-	3,591,305	-	3,591,305
1198 Tsfr From Judicial Dept					
3400 Other Funds Ltd	4,447,731	1,936	4,449,667	-	4,449,667
TOTAL TRANSFERS IN					
3400 Other Funds Ltd	8,039,036	1,936	8,040,972	-	8,040,972
TOTAL REVENUES					
8000 General Fund	347,641,790	82,916,495	430,558,285	-	430,558,285
3400 Other Funds Ltd	8,039,036	1,936	8,040,972	-	8,040,972
TOTAL REVENUES	\$355,680,826	\$82,918,431	\$438,599,257	-	\$438,599,257
TRANSFERS OUT					
2010 Transfer Out - Intrafund					
3400 Other Funds Ltd	(3,591,305)	-	(3,591,305)	-	(3,591,305)
AVAILABLE REVENUES					
8000 General Fund	347,641,790	82,916,495	430,558,285	-	430,558,285
3400 Other Funds Ltd	4,447,731	1,936	4,449,667	-	4,449,667
TOTAL AVAILABLE REVENUES	\$352,089,521	\$82,918,431	\$435,007,952	-	\$435,007,952

EXPENDITURES

Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
PERSONAL SERVICES					
SALARIES & WAGES					
3110 Class/Unclass Sal. and Per Diem					
8000 General Fund	20,342,203	-	20,342,203	-	20,342,203
3400 Other Funds Ltd	565,584	-	565,584	-	565,584
All Funds	20,907,787	-	20,907,787	-	20,907,787
OTHER PAYROLL EXPENSES					
3210 Empl. Rel. Bd. Assessments					
8000 General Fund	4,398	-	4,398	-	4,398
3400 Other Funds Ltd	174	-	174	-	174
All Funds	4,572	-	4,572	-	4,572
3220 Public Employees' Retire Cont					
8000 General Fund	3,484,622	-	3,484,622	-	3,484,622
3400 Other Funds Ltd	96,884	-	96,884	-	96,884
All Funds	3,581,506	-	3,581,506	-	3,581,506
3221 Pension Obligation Bond					
8000 General Fund	863,300	315,002	1,178,302	-	1,178,302
3400 Other Funds Ltd	30,927	1,834	32,761	-	32,761
All Funds	894,227	316,836	1,211,063	-	1,211,063
3230 Social Security Taxes					
8000 General Fund	1,355,719	-	1,355,719	-	1,355,719
3400 Other Funds Ltd	43,267	-	43,267	-	43,267
All Funds	1,398,986	-	1,398,986	-	1,398,986

Public Defense Svcs Comm

Agency Number: 40400

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium**

**Version: A - 01 - Agency Working
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Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
3240 Unemployment Assessments					
8000 General Fund	10,463	450	10,913	-	10,913
3250 Worker's Comp. Assess. (WCD)					
8000 General Fund	3,488	-	3,488	-	3,488
3400 Other Funds Ltd	138	-	138	-	138
All Funds	3,626	-	3,626	-	3,626
3260 Mass Transit Tax					
8000 General Fund	95,376	26,677	122,053	-	122,053
3400 Other Funds Ltd	3,292	102	3,394	-	3,394
All Funds	98,668	26,779	125,447	-	125,447
3270 Flexible Benefits					
8000 General Fund	2,930,200	-	2,930,200	-	2,930,200
3400 Other Funds Ltd	115,920	-	115,920	-	115,920
All Funds	3,046,120	-	3,046,120	-	3,046,120
3280 Other OPE					
8000 General Fund	603,237	(603,237)	-	-	-
TOTAL OTHER PAYROLL EXPENSES					
8000 General Fund	9,350,803	(261,108)	9,089,695	-	9,089,695
3400 Other Funds Ltd	290,602	1,936	292,538	-	292,538
TOTAL OTHER PAYROLL EXPENSES	\$9,641,405	(\$259,172)	\$9,382,233	-	\$9,382,233
TOTAL PERSONAL SERVICES					
8000 General Fund	29,693,006	(261,108)	29,431,898	-	29,431,898
3400 Other Funds Ltd	856,186	1,936	858,122	-	858,122

Public Defense Svcs Comm

Agency Number: 40400

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium**

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Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
TOTAL PERSONAL SERVICES	\$30,549,192	(\$259,172)	\$30,290,020	-	\$30,290,020
SERVICES & SUPPLIES					
4100 Instate Travel					
8000 General Fund	35,134	3,578	38,712	-	38,712
4125 Out of State Travel					
8000 General Fund	5,544	238	5,782	-	5,782
4150 Employee Training					
8000 General Fund	129,172	14,887	144,059	-	144,059
4175 Office Expenses					
8000 General Fund	201,811	17,889	219,700	-	219,700
4200 Telecommunications					
8000 General Fund	140,295	6,937	147,232	-	147,232
4225 State Gov. Service Charges					
8000 General Fund	738,022	267,366	1,005,388	-	1,005,388
4250 Data Processing					
8000 General Fund	91,993	10,214	102,207	-	102,207
4275 Publicity and Publications					
8000 General Fund	6,164	589	6,753	-	6,753
4300 Professional Services					
8000 General Fund	314,244,384	82,231,974	396,476,358	-	396,476,358
4315 IT Professional Services					
8000 General Fund	466,187	485,097	951,284	-	951,284
4325 Attorney General					

Public Defense Svcs Comm

Agency Number: 40400

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium**

**Version: A - 01 - Agency Working
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Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	27,149	5,275	32,424	-	32,424
4400 Dues and Subscriptions					
8000 General Fund	15,341	1,184	16,525	-	16,525
4425 Facilities Rental and Taxes					
8000 General Fund	1,228,083	83,681	1,311,764	-	1,311,764
4475 Facilities Maintenance					
8000 General Fund	-	723	723	-	723
4650 Other Services and Supplies					
8000 General Fund	164,121	13,649	177,770	-	177,770
3400 Other Funds Ltd	-	240	240	-	240
All Funds	164,121	13,889	178,010	-	178,010
4700 Expendable Prop 250 - 5000					
8000 General Fund	24,391	4,492	28,883	-	28,883
4715 IT Expendable Property					
8000 General Fund	430,993	29,830	460,823	-	460,823
TOTAL SERVICES & SUPPLIES					
8000 General Fund	317,948,784	83,177,603	401,126,387	-	401,126,387
3400 Other Funds Ltd	-	240	240	-	240
TOTAL SERVICES & SUPPLIES	\$317,948,784	\$83,177,843	\$401,126,627	-	\$401,126,627
SPECIAL PAYMENTS					
6198 Spc Pmt to Judicial Dept					
3400 Other Funds Ltd	3,200,000	391,305	3,591,305	-	3,591,305
TOTAL EXPENDITURES					

Public Defense Svcs Comm

Agency Number: 40400

Detail Revenues & Expenditures - Requested Budget

Version: A - 01 - Agency Working

2021-23 Biennium

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Public Defense Svcs Comm

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	347,641,790	82,916,495	430,558,285	-	430,558,285
3400 Other Funds Ltd	4,056,186	393,481	4,449,667	-	4,449,667
TOTAL EXPENDITURES	\$351,697,976	\$83,309,976	\$435,007,952	-	\$435,007,952
ENDING BALANCE					
3400 Other Funds Ltd	391,545	(391,545)	-	-	-
AUTHORIZED POSITIONS					
8150 Class/Unclass Positions	79	-	79	-	79
AUTHORIZED FTE					
8250 Class/Unclass FTE Positions	78.80	-	78.80	-	78.80

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium
Appellate Division**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-001-01-00-00000**

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
REVENUE CATEGORIES					
GENERAL FUND APPROPRIATION					
0050 General Fund Appropriation					
8000 General Fund	26,942,080	(6,766)	26,935,314	-	26,935,314
AVAILABLE REVENUES					
8000 General Fund	26,942,080	(6,766)	26,935,314	-	26,935,314
EXPENDITURES					
PERSONAL SERVICES					
SALARIES & WAGES					
3110 Class/Unclass Sal. and Per Diem					
8000 General Fund	15,959,083	-	15,959,083	-	15,959,083
OTHER PAYROLL EXPENSES					
3210 Empl. Rel. Bd. Assessments					
8000 General Fund	3,238	-	3,238	-	3,238
3220 Public Employees' Retire Cont					
8000 General Fund	2,733,793	-	2,733,793	-	2,733,793
3221 Pension Obligation Bond					
8000 General Fund	690,101	234,313	924,414	-	924,414
3230 Social Security Taxes					
8000 General Fund	1,057,197	-	1,057,197	-	1,057,197
3240 Unemployment Assessments					
8000 General Fund	10,463	450	10,913	-	10,913
3250 Worker's Comp. Assess. (WCD)					

Detail Revenues & Expenditures - Requested Budget
 2021-23 Biennium
 Appellate Division

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-001-01-00-00000

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	2,568	-	2,568	-	2,568
3260 Mass Transit Tax					
8000 General Fund	73,467	22,287	95,754	-	95,754
3270 Flexible Benefits					
8000 General Fund	2,157,400	-	2,157,400	-	2,157,400
3280 Other OPE					
8000 General Fund	603,237	(603,237)	-	-	-
TOTAL OTHER PAYROLL EXPENSES					
8000 General Fund	7,331,464	(346,187)	6,985,277	-	6,985,277
TOTAL PERSONAL SERVICES					
8000 General Fund	23,290,547	(346,187)	22,944,360	-	22,944,360
SERVICES & SUPPLIES					
4100 Instate Travel					
8000 General Fund	23,514	1,011	24,525	-	24,525
4125 Out of State Travel					
8000 General Fund	5,544	238	5,782	-	5,782
4150 Employee Training					
8000 General Fund	122,878	5,284	128,162	-	128,162
4175 Office Expenses					
8000 General Fund	168,223	7,234	175,457	-	175,457
4200 Telecommunications					
8000 General Fund	93,998	4,042	98,040	-	98,040
4225 State Gov. Service Charges					

Detail Revenues & Expenditures - Requested Budget
 2021-23 Biennium
 Appellate Division

Version: A - 01 - Agency Working
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Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	546,204	182,645	728,849	-	728,849
4250 Data Processing					
8000 General Fund	89,004	3,827	92,831	-	92,831
4275 Publicity and Publications					
8000 General Fund	4,745	204	4,949	-	4,949
4300 Professional Services					
8000 General Fund	1,230,030	70,112	1,300,142	-	1,300,142
4315 IT Professional Services					
8000 General Fund	137,096	7,814	144,910	-	144,910
4325 Attorney General					
8000 General Fund	27,149	5,275	32,424	-	32,424
4400 Dues and Subscriptions					
8000 General Fund	13,978	601	14,579	-	14,579
4425 Facilities Rental and Taxes					
8000 General Fund	680,640	29,268	709,908	-	709,908
4650 Other Services and Supplies					
8000 General Fund	107,984	4,643	112,627	-	112,627
4700 Expendable Prop 250 - 5000					
8000 General Fund	22,174	953	23,127	-	23,127
4715 IT Expendable Property					
8000 General Fund	378,372	16,270	394,642	-	394,642
TOTAL SERVICES & SUPPLIES					
8000 General Fund	3,651,533	339,421	3,990,954	-	3,990,954

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium
Appellate Division**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-001-01-00-00000**

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
TOTAL EXPENDITURES					
8000 General Fund	26,942,080	(6,766)	26,935,314	-	26,935,314
AUTHORIZED POSITIONS					
8150 Class/Unclass Positions	56	-	56	-	56
AUTHORIZED FTE					
8250 Class/Unclass FTE Positions	55.80	-	55.80	-	55.80

Detail Revenues & Expenditures - Requested Budget
 2021-23 Biennium
 Professional Services Account

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-002-01-00-00000

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
REVENUE CATEGORIES					
GENERAL FUND APPROPRIATION					
0050 General Fund Appropriation					
8000 General Fund	312,520,622	82,121,440	394,642,062	-	394,642,062
TRANSFERS IN					
1010 Transfer In - Intrafund					
3400 Other Funds Ltd	3,591,305	-	3,591,305	-	3,591,305
TOTAL REVENUES					
8000 General Fund	312,520,622	82,121,440	394,642,062	-	394,642,062
3400 Other Funds Ltd	3,591,305	-	3,591,305	-	3,591,305
TOTAL REVENUES	\$316,111,927	\$82,121,440	\$398,233,367	-	\$398,233,367
AVAILABLE REVENUES					
8000 General Fund	312,520,622	82,121,440	394,642,062	-	394,642,062
3400 Other Funds Ltd	3,591,305	-	3,591,305	-	3,591,305
TOTAL AVAILABLE REVENUES	\$316,111,927	\$82,121,440	\$398,233,367	-	\$398,233,367
EXPENDITURES					
SERVICES & SUPPLIES					
4300 Professional Services					
8000 General Fund	312,520,622	82,121,440	394,642,062	-	394,642,062
SPECIAL PAYMENTS					
6198 Spc Pmt to Judicial Dept					
3400 Other Funds Ltd	3,200,000	391,305	3,591,305	-	3,591,305
TOTAL EXPENDITURES					

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium
Professional Services Account**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-002-01-00-00000**

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	312,520,622	82,121,440	394,642,062	-	394,642,062
3400 Other Funds Ltd	3,200,000	391,305	3,591,305	-	3,591,305
TOTAL EXPENDITURES	\$315,720,622	\$82,512,745	\$398,233,367	-	\$398,233,367
ENDING BALANCE					
3400 Other Funds Ltd	391,305	(391,305)	-	-	-

Detail Revenues & Expenditures - Requested Budget
 2021-23 Biennium
 Contract & Business Svcs. Div.

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-004-01-00-00000

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
REVENUE CATEGORIES					
GENERAL FUND APPROPRIATION					
0050 General Fund Appropriation					
8000 General Fund	8,179,088	801,821	8,980,909	-	8,980,909
TRANSFERS IN					
1198 Tsfr From Judicial Dept					
3400 Other Funds Ltd	4,447,731	1,936	4,449,667	-	4,449,667
TOTAL REVENUES					
8000 General Fund	8,179,088	801,821	8,980,909	-	8,980,909
3400 Other Funds Ltd	4,447,731	1,936	4,449,667	-	4,449,667
TOTAL REVENUES	\$12,626,819	\$803,757	\$13,430,576	-	\$13,430,576
TRANSFERS OUT					
2010 Transfer Out - Intrafund					
3400 Other Funds Ltd	(3,591,305)	-	(3,591,305)	-	(3,591,305)
AVAILABLE REVENUES					
8000 General Fund	8,179,088	801,821	8,980,909	-	8,980,909
3400 Other Funds Ltd	856,426	1,936	858,362	-	858,362
TOTAL AVAILABLE REVENUES	\$9,035,514	\$803,757	\$9,839,271	-	\$9,839,271
EXPENDITURES					
PERSONAL SERVICES					
SALARIES & WAGES					
3110 Class/Unclass Sal. and Per Diem					
8000 General Fund	4,383,120	-	4,383,120	-	4,383,120

Detail Revenues & Expenditures - Requested Budget
 2021-23 Biennium
 Contract & Business Svcs. Div.

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-004-01-00-00000

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
3400 Other Funds Ltd	565,584	-	565,584	-	565,584
All Funds	4,948,704	-	4,948,704	-	4,948,704
OTHER PAYROLL EXPENSES					
3210 Empl. Rel. Bd. Assessments					
8000 General Fund	1,160	-	1,160	-	1,160
3400 Other Funds Ltd	174	-	174	-	174
All Funds	1,334	-	1,334	-	1,334
3220 Public Employees' Retire Cont					
8000 General Fund	750,829	-	750,829	-	750,829
3400 Other Funds Ltd	96,884	-	96,884	-	96,884
All Funds	847,713	-	847,713	-	847,713
3221 Pension Obligation Bond					
8000 General Fund	173,199	80,689	253,888	-	253,888
3400 Other Funds Ltd	30,927	1,834	32,761	-	32,761
All Funds	204,126	82,523	286,649	-	286,649
3230 Social Security Taxes					
8000 General Fund	298,522	-	298,522	-	298,522
3400 Other Funds Ltd	43,267	-	43,267	-	43,267
All Funds	341,789	-	341,789	-	341,789
3250 Worker's Comp. Assess. (WCD)					
8000 General Fund	920	-	920	-	920
3400 Other Funds Ltd	138	-	138	-	138
All Funds	1,058	-	1,058	-	1,058

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
3260 Mass Transit Tax					
8000 General Fund	21,909	4,390	26,299	-	26,299
3400 Other Funds Ltd	3,292	102	3,394	-	3,394
All Funds	25,201	4,492	29,693	-	29,693
3270 Flexible Benefits					
8000 General Fund	772,800	-	772,800	-	772,800
3400 Other Funds Ltd	115,920	-	115,920	-	115,920
All Funds	888,720	-	888,720	-	888,720
TOTAL OTHER PAYROLL EXPENSES					
8000 General Fund	2,019,339	85,079	2,104,418	-	2,104,418
3400 Other Funds Ltd	290,602	1,936	292,538	-	292,538
TOTAL OTHER PAYROLL EXPENSES	\$2,309,941	\$87,015	\$2,396,956	-	\$2,396,956
TOTAL PERSONAL SERVICES					
8000 General Fund	6,402,459	85,079	6,487,538	-	6,487,538
3400 Other Funds Ltd	856,186	1,936	858,122	-	858,122
TOTAL PERSONAL SERVICES	\$7,258,645	\$87,015	\$7,345,660	-	\$7,345,660
SERVICES & SUPPLIES					
4100 Instate Travel					
8000 General Fund	11,620	2,567	14,187	-	14,187
4150 Employee Training					
8000 General Fund	6,294	9,603	15,897	-	15,897
4175 Office Expenses					
8000 General Fund	33,588	10,655	44,243	-	44,243

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium
Contract & Business Svcs. Div.**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-004-01-00-00000**

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
4200 Telecommunications					
8000 General Fund	46,297	2,895	49,192	-	49,192
4225 State Gov. Service Charges					
8000 General Fund	191,818	84,721	276,539	-	276,539
4250 Data Processing					
8000 General Fund	2,989	6,387	9,376	-	9,376
4275 Publicity and Publications					
8000 General Fund	1,419	385	1,804	-	1,804
4300 Professional Services					
8000 General Fund	493,732	40,422	534,154	-	534,154
4315 IT Professional Services					
8000 General Fund	329,091	477,283	806,374	-	806,374
4400 Dues and Subscriptions					
8000 General Fund	1,363	583	1,946	-	1,946
4425 Facilities Rental and Taxes					
8000 General Fund	547,443	54,413	601,856	-	601,856
4475 Facilities Maintenance					
8000 General Fund	-	723	723	-	723
4650 Other Services and Supplies					
8000 General Fund	56,137	9,006	65,143	-	65,143
3400 Other Funds Ltd	-	240	240	-	240
All Funds	56,137	9,246	65,383	-	65,383
4700 Expendable Prop 250 - 5000					

Public Defense Svcs Comm

Agency Number: 40400

**Detail Revenues & Expenditures - Requested Budget
2021-23 Biennium**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-004-01-00-00000**

Contract & Business Svcs. Div.

Description	2021-23 Base Budget	Essential Packages	2021-23 Current Service Level	Policy Packages	2021-23 Agency Request Budget
8000 General Fund	2,217	3,539	5,756	-	5,756
4715 IT Expendable Property					
8000 General Fund	52,621	13,560	66,181	-	66,181
TOTAL SERVICES & SUPPLIES					
8000 General Fund	1,776,629	716,742	2,493,371	-	2,493,371
3400 Other Funds Ltd	-	240	240	-	240
TOTAL SERVICES & SUPPLIES	\$1,776,629	\$716,982	\$2,493,611	-	\$2,493,611
TOTAL EXPENDITURES					
8000 General Fund	8,179,088	801,821	8,980,909	-	8,980,909
3400 Other Funds Ltd	856,186	2,176	858,362	-	858,362
TOTAL EXPENDITURES	\$9,035,274	\$803,997	\$9,839,271	-	\$9,839,271
ENDING BALANCE					
3400 Other Funds Ltd	240	(240)	-	-	-
AUTHORIZED POSITIONS					
8150 Class/Unclass Positions	23	-	23	-	23
AUTHORIZED FTE					
8250 Class/Unclass FTE Positions	23.00	-	23.00	-	23.00

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 Public Defense Svcs Comm

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Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor Priority: 00	Pkg: 021 Phase-in Priority: 00	Pkg: 022 Phase-out Pgm & One-time Costs Priority: 00	Pkg: 031 Standard Inflation Priority: 00	Pkg: 032 Above Standard Inflation Priority: 00
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REVENUE CATEGORIES

GENERAL FUND APPROPRIATION

0050 General Fund Appropriation

8000 General Fund	82,916,495	342,129	12,268,880	(603,237)	18,317,485	44,046,018
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TRANSFERS IN

1198 Tsfr From Judicial Dept

3400 Other Funds Ltd	1,936	1,936	-	-	-	-
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REVENUE CATEGORIES

8000 General Fund	82,916,495	342,129	12,268,880	(603,237)	18,317,485	44,046,018
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3400 Other Funds Ltd	1,936	1,936	-	-	-	-
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TOTAL REVENUE CATEGORIES	\$82,918,431	\$344,065	\$12,268,880	(\$603,237)	\$18,317,485	\$44,046,018
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AVAILABLE REVENUES

8000 General Fund	82,916,495	342,129	12,268,880	(603,237)	18,317,485	44,046,018
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3400 Other Funds Ltd	1,936	1,936	-	-	-	-
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TOTAL AVAILABLE REVENUES	\$82,918,431	\$344,065	\$12,268,880	(\$603,237)	\$18,317,485	\$44,046,018
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EXPENDITURES

PERSONAL SERVICES

OTHER PAYROLL EXPENSES

3221 Pension Obligation Bond

8000 General Fund	315,002	315,002	-	-	-	-
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3400 Other Funds Ltd	1,834	1,834	-	-	-	-
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All Funds	316,836	316,836	-	-	-	-
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2021-23 Biennium
Public Defense Svcs Comm

Version: A - 01 - Agency Working
Cross Reference Number: 40400-000-00-00-00000

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor Priority: 00	Pkg: 021 Phase-in Priority: 00	Pkg: 022 Phase-out Pgm & One-time Costs Priority: 00	Pkg: 031 Standard Inflation Priority: 00	Pkg: 032 Above Standard Inflation Priority: 00
3240 Unemployment Assessments						
8000 General Fund	450	450	-	-	-	-
3260 Mass Transit Tax						
8000 General Fund	26,677	26,677	-	-	-	-
3400 Other Funds Ltd	102	102	-	-	-	-
All Funds	26,779	26,779	-	-	-	-
3280 Other OPE						
8000 General Fund	(603,237)	-	-	(603,237)	-	-
OTHER PAYROLL EXPENSES						
8000 General Fund	(261,108)	342,129	-	(603,237)	-	-
3400 Other Funds Ltd	1,936	1,936	-	-	-	-
TOTAL OTHER PAYROLL EXPENSES	(\$259,172)	\$344,065	-	(\$603,237)	-	-
SERVICES & SUPPLIES						
4100 Instate Travel						
8000 General Fund	3,578	-	2,067	-	1,511	-
4125 Out of State Travel						
8000 General Fund	238	-	-	-	238	-
4150 Employee Training						
8000 General Fund	14,887	-	9,332	-	5,555	-
4175 Office Expenses						
8000 General Fund	17,889	-	9,211	-	8,678	-
4200 Telecommunications						
8000 General Fund	6,937	-	904	-	6,033	-

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Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor	Pkg: 021 Phase-in	Pkg: 022 Phase-out Pgm & One-time Costs	Pkg: 031 Standard Inflation	Pkg: 032 Above Standard Inflation
		Priority: 00	Priority: 00	Priority: 00	Priority: 00	Priority: 00
4225 State Gov. Service Charges						
8000 General Fund	267,366	-	-	-	267,366	-
4250 Data Processing						
8000 General Fund	10,214	-	6,258	-	3,956	-
4275 Publicity and Publications						
8000 General Fund	589	-	324	-	265	-
4300 Professional Services						
8000 General Fund	82,231,974	-	11,728,806	-	17,911,930	44,046,018
4315 IT Professional Services						
8000 General Fund	485,097	-	458,525	-	26,572	-
4325 Attorney General						
8000 General Fund	5,275	-	-	-	5,275	-
4400 Dues and Subscriptions						
8000 General Fund	1,184	-	524	-	660	-
4425 Facilities Rental and Taxes						
8000 General Fund	83,681	-	30,873	-	52,808	-
4475 Facilities Maintenance						
8000 General Fund	723	-	723	-	-	-
4650 Other Services and Supplies						
8000 General Fund	13,649	-	6,592	-	7,057	-
3400 Other Funds Ltd	240	-	240	-	-	-
All Funds	13,889	-	6,832	-	7,057	-
4700 Expendable Prop 250 - 5000						

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 2021-23 Biennium
 Public Defense Svcs Comm

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-000-00-00-00000

Description	Total Essential Packages	Pkg: 010	Pkg: 021	Pkg: 022	Pkg: 031	Pkg: 032
		Non-PICS Psnl Svc / Vacancy Factor	Phase-in	Phase-out Pgm & One-time Costs	Standard Inflation	Above Standard Inflation
		Priority: 00	Priority: 00	Priority: 00	Priority: 00	Priority: 00
8000 General Fund	4,492	-	3,444	-	1,048	-
4715 IT Expendable Property						
8000 General Fund	29,830	-	11,297	-	18,533	-
SERVICES & SUPPLIES						
8000 General Fund	83,177,603	-	12,268,880	-	18,317,485	44,046,018
3400 Other Funds Ltd	240	-	240	-	-	-
TOTAL SERVICES & SUPPLIES	\$83,177,843	-	\$12,269,120	-	\$18,317,485	\$44,046,018
SPECIAL PAYMENTS						
6198 Spc Pmt to Judicial Dept						
3400 Other Funds Ltd	391,305	-	391,305	-	-	-
EXPENDITURES						
8000 General Fund	82,916,495	342,129	12,268,880	(603,237)	18,317,485	44,046,018
3400 Other Funds Ltd	393,481	1,936	391,545	-	-	-
TOTAL EXPENDITURES	\$83,309,976	\$344,065	\$12,660,425	(\$603,237)	\$18,317,485	\$44,046,018
ENDING BALANCE						
8000 General Fund	-	-	-	-	-	-
3400 Other Funds Ltd	(391,545)	-	(391,545)	-	-	-
TOTAL ENDING BALANCE	(\$391,545)	-	(\$391,545)	-	-	-

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Public Defense Svcs Comm

Version: A - 01 - Agency Working
Cross Reference Number: 40400-000-00-00-00000

Description	Pkg: 040					
	Mandated Caseload					
	Priority: 00					

REVENUE CATEGORIES

GENERAL FUND APPROPRIATION

0050 General Fund Appropriation

8000 General Fund 8,545,220

AVAILABLE REVENUES

8000 General Fund 8,545,220

TOTAL AVAILABLE REVENUES \$8,545,220

EXPENDITURES

SERVICES & SUPPLIES

4300 Professional Services

8000 General Fund 8,545,220

ENDING BALANCE

8000 General Fund -

TOTAL ENDING BALANCE -

BDV004B
 2021-23 Biennium
 Appellate Division

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-001-01-00-00000

Description	Total Essential Packages	Pkg: 010	Pkg: 022	Pkg: 031		
		Non-PICS Psnl Svc / Vacancy Factor	Phase-out Pgm & One-time Costs	Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		

REVENUE CATEGORIES

GENERAL FUND APPROPRIATION

0050 General Fund Appropriation

8000 General Fund (6,766) 257,050 (603,237) 339,421

AVAILABLE REVENUES

8000 General Fund (6,766) 257,050 (603,237) 339,421

TOTAL AVAILABLE REVENUES

(\$6,766) \$257,050 (\$603,237) \$339,421

EXPENDITURES

PERSONAL SERVICES

OTHER PAYROLL EXPENSES

3221 Pension Obligation Bond

8000 General Fund 234,313 234,313 - -

3240 Unemployment Assessments

8000 General Fund 450 450 - -

3260 Mass Transit Tax

8000 General Fund 22,287 22,287 - -

3280 Other OPE

8000 General Fund (603,237) - (603,237) -

OTHER PAYROLL EXPENSES

8000 General Fund (346,187) 257,050 (603,237) -

TOTAL OTHER PAYROLL EXPENSES

(\$346,187) \$257,050 (\$603,237) -

SERVICES & SUPPLIES

**BDV004B
2021-23 Biennium
Appellate Division**

**Version: A - 01 - Agency Working
Cross Reference Number: 40400-001-01-00-00000**

Description	Total Essential Packages	Pkg: 010	Pkg: 022	Pkg: 031		
		Non-PICS Psnl Svc / Vacancy Factor	Phase-out Pgm & One-time Costs	Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
4100 Instate Travel						
8000 General Fund	1,011	-	-	1,011		
4125 Out of State Travel						
8000 General Fund	238	-	-	238		
4150 Employee Training						
8000 General Fund	5,284	-	-	5,284		
4175 Office Expenses						
8000 General Fund	7,234	-	-	7,234		
4200 Telecommunications						
8000 General Fund	4,042	-	-	4,042		
4225 State Gov. Service Charges						
8000 General Fund	182,645	-	-	182,645		
4250 Data Processing						
8000 General Fund	3,827	-	-	3,827		
4275 Publicity and Publications						
8000 General Fund	204	-	-	204		
4300 Professional Services						
8000 General Fund	70,112	-	-	70,112		
4315 IT Professional Services						
8000 General Fund	7,814	-	-	7,814		
4325 Attorney General						
8000 General Fund	5,275	-	-	5,275		
4400 Dues and Subscriptions						

BDV004B
 2021-23 Biennium
 Appellate Division

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-001-01-00-00000

Description	Total Essential Packages	Pkg: 010	Pkg: 022	Pkg: 031		
		Non-PICS Psnl Svc / Vacancy Factor	Phase-out Pgm & One-time Costs	Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
8000 General Fund	601	-	-	601		
4425 Facilities Rental and Taxes						
8000 General Fund	29,268	-	-	29,268		
4650 Other Services and Supplies						
8000 General Fund	4,643	-	-	4,643		
4700 Expendable Prop 250 - 5000						
8000 General Fund	953	-	-	953		
4715 IT Expendable Property						
8000 General Fund	16,270	-	-	16,270		
SERVICES & SUPPLIES						
8000 General Fund	339,421	-	-	339,421		
TOTAL SERVICES & SUPPLIES	\$339,421	-	-	\$339,421		
EXPENDITURES						
8000 General Fund	(6,766)	257,050	(603,237)	339,421		
TOTAL EXPENDITURES	(\$6,766)	\$257,050	(\$603,237)	\$339,421		
ENDING BALANCE						
8000 General Fund	-	-	-	-		
TOTAL ENDING BALANCE	-	-	-	-		

BDV004B
 2021-23 Biennium
 Professional Services Account

Version: A - 01 - Agency Working
 Cross Reference Number: 40400-002-01-00-00000

Description	Total Essential Packages	Pkg: 021 Phase-in	Pkg: 031 Standard Inflation	Pkg: 032 Above Standard Inflation	Pkg: 040 Mandated Caseload	
		Priority: 00	Priority: 00	Priority: 00	Priority: 00	

REVENUE CATEGORIES

GENERAL FUND APPROPRIATION

0050 General Fund Appropriation

8000 General Fund 82,121,440 11,716,527 17,813,675 44,046,018 8,545,220

AVAILABLE REVENUES

8000 General Fund 82,121,440 11,716,527 17,813,675 44,046,018 8,545,220

TOTAL AVAILABLE REVENUES

\$82,121,440 \$11,716,527 \$17,813,675 \$44,046,018 \$8,545,220

EXPENDITURES

SERVICES & SUPPLIES

4300 Professional Services

8000 General Fund 82,121,440 11,716,527 17,813,675 44,046,018 8,545,220

SPECIAL PAYMENTS

6198 Spc Pmt to Judicial Dept

3400 Other Funds Ltd 391,305 391,305 - - -

EXPENDITURES

8000 General Fund 82,121,440 11,716,527 17,813,675 44,046,018 8,545,220

3400 Other Funds Ltd 391,305 391,305 - - -

TOTAL EXPENDITURES

\$82,512,745 \$12,107,832 \$17,813,675 \$44,046,018 \$8,545,220

ENDING BALANCE

8000 General Fund - - - - -

3400 Other Funds Ltd (391,305) (391,305) - - -

TOTAL ENDING BALANCE

(\$391,305) (\$391,305) - - -

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Version: A - 01 - Agency Working

2021-23 Biennium

Cross Reference Number: 40400-004-01-00-00000

Contract & Business Svcs. Div.

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor Priority: 00	Pkg: 021 Phase-in Priority: 00	Pkg: 031 Standard Inflation Priority: 00		
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REVENUE CATEGORIES

GENERAL FUND APPROPRIATION

0050 General Fund Appropriation

8000 General Fund	801,821	85,079	552,353	164,389
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TRANSFERS IN

1198 Tsfr From Judicial Dept

3400 Other Funds Ltd	1,936	1,936	-	-
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REVENUE CATEGORIES

8000 General Fund	801,821	85,079	552,353	164,389
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3400 Other Funds Ltd	1,936	1,936	-	-
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TOTAL REVENUE CATEGORIES	\$803,757	\$87,015	\$552,353	\$164,389
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AVAILABLE REVENUES

8000 General Fund	801,821	85,079	552,353	164,389
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3400 Other Funds Ltd	1,936	1,936	-	-
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TOTAL AVAILABLE REVENUES	\$803,757	\$87,015	\$552,353	\$164,389
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EXPENDITURES

PERSONAL SERVICES

OTHER PAYROLL EXPENSES

3221 Pension Obligation Bond

8000 General Fund	80,689	80,689	-	-
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3400 Other Funds Ltd	1,834	1,834	-	-
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All Funds	82,523	82,523	-	-
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2021-23 Biennium

Cross Reference Number: 40400-004-01-00-00000

Contract & Business Svcs. Div.

Description	Total Essential Packages	Pkg: 010	Pkg: 021	Pkg: 031		
		Non-PICS Psnl Svc / Vacancy Factor	Phase-in	Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
3260 Mass Transit Tax						
8000 General Fund	4,390	4,390	-	-		
3400 Other Funds Ltd	102	102	-	-		
All Funds	4,492	4,492	-	-		
OTHER PAYROLL EXPENSES						
8000 General Fund	85,079	85,079	-	-		
3400 Other Funds Ltd	1,936	1,936	-	-		
TOTAL OTHER PAYROLL EXPENSES	\$87,015	\$87,015	-	-		
SERVICES & SUPPLIES						
4100 Instate Travel						
8000 General Fund	2,567	-	2,067	500		
4150 Employee Training						
8000 General Fund	9,603	-	9,332	271		
4175 Office Expenses						
8000 General Fund	10,655	-	9,211	1,444		
4200 Telecommunications						
8000 General Fund	2,895	-	904	1,991		
4225 State Gov. Service Charges						
8000 General Fund	84,721	-	-	84,721		
4250 Data Processing						
8000 General Fund	6,387	-	6,258	129		
4275 Publicity and Publications						
8000 General Fund	385	-	324	61		

BDV004B

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2021-23 Biennium

Cross Reference Number: 40400-004-01-00-00000

Contract & Business Svcs. Div.

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor	Pkg: 021 Phase-in	Pkg: 031 Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
4300 Professional Services						
8000 General Fund	40,422	-	12,279	28,143		
4315 IT Professional Services						
8000 General Fund	477,283	-	458,525	18,758		
4400 Dues and Subscriptions						
8000 General Fund	583	-	524	59		
4425 Facilities Rental and Taxes						
8000 General Fund	54,413	-	30,873	23,540		
4475 Facilities Maintenance						
8000 General Fund	723	-	723	-		
4650 Other Services and Supplies						
8000 General Fund	9,006	-	6,592	2,414		
3400 Other Funds Ltd	240	-	240	-		
All Funds	9,246	-	6,832	2,414		
4700 Expendable Prop 250 - 5000						
8000 General Fund	3,539	-	3,444	95		
4715 IT Expendable Property						
8000 General Fund	13,560	-	11,297	2,263		
SERVICES & SUPPLIES						
8000 General Fund	716,742	-	552,353	164,389		
3400 Other Funds Ltd	240	-	240	-		
TOTAL SERVICES & SUPPLIES	\$716,982	-	\$552,593	\$164,389		

EXPENDITURES

BDV004B

Version: A - 01 - Agency Working

2021-23 Biennium

Cross Reference Number: 40400-004-01-00-00000

Contract & Business Svcs. Div.

Description	Total Essential Packages	Pkg: 010 Non-PICS Psnl Svc / Vacancy Factor	Pkg: 021 Phase-in	Pkg: 031 Standard Inflation		
		Priority: 00	Priority: 00	Priority: 00		
8000 General Fund	801,821	85,079	552,353	164,389		
3400 Other Funds Ltd	2,176	1,936	240	-		
TOTAL EXPENDITURES	\$803,997	\$87,015	\$552,593	\$164,389		
ENDING BALANCE						
8000 General Fund	-	-	-	-		
3400 Other Funds Ltd	(240)	-	(240)	-		
TOTAL ENDING BALANCE	(\$240)	-	(\$240)	-		

Revenue Discussion

ORS 151.487, et seq., provides the authority for judges to order individuals who apply for court-appointed counsel to pay the administrative costs of determining the eligibility of the person and the anticipated cost of public defense services prior to the conclusion of the case. Judicial Department Verification Specialist (VS) staff assist the courts in determining whether a person will be ordered to pay a \$20 application fee and a “contribution amount” toward the anticipated public defense cost of the case. The program is referred to as the Application Contribution Program (ACP).

ACP revenue is deposited in the Public Defense Services Account, pursuant to ORS 151.225(3). The same ORS authorizes funds in the account to be used to reimburse the actual costs and expenses, including personnel expenses, incurred in the administration and support of the public defense system. Currently, ACP revenue funds 21.90 FTS VS positions in the courts and 3.00 FTE positions within PDSC. The OJD VS positions are distributed throughout the state with partial FTE in a number of counties.

Anticipated revenues for the 2021-231 biennium are \$4,449,667. Of that amount, \$3,591,305 will be transferred to the Judicial Department to fund the VS positions. The 2021-23 revenue is not anticipated to provide sufficient resources to fully fund the Judicial Department.

Appellate Division

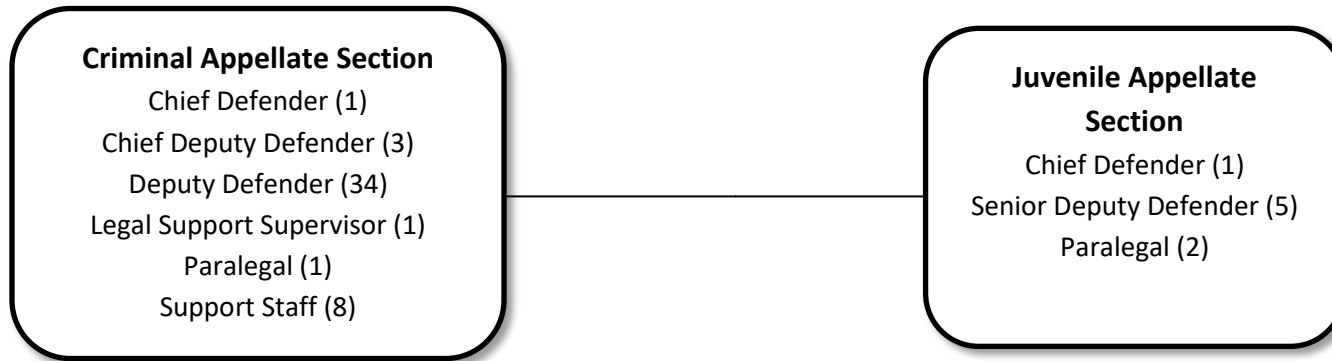
Program Description

The agency's Appellate Division is the defense counterpart to the Appellate Division of the Oregon Department of Justice. The centralization of court-appointed direct appeals in one office establishes an institutional defense entity in the appellate court system, promotes the consistent and rational development of appellate law, and facilitates the identification and implementation of system-wide efficiencies. Examples of the practical impact of the Appellate Division's role in the Oregon criminal justice system include spearheading the litigation upholding the constitutionality of House Bill 3078 (2017), in *State v. Vallin*, 365 295, 434 PP3d 413, *adh'd to as modified on recons*, 364 Or 573, 437 P3d 231 (2019), and coordinating the impact on hundreds of cases on direct appeal by the United States Supreme Court's decision in *Ramos v. Louisiana*, 140 S Ct 1390 (Apr 20, 2020) (holding that guilty verdicts for serious crimes must be unanimous). An example of the practical impacts of the Appellate Division's litigation on the child welfare system is the Oregon Supreme Court's opinion in *Dept. of Human Services v. T.M.D.*, 365 Or 143, 442 P3d 1100 (2019) which clarified that the juvenile court may not terminate a child's parent's parental rights unless the evidence establishes, *inter alia*, that it is in the child's best interests to do so.

The Appellate Division provides statutorily and constitutionally mandated appellate representation to financially eligible individuals in a wide variety of case types. The Appellate Division has two sections; the Criminal Appellate Section (CAS) and the Juvenile Appellate Section (JAS). The Criminal Appellate Section provides appellate representation to criminal defendants in misdemeanor and felony appeals (including capital cases), contempt cases, DNA-related appeals, appeals by crime victims, mandamus actions, and appeals of decisions by the Board of Parole and Post-Prison Supervision. The Juvenile Appellate Section provides appellate representation to parents in juvenile dependency cases (including jurisdiction and permanency decisions) and termination of parental rights cases.

The Appellate Division attorneys appear regularly in the Oregon Court of Appeals and the Oregon Supreme Court. The division continues to represent a client before the United States Supreme Court when that court reviews the client's state-court appeal.

Organizational Chart



56 Positions with 55.80 FTE

Summary of Description of Attorney Positions

Criminal Appellate Section

Chief Defender – The Chief Defender for the Criminal Appellate Section is responsible for managing the section. The responsibilities include recruiting and training new attorney employees and directly supervising the section’s litigation in the Oregon Supreme Court and the United States Supreme Court. The Chief Defender of the Criminal Appellate Section has a minimal caseload that emphasizes practice in the Oregon Supreme Court. The Chief Defender also oversees the section’s litigation in the Oregon Court of Appeals.

Chief Deputy Defenders – Three Chief Deputies support the Chief Defender of the Criminal Section in managing the section. Each Chief Deputy carries a reduced caseload and is responsible for a discrete management area: office development, operations, and outreach.

Deputy Defenders – The remaining attorney classifications are Senior Deputy Defender and Deputy Public Defender.

A Senior Deputy Defender either provides representation in a full caseload of moderate to complex felony and parole cases or carries a reduced caseload of complex cases and serves as the leader of a team of five to seven attorneys in the Criminal Appellate Section who meet weekly. The

seniors who serve as team leaders moderate team discussions, serve as a resource for attorneys outside the team meeting setting, and edit the team members’ meritorious Court of Appeals briefs.

The Deputy Public Defender is the entry-level attorney position and provides representation in misdemeanor, simple felony, and parole cases.

Juvenile Appellate Section

Chief Defender – The Chief Defender for the Juvenile Appellate Section is responsible for managing the section. The responsibilities include recruiting and training new attorney employees and directly supervising the section’s litigation in the Court of Appeals and the Oregon Supreme Court. The Chief Defender of the Juvenile Appellate Section has a minimal caseload and litigates cases on behalf of the section in Oregon Court of Appeals and the Oregon Supreme Court. The Chief Defender also leads team discussions, serves as a resource for attorneys outside the team meeting setting, and provides substantive edits for the section’s Supreme Court briefs and for meritorious Court of Appeals briefs.

Deputy Defenders – The remaining attorney classifications in the Juvenile Appellate Section are Senior Deputy Defender and Deputy Public Defender.

A Senior Deputy Defender has several years’ experience and provides representation in moderate to complex juvenile dependency and termination of parental rights cases.

The Deputy Public Defender is the entry-level attorney position and provides representation in simple and moderately complex juvenile dependency and termination of parental rights cases.

Case Assignments and Production Levels

Criminal Appellate Section – For case weighting purposes, the section identifies two primary case categories: 1) the trial-type case and 2) the plea-type case.

A trial-type case includes jury trials, trials to the court, conditional pleas, parole appeals, appeals involving requests for DNA testing, appeals initiated by the Attorney General, mandamus actions, and appeals initiated by crime victims. The transcript length for trial-type cases ranges from 50 to several thousand pages.

A plea-type case refers to guilty pleas, no-contest pleas, probation violation hearings, and re-sentencing proceedings. Transcript length typically ranges from 20 to 80 pages for plea-type cases.

Additionally, it is not uncommon for the section to receive multiple case referrals for a single client who wants to appeal from several cases of the same type or of different types. The section counts each case as a separate referral and as a separate case assignment. After case assignment, those cases are typically consolidated into a single case on appeal to measure case completion and case workload. In that manner, approximately 15 percent of cases referred are consolidated into another case on appeal.

The Criminal Appellate Section receives 3,000 to 4,000 case referrals per biennium. For example, the criminal section received 3,302 referrals during the 2011-13 biennium, 3,142 referrals during the 2013-15 biennium, 3,211 case referrals during the 2015-17 biennium, 3,649 referrals during the 2017-19 biennium, and 895 case referrals during the first six months of the 2019-21 biennium. Unlike past years when several hundred overflow cases were assigned to outside providers annually, the criminal section has handled nearly all criminal case referrals, excluding conflict cases, since 2012. Criminal Appellate Section attorneys are assigned a significant number of cases and complete a significant annual workload. According to the Institute for Law and Justice, the annual appellate public defender workload ranges from 25-50 cases per attorney. Institute for Law and Justice, *Compendium of Standards for Indigent Defense Systems* (2000). Indiana recommends appellate caseloads do not exceed more than 25 cases per attorney per year for appeals in trial-type cases, or 50 cases per attorney per year for appeals in plea-type cases. Indiana Public Defender Commission, *Standards for Indigent Defense Services in Non-Capital Cases*, 16 (2016). Texas sets maximum appellate caseloads that vary with transcript length, but which equal an average of 31.2 cases per attorney per year. Tex Admin Code § 174.21 (2018); Texas Indigent Defense Commission, *Appellate Addendum: Guidelines for Indigent Defense Caseloads*, 16 (2016). The State of Washington sets the maximum appellate caseload at 36 cases per attorney per year. Washington Supreme Court, CrR 3.1 Standards for Indigent Defense, Standard 3.4 (2015). A non-management Criminal Appellate Section attorney is assigned approximately 55 cases per year. The average annual workload or case completion of a non-management Criminal Appellate Section attorney is currently 35 case per year. Approximately 15 percent of the difference in measurement between case assignment and case completion is attributable to case consolidation on appeal; the rest is reflected in the section's growing backlog of cases.

Juvenile Appellate Section – At the end of the 2007 session, the Legislature funded the creation the Juvenile Appellate Section in the Appellate Division. The unit is intended to centralize and enhance appellate representation for parents in juvenile dependency and termination of parental rights cases, act as a resource to the trial bar, and promote a more consistent state-wide application of the juvenile code through published appellate opinions.

As with their counterparts in the Criminal Appellate Section, Juvenile Appellate Section attorneys are assigned a significant annual workload. The average annual caseload for a non-management full-time Juvenile Appellate Section attorney is currently 41 case assignments per year. It is not uncommon for the section to receive multiple case referrals for a single parent client who wants to appeal from each of their several children's

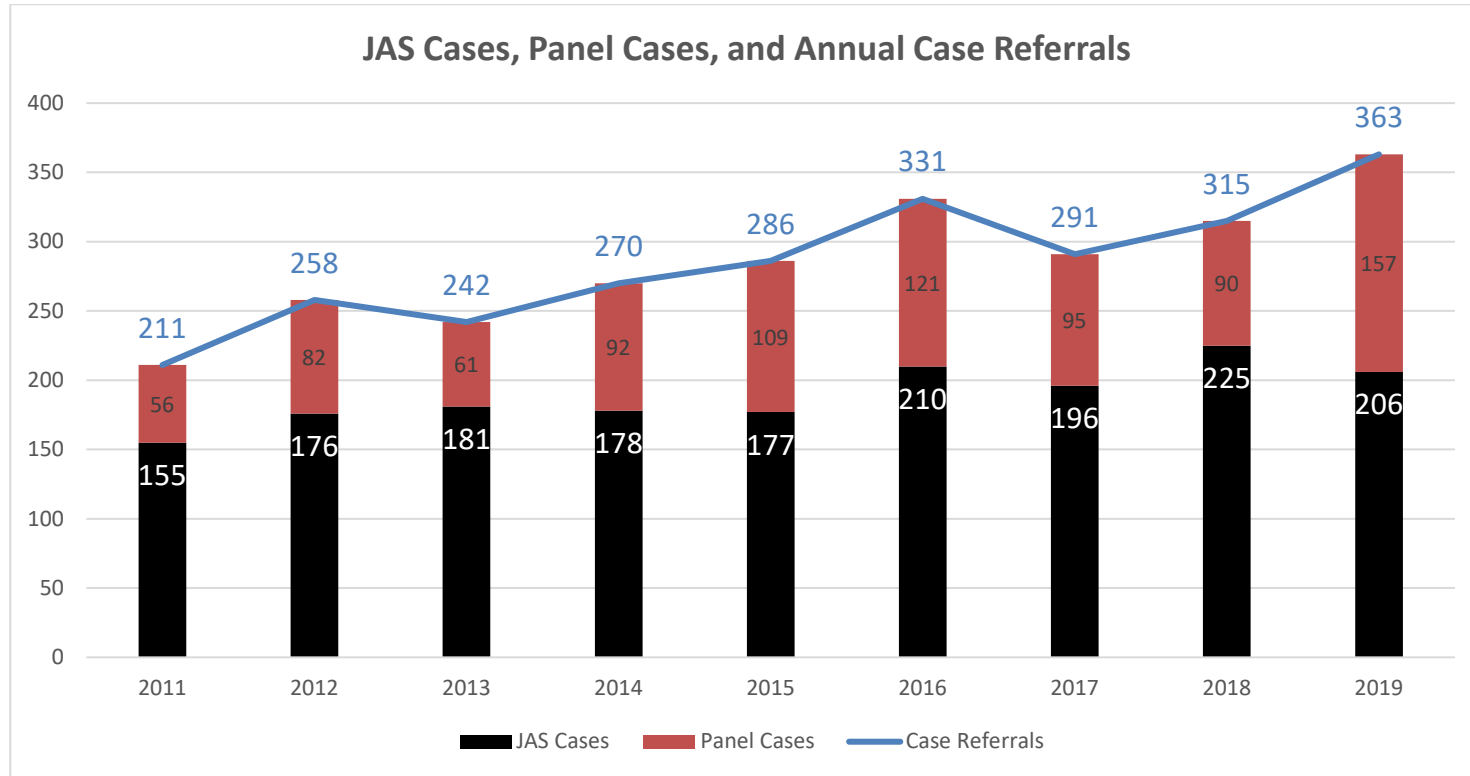
cases. The section counts each child's case as a separate referral and as a separate case assignment. After case assignment, those cases are typically consolidated into a single case on appeal to measure case completion and case workload. The average annual workload or case completion of a non-management Juvenile Appellate Section attorney is currently 28 cases per year.

Dependency cases involve appeals from juvenile court judgments asserting jurisdiction over a child or changing a child's permanency plan away from reunification with their family. The transcript length in dependency cases typically ranges from 100 to 800 pages. Termination of parental rights cases involve appeals from juvenile court judgments terminating the parent's parental rights to their child or from an order denying the parent's motion to set aside such judgment (when, for example, the parent was tried in absentia and the judgment was entered in the parent's absence). The transcript length in termination of parental rights cases involving an appeal from the termination judgment typically ranges from 500 to 1200 pages. The transcript length in termination of parental rights cases involving an appeal from an order denying a parent's motion to set aside the termination judgment typically ranges from 50 to 200 pages.

Dependency and termination of parental rights appeals are expedited. ORAP 10.15. Consequently, the Juvenile Appellate Section never has a backlog.

The section represents parents in the majority of the dependency cases on appeal. It retains the cases it can resolve within the established timelines. Cases that cannot be kept in-house due to conflict or workload issues are sent to a panel of appellate attorneys approved by the agency or to a defense provider pursuant to contract.

Case referrals have risen from 135 during the fiscal year ending 2010 to 363 during the fiscal year ending 2019.



Case referrals were 211 during the fiscal year ending 2011 (with JAS retaining 73% of referred cases), 258 during the fiscal year ending 2012, 242 during the fiscal year ending 2013, 270 during the fiscal year ending 2014, 286 during the fiscal year ending 2015, 331 during the fiscal year ending 2016, and 291 during the fiscal year ending 2017, 315 during the fiscal year ending in 2018, and 363 during the fiscal year ending in 2019 (with JAS retaining only 57% of referred cases).

Appellate Division

010 Non-PICS Personal Services/ Vacancy Factor

Package Description

This package includes standard adjustments to PERS Pension Bond Contribution and standard inflation for non-PICS personal services accounts. The components of this package increase general fund expenditures by \$257,050.

022-01 Phase Out

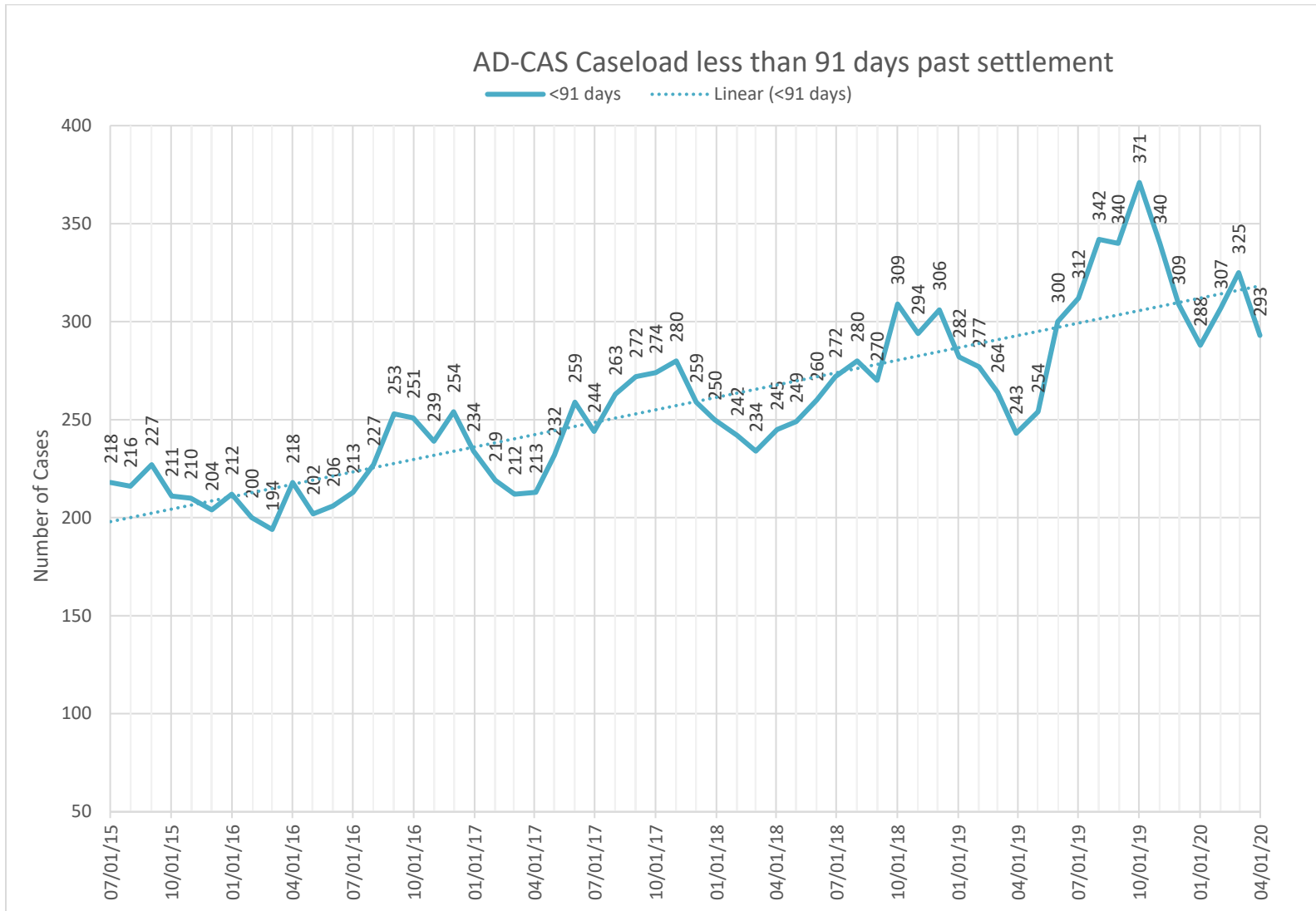
Package Description

This package phases out general fund received during the 19-21 Biennium in the partial funded POP 196 for Attorney Parity. This phase out will decrease general fund by (\$-603,237).

031 Standard Inflation

Package Description

This package includes standard inflation adjustments on services and supplies in the amount of \$156,776 in general fund. State government services charges increased by \$182,645, making the total amount of the package an increase of \$339,421 in general fund.



ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

NOT AUDITED

Cross Reference Name: Appellate Division
Cross Reference Number: 40400-001-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	257,050	-	-	-	-	-	257,050
Total Revenues	\$257,050	-	-	-	-	-	\$257,050
Personal Services							
Pension Obligation Bond	234,313	-	-	-	-	-	234,313
Unemployment Assessments	450	-	-	-	-	-	450
Mass Transit Tax	22,287	-	-	-	-	-	22,287
Total Personal Services	\$257,050	-	-	-	-	-	\$257,050
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Out of State Travel	-	-	-	-	-	-	-
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
State Gov. Service Charges	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-
IT Professional Services	-	-	-	-	-	-	-
Attorney General	-	-	-	-	-	-	-
Dues and Subscriptions	-	-	-	-	-	-	-
Facilities Rental and Taxes	-	-	-	-	-	-	-
Other Services and Supplies	-	-	-	-	-	-	-

____ Agency Request
 2021-23 Biennium

____ Governor's Budget
 Page _____

____ Legislatively Adopted
 Essential and Policy Package Fiscal Impact Summary - BPR013

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

NOT AUDITED

Cross Reference Name: Appellate Division
Cross Reference Number: 40400-001-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Expendable Prop 250 - 5000	-	-	-	-	-	-	-
IT Expendable Property	-	-	-	-	-	-	-
Total Services & Supplies	-	-	-	-	-	-	-
Total Expenditures							
Total Expenditures	257,050	-	-	-	-	-	257,050
Total Expenditures	\$257,050	-	-	-	-	-	\$257,050
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 022 - Phase-out Pgm & One-time Costs

NOT AUDITED

Cross Reference Name: Appellate Division
Cross Reference Number: 40400-001-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(603,237)	-	-	-	-	-	(603,237)
Total Revenues	(\$603,237)	-	-	-	-	-	(\$603,237)
Personal Services							
Other OPE	(603,237)	-	-	-	-	-	(603,237)
Total Personal Services	(\$603,237)	-	-	-	-	-	(\$603,237)
Total Expenditures							
Total Expenditures	(603,237)	-	-	-	-	-	(603,237)
Total Expenditures	(\$603,237)	-	-	-	-	-	(\$603,237)
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 031 - Standard Inflation

NOT AUDITED

Cross Reference Name: Appellate Division
Cross Reference Number: 40400-001-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	339,421	-	-	-	-	-	339,421
Total Revenues	\$339,421	-	-	-	-	-	\$339,421
Services & Supplies							
Instate Travel	1,011	-	-	-	-	-	1,011
Out of State Travel	238	-	-	-	-	-	238
Employee Training	5,284	-	-	-	-	-	5,284
Office Expenses	7,234	-	-	-	-	-	7,234
Telecommunications	4,042	-	-	-	-	-	4,042
State Gov. Service Charges	182,645	-	-	-	-	-	182,645
Data Processing	3,827	-	-	-	-	-	3,827
Publicity and Publications	204	-	-	-	-	-	204
Professional Services	70,112	-	-	-	-	-	70,112
IT Professional Services	7,814	-	-	-	-	-	7,814
Attorney General	5,275	-	-	-	-	-	5,275
Dues and Subscriptions	601	-	-	-	-	-	601
Facilities Rental and Taxes	29,268	-	-	-	-	-	29,268
Other Services and Supplies	4,643	-	-	-	-	-	4,643
Expendable Prop 250 - 5000	953	-	-	-	-	-	953
IT Expendable Property	16,270	-	-	-	-	-	16,270
Total Services & Supplies	\$339,421	-	-	-	-	-	\$339,421

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 031 - Standard Inflation

NOT AUDITED

Cross Reference Name: Appellate Division
Cross Reference Number: 40400-001-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	339,421	-	-	-	-	-	339,421
Total Expenditures	\$339,421	-	-	-	-	-	\$339,421
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

Professional Services Account

Program Description

The Professional Services Account pays the cost of legal representation in criminal cases for financially eligible persons at trial, and for persons who are entitled to state-paid legal representation if they are financially eligible and are facing involuntary civil commitment proceedings, contempt, probation violation, juvenile court matters involving allegations of delinquency and child abuse or neglect, and other limited civil proceedings. The Account also funds the costs of all transcripts and the cost of appellate legal representation for cases not handled by the Appellate Division.

The United States Constitution, the Oregon Constitution, and Oregon statutes require the provision of legal representation, at state expense, for persons who are determined to be “financially eligible,” (see “Financial Eligibility Guidelines” below) and who face the types of state court proceedings listed below.

- Although “court-appointed counsel” and “public defenders” generally are associated with the public criminal cases, only 65% of the FYE 2019 public defense caseload was for representation in criminal trial court proceedings. Another 35% of the caseload was for representation in juvenile and civil cases.
- Public defense representation was provided in over 160,000 active cases in CY 2019.

The Professional Services Account provides funding for legal representation in the following types of state trial court proceedings for persons who are determined to be financially eligible for appointed counsel. The percentages of the total public defense trial-level caseload that each of the following case types represented in FYE 2019 is noted in parentheses.

- Criminal proceedings, ranging from misdemeanors to death penalty cases (48%);
- Child abuse and neglect proceedings, including dependency and termination of parental rights proceedings and review hearings – all of which require the appointment of counsel upon request for children who are the subject of these proceedings and the appointment of counsel for most financially eligible parents (30%);
- Probation violation and extradition proceedings (14%);
- Contempt proceedings, including nonpayment of court-ordered child support and violations of Oregon’s Family Abuse Prevention Act (2%);
- Civil commitment and Psychiatric Security Review Board Proceedings (2%);

- Post-conviction relief and Habeas Corpus proceedings (<1%);
- Appeals of criminal and juvenile cases handled by trial-level providers (<1%); and
- Juvenile delinquency and probation violation proceedings (3%).

The Appellate Division is responsible for the majority of criminal and probation violation appeals and for the majority of parents' appeals from juvenile dependency and termination of parental rights judgments. The Professional Services Account provides funding for counsel in all other appeals for all the case types set out above.

Oregon's Eligibility Verification Program and Financial Eligibility Guidelines

The Oregon Judicial Department established one of the first eligibility verification programs in the nation in 1989. For years, Oregon's program for screening applications for appointment of counsel and verifying applicants' income and assets was nationally recognized. Its structure remains intact, but the resources available for the program have been adversely impacted, particularly over the past ten years.

From implementation of the verification pilot project in 1988 until 1993, the Judicial Department's Indigent Defense Services Division had total responsibility for the verification program and verification positions in the courts. Effective January 1, 1993, the verification positions (Verification Specialists – VSs) and supervision of VSs were transferred to the individual trial courts. Since that time and increasingly so, those positions have been among the first in many local courts to be reduced or laid off due to reduced funding or utilized for court functions other than verification.

VSs assist judges in their decision whether to order the appointment of state-paid counsel. The VSs are responsible for ensuring that Affidavits of Eligibility are complete, and that the information provided by applicants is complete. Using an "Eligibility Worksheet," a VS performs calculations relating to an applicant's available income and liquid assets and the eligibility guidelines addressed below to determine whether to recommend to the judge the appointment of counsel. This process is called screening for eligibility.

In addition, VSs are responsible for verifying financial information provided to the court, such as income, assets, and dependents. That process, which generally occurs after the applicant first appears in court, is called the "verification" process. VSs routinely verify the financial information provided by applicants, using information obtained from the Department of Motor Vehicles, local county assessors' offices (property value), federal and state agencies (e.g., Social Security, Food Stamps, Employment Division), and private businesses (credit reports).

Financial Eligibility Guidelines

The United States Constitution, Oregon's Constitution, and Oregon statutes require the appointment of counsel at state expense for those who are unable to retain suitable counsel in certain legal proceedings. Generally, those proceedings are limited to those that involve the potential for the loss of one's liberty (e.g., criminal, probation violation and civil commitment cases) or the loss of other rights determined to be so essential as to demand the assistance of counsel (e.g., termination of a person's parental rights).

The following is a summary of the statutory provisions, policies, and guidelines, adopted with respect to the courts' determinations of whether a person who applies for court-appointed counsel will be provided such counsel, i.e. whether the person is financially eligible for state-paid counsel.

The Oregon statutory standard for determining who is financially eligible to receive services paid from the Professional Services Account mirrors that established under the federal constitution. Specifically, "...a person is financially eligible for appointed counsel if the person is determined to be financially unable to retain adequate counsel without substantial hardship in providing basic economic necessities to the person or the person's dependent family..." (ORS 135.050 and ORS 151.485). An applicant for state-paid representation is required to provide a verified financial statement listing detailed information regarding income, assets, debts, and dependents.

The eligibility standard is implemented statewide under a two-pronged means test.

First prong: Federal food stamp guidelines (130% of the federal poverty level) serve as the first determinant of eligibility. If the applicant's income is less than or equal to the eligibility level for food stamps, the applicant is presumed to be eligible for appointed counsel, unless the applicant has liquid assets that could be used to hire an attorney. As of October 2019, the Federal food stamp gross income eligibility level for a family of four is \$33,480 per year.

Second prong: If an applicant's income exceeds food stamp standards, that person is eligible for state-paid counsel only if the applicant's available income and liquid assets are determined to be insufficient to hire an attorney, depending upon the seriousness of the pending case(s). The "privately hired attorney" guideline rate currently used, for example, for a DUI case is \$2,500. If an applicant has available income and assets exceeding \$2,500, guidelines provide that eligibility verification court staff may recommend that the person be denied appointed counsel.

Program Service Delivery

There is no position authority associated with the Professional Services Account. The Account funds mandated legal representation entirely by independent contractors or hourly paid attorneys in the private sector.

PDSC provides legal services through the Account principally pursuant to two-year contracts under which compensation is paid on a full-time equivalent (FTE) workload model where contractors are paid a monthly rate per attorney to provide representation for a caseload in a particular jurisdiction. The contracts are negotiated and monitored for compliance by the CFO and Contract Analysts. In addition, PDSC provides legal services through non-contract “private bar appointed counsel” (individual case-by-case assignments where compensation is on an hourly rate basis).

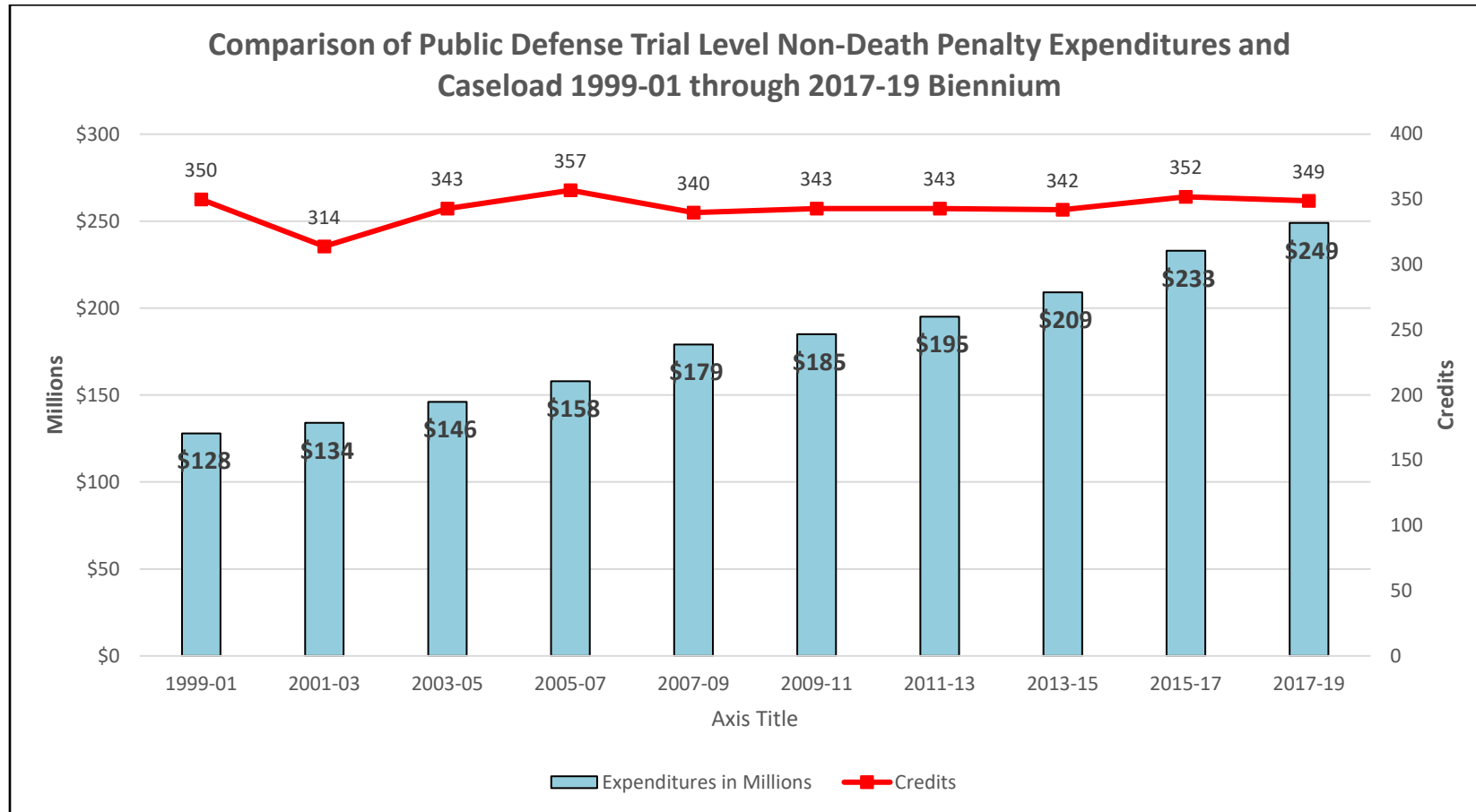
In approximately 98% of all trial-level, non-death penalty public defense cases, legal representation is provided pursuant to contracts entered into between the PDSC and private sector, non-state employee attorneys. These contracts are with non-profit public defender offices, law firms, consortia of attorneys, and sole practitioners. By comparison, in FYE 1993, legal representation was provided pursuant to contracts (versus non-contract hourly rate individual case appointments) in 85% of the total caseload. Unlike public defense cases in which an attorney is appointed on a case-by-case, hourly paid basis, a number of PDSC’s contractors also provide additional non-attorney services such as investigation and interpreter services.

As of January 1, 2020, there were 91 contracts, covering all 36 counties, for the provision of public defense representation. The contracts vary with respect to the types and number of cases covered. The contracts range from “specialty contracts” (limited to specific case types such as death penalty, post-conviction relief, juvenile, or civil commitment) to contracts that include representation in virtually all case types for which state-paid counsel is mandated. The PDSC also has 17 contracts for non-attorney services, such as mitigation services.

Persons who are financially eligible for appointed counsel are also eligible for non-attorney services that are “reasonable and necessary” for the preparation, investigation, and presentation of the case (ORS 135.055(3)). Examples of such non-attorney services are interpreters, investigators, transcriptionists, and psychologists. Non-attorney services must be sought and approved on a case-by-case basis.

Program Costs

Generally, program costs have increased due to the complexity of the caseloads; e.g., Measure 11 “Jessica’s Law” prosecutions, juvenile dependency and termination of parental rights and death penalty post-conviction relief cases. Below is a chart displaying a “Comparison of Public Defense Trial Level Non-Death Penalty Expenditures and Caseloads” for the last ten biennia.



Death Penalty/Aggravated Murder

The costs associated with death penalty representation do not follow the same pattern as costs for non-death penalty cases. A charge of Aggravated Murder with a possible sentence of death is the costliest case type to defend. Trial attorneys are required to comply with the American Bar Association's Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases. This requires a comprehensive investigation of not just the offense itself, but the accused's life history, including the investigation of the accused's family three generations back.

When a death sentence is imposed, the case is subject to automatic review by the Oregon Supreme Court. The majority of these appeals would be handled by the Appellate Division and would not impact expenditures from the Professional Services Account. However, the Appellate Division has a limited capacity to accept death penalty cases so, depending on the timing of such cases, some must be assigned to counsel payable from the Professional Services Account.

If an appeal is unsuccessful, the next step is post-conviction relief. All post-conviction relief cases are handled by attorneys payable from the Professional Services Account. A post-conviction relief case with a sentence of death will often cost as much or more than the original trial-level case. Post-conviction relief attorneys must not only review the work performed by the original trial counsel but must also explore avenues of defense that were not pursued in the original case.

If the post-conviction relief case is unsuccessful, the next step is an appeal of the post-conviction relief case. Post-conviction relief appeals are also handled exclusively by attorneys payable from the Professional Services Account. If a post-conviction relief appeal is unsuccessful and all state remedies have been exhausted, then a case moves to the federal court with representation provided by the Federal Defenders office. However, a number of cases reaching federal court have been held in abeyance for the completion of additional state court proceedings.

If a direct appeal, a post-conviction relief, or a post-conviction relief appeal is successful, then a case can return to the trial court for a new trial or re-sentencing.

In 2019, the legislature passed SB 1013 which modified the crimes of murder and aggravated murder. Aggravated murder is now limited to those who intentionally and with premeditation kill at least two people with a terroristic intent, commit murder in the second degree while in custody after previously being convicted in any jurisdiction for murder in the first degree or aggravated murder, the premeditated and intentional homicide of a person under age 14, the premeditated and intentional homicide of a police officer that is related to the performance of the

victim's official duties, or the premediated and intentional homicide of a correctional or parole and probation officer that is related to the performance of the victim's official duties.

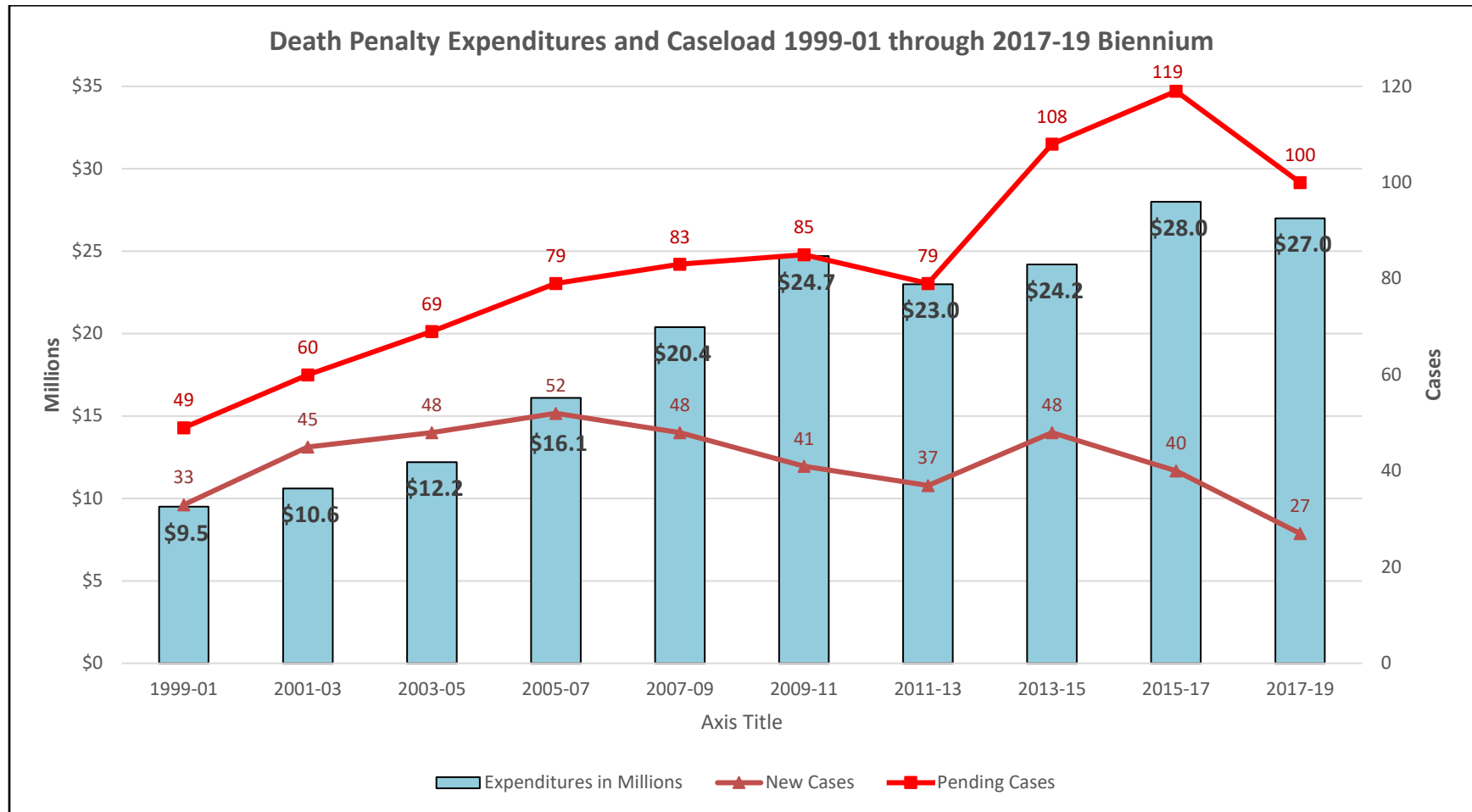
The bill also created the new offense of murder in the first degree. Murder in the first degree is defined as murder in the second degree when it is accompanied by certain specified aggravating factors. The specified aggravating factors mirror those that were previously encompassed within the definition of aggravated murder. Murder in the first degree carries the penalty of life imprisonment without the possibility of parole for 30 years, if the person was at least 15 years of age at the time of the murder. The court may sentence the person to life imprisonment without the possibility of parole if the person was at least age 18 at the time of the murder, and the court states the reasons for the sentence on the record.

What this means in budgetary terms is that while there will be a decrease in expenditures for certain homicide cases, it may not be realized for several years. While fewer aggravated murder cases are entering the system, those that have been convicted of aggravated murder remain in perpetual litigation.

Additionally, it remains to be seen, through litigation, the extent to which SB 1013 will apply retroactively to those defendants already sentenced to death. The bill provided that it applies to any sentencing proceedings held after its effective date. That includes cases that have been reversed and returned to the trial court for a new trial or re-sentencing. Because of that retroactivity, defendants with cases already in the system should be expected to aggressively litigate their cases at all stages of review. And, as those existing death penalty cases progress through the system, the amount of work associated with them grows with every stage of review.

Finally, the costs associated with the prosecution of murder in the first-degree cases are unknown. Those cases should not be as costly to litigate as death-penalty eligible cases. However, the potential penalty of life without the possibility of parole is also an extremely harsh sentence. And, recent developments in case law and science, particularly brain science, have increased the responsibilities for counsel to adequately investigate cases, and to engage highly-specialized experts. Thus, while the passage of SB 1013 will lead to cost-savings for some homicide cases, it is difficult to estimate that savings at this point.

The chart below shows death penalty expenditures relative to new aggravated murder filings during each biennium and relative to the number of cases that are pending from previous biennia on July 1st (the start of each biennium).



US Supreme Court Decision on *Ramos v. Louisiana*

The PSA program will also have increased costs this biennium due to the United States Supreme Court decision on *Ramos v. Louisiana*.

Historically, Oregon has been one of two states in the union that have not required jury verdicts in criminal cases be unanimous (the other being Louisiana). Rather, Oregon permitted juries to convict the accused with a verdict of 10-2 or 11-1. The origin of non-unanimous juries is particularly troubling, as it arose from a policy preference to silence minority voices during jury deliberations. It also had the impact of making it easier for the state to obtain a criminal conviction. Criminal justice advocates have long asked the state's legislature to undo this policy, to no avail.

This year, the United States Supreme Court invalidated Oregon's non-unanimous practices in the case of *Ramos v. Louisiana*. This decision is currently, and will continue to have, a huge impact on Oregon's criminal justice system, including the Office of Public Defense Services ("OPDS"). Specifically, it will (1) increase the workload of existing trial attorneys, as hundreds of cases on appeal are being sent for new trials. Additionally, (2) hundreds of individuals are filing petitions for post-conviction relief ("PCR"), asking the court to throw out their convictions for non-compliance with the *Ramos* decision. For both groups of cases, the right to counsel exists, and OPDS is the state agency that must ensure attorneys are provided.

New Trials for Case Remanded by the Oregon Appellate Courts

Hundreds of criminal convictions have been pending appeal before Oregon's appellate courts awaiting the *Ramos* decision. In this group of cases, the trial attorney asked for a unanimous jury verdict and did not receive one from the court.

In the first weeks after the *Ramos* decision, OPDS and the Oregon Department of Justice ("DOJ") jointly agreed to send 269 cases back from the appellate courts for new trials. OPDS expects that number to grow. To provide context, in 2018, the Oregon Judicial Department reported 725 felony jury trials for the entire year. Accordingly, Oregon's trial level public defenders are going to face a workload increase, as more cases postured for trial are added to their caseloads. These are cases that have already gone to trial before and now will need to go to trial again. This requires not just attorney time and energy, but the additional investment in needed lawyer related services, such as investigators, interpreters, psychologists, and other experts.

New PCR cases for Oregon's Trial and Appellate Courts

Additionally, individuals who have exhausted their appeals can petition trial courts for relief based on the *Ramos* decision by seeking PCR. PCR is a legal remedy that individuals can pursue to have their convictions vacated, and those arguments are primarily based on the ineffective assistance of counsel.

Here, hundreds of individuals convicted for felonies will ask trial courts to reexamine their convictions, and they will rely on several arguments – that their attorney was ineffective in not requesting a unanimous jury verdict; that the jury was never polled to see if it was unanimous; that they only pled guilty because they were advised about the non-unanimous jury verdict rule; etc.

OPDS has had several constructive group meetings with DOJ and OJD regarding the number of new PCR cases. Preliminary, those estimates range from 500 to 1000 potential PCR cases for which OPDS must provide counsel. Given the size and scope of this new caseload, OPDS has contracted with Lewis and Clark Law School's Criminal Justice Reform Clinic ("The Ramos Project"). The Ramos Project will be assigned to all new Ramos-related PCR cases; it will review those cases to identify lead cases; and it will work with OPDS to identify counsel for the cases that go to trial.

The key issue for these cases is whether the *Ramos* rule should be made retroactive. Accordingly, these cases will not be resolved at the trial level. Rather, the issue of retroactivity will ultimately be decided by the Oregon Supreme Court. PCR appeals are assigned to a public defense contractor, and these cases will require the appointment of counsel as well.

Professional Services Account

021-01 Professional Services One-time Reduction Phase In

Package Description

Package 021-01 is the Phase In of the \$7,000,000 GF reduction taken in 19-21 LAB Package 801, LFO Analyst Adjustments. See SB5532A Budget Report, page 4. Section 6b of this report. The package total is \$7,398,999, which includes the original \$7,000,000 and the inflation \$398,999 (5.7%) for Professional Services Comp Sources for a total of \$7,398,999 GF.

021-02 April 2020 E-board Actions Phase In

Package Description

Package 021-02 is the Phase In of the actions given to OPDS during the April 2020 E-board. There were 9 positions given to CBS, IT Professional Services given to CBS and Provider rate increases for Interpreters and Investigators within the Professional Services Account. The increase for Provider rates was for 1 year of funding. This package will fully fund the Provider rate increase for the 21-23 Biennium. The amount given was \$868,415 GF for 1 year with \$49,500 (5.70%) inflation for a total of \$917,915 GF.

021-03 PCR-P-Multnomah County Phase In

Package Description

Package 021-03 is the Phase In of the \$3,216,285 GF given to OPDS Parent Child Representation Program (PCR-P Multnomah County) in HB5050A Package 811 End of Session bills. **See HB5050A page 32.** The Subcommittee restored one position for the full Biennium in CBS and funded PCR-P for one-year, effective July 1, 2020. This package will fully fund the 21-23 Biennium \$3,216,285 GF and \$183,328 (5.70%) inflation for a total of \$3,399,613 GF.

021-04 OJD ACP Expenditure Limitation Phase In

Package Description

Package 021-04 is the Phase In of the \$391,305 OF from the Oregon Justice Department Application Contribution Program (ACP) for Expenditure limitation.

Professional Services Account

031 Standard Inflation

Package Description

This package includes standard inflation adjustments in the amount of \$17,813,675 in general fund.

032 Above Standard Inflation

Package Description

This package includes inflation above the standard inflation adjustment in the amount of \$44,046,018 in general fund.

040 Mandated Caseload

Package Description

This package provides the additional funding required for the 2021-23 biennium. The package assumes no changes in PDSC policies regarding financial eligibility and no changes in guideline payment rates. The package does not include any additional funding that may be necessary due to the passage of ballot measures or new legislation. The total mandated caseload adjustment in this package is \$8,545,220 in general fund.

There are four components to this essential package:

1. Non-death penalty (non-aggravated murder) caseload change

The caseload in recent years has been more challenging to project in part due to unprecedented changes in the economy. Some of the major hurdles in forecasting include budgets for law enforcement, prosecution, probation, corrections, social services and the judicial system which create unpredictability in the caseload as each entity adjusts its current practices to cope with their budgets. For budgetary purposes, the caseload is projected to increase by 2.73% compared to the caseload funded for the 2021-23 biennium.

2. Death penalty caseload from prior biennia

Although the annual number of new death penalty cases filed has been fairly stable in recent years, the cumulative costs of these cases increasingly impacts each subsequent biennium. After the initial trial-level case, which often spans a year or more, there is an appeal, then post-conviction relief, then an appeal of post-conviction relief case. So, every year, in addition to expending funds for representation on new cases filed, the agency continues to have expenditures for cases filed in previous years. Death sentence post-conviction relief appeals currently pending are the result of cases originally filed as far back as 1986.

3. Parent Child Representation Program (PCRP)

PCRP initially began in August 2014 as a pilot project in Linn and Yamhill counties and has now expanded to six Oregon counties. The model began in response to statewide concerns about deficiencies in the quality of juvenile representation. These concerns were echoed in 2016 by the Oregon Dependency Representation Task Force, that recommended expansion of the PCRP model. PCRP was expanded to Columbia County in January 2016, to Coos and Lincoln Counties in October 2018, and to Multnomah County in July 2020. Funding initially allocated in package 811 at the end of the 2019 legislative session for the July 2020 rollout of the PCRP program in Multnomah County was insufficient to cover 12 months of expenditures. The amount included in Pkg 040 for PCRP is a true-up for the actual 24-month rollup cost of the program in Multnomah County.

4. US Supreme Court decision on *Ramos vs Louisiana*

The United States Supreme Court decision on *Ramos v. Louisiana* will increase the cost of OPDS attorney contracts as hundreds of individuals are filing petitions for post-conviction relief (“PCR”), asking the court to throw out their convictions for non-compliance with the *Ramos* decision. OPDS has had several constructive group meetings with DOJ and OJD regarding the number of new PCR cases. Preliminary, those estimates range from 500 to 1000 potential PCR cases for which OPDS must provide counsel. OPDS has estimated 500 cases for Package 040. The Case per FTE is 65 cases at \$248,059 for a total of 7.69 FTE. Given the size and scope of this new caseload, OPDS has contracted with Lewis and Clark Law School’s Criminal Justice Reform Clinic (“The Ramos Project”). The Ramos Project will be assigned to all new Ramos-related PCR cases; it will review those cases to identify lead cases; and it will work with OPDS to identify counsel for the cases that go to trial.

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 021 - Phase-in

NOT AUDITED

Cross Reference Name: Professional Services Account
Cross Reference Number: 40400-002-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	11,716,527	-	-	-	-	-	11,716,527
Total Revenues	\$11,716,527	-	-	-	-	-	\$11,716,527
Services & Supplies							
Professional Services	11,716,527	-	-	-	-	-	11,716,527
Total Services & Supplies	\$11,716,527	-	-	-	-	-	\$11,716,527
Special Payments							
Spc Pmt to Judicial Dept	-	-	391,305	-	-	-	391,305
Total Special Payments	-	-	\$391,305	-	-	-	\$391,305
Total Expenditures							
Total Expenditures	11,716,527	-	391,305	-	-	-	12,107,832
Total Expenditures	\$11,716,527	-	\$391,305	-	-	-	\$12,107,832
Ending Balance							
Ending Balance	-	-	(391,305)	-	-	-	(391,305)
Total Ending Balance	-	-	(\$391,305)	-	-	-	(\$391,305)

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 031 - Standard Inflation

NOT AUDITED

Cross Reference Name: Professional Services Account
Cross Reference Number: 40400-002-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	17,813,675	-	-	-	-	-	17,813,675
Total Revenues	\$17,813,675	-	-	-	-	-	\$17,813,675
Services & Supplies							
Professional Services	17,813,675	-	-	-	-	-	17,813,675
Total Services & Supplies	\$17,813,675	-	-	-	-	-	\$17,813,675
Total Expenditures							
Total Expenditures	17,813,675	-	-	-	-	-	17,813,675
Total Expenditures	\$17,813,675	-	-	-	-	-	\$17,813,675
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 032 - Above Standard Inflation

NOT AUDITED

Cross Reference Name: Professional Services Account
Cross Reference Number: 40400-002-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	44,046,018	-	-	-	-	-	44,046,018
Total Revenues	\$44,046,018	-	-	-	-	-	\$44,046,018
Services & Supplies							
Professional Services	44,046,018	-	-	-	-	-	44,046,018
Total Services & Supplies	\$44,046,018	-	-	-	-	-	\$44,046,018
Total Expenditures							
Total Expenditures	44,046,018	-	-	-	-	-	44,046,018
Total Expenditures	\$44,046,018	-	-	-	-	-	\$44,046,018
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 040 - Mandated Caseload

NOT AUDITED

Cross Reference Name: Professional Services Account
Cross Reference Number: 40400-002-01-00-00000

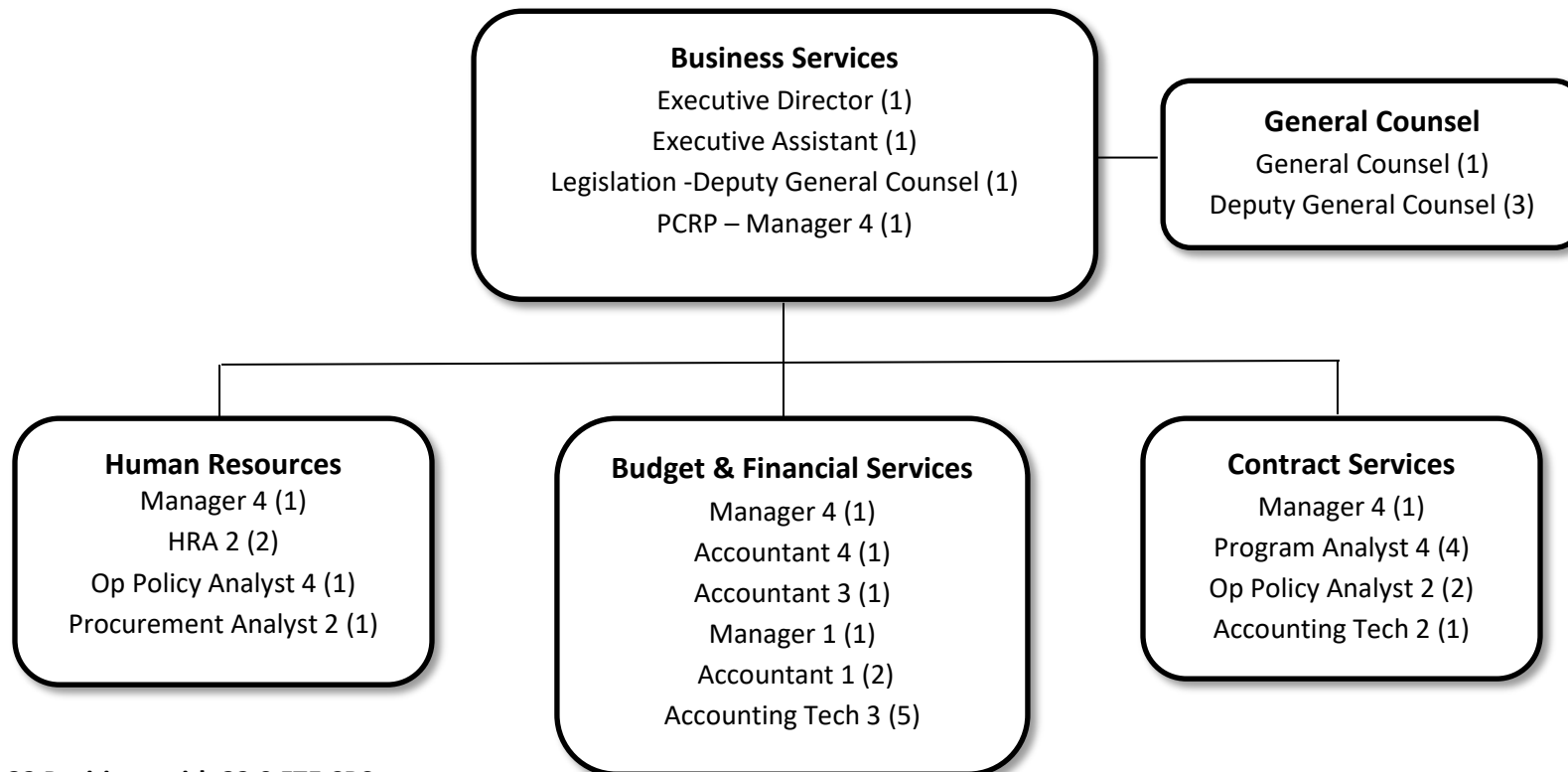
<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	8,545,220	-	-	-	-	-	8,545,220
Total Revenues	\$8,545,220	-	-	-	-	-	\$8,545,220
Services & Supplies							
Professional Services	8,545,220	-	-	-	-	-	8,545,220
Total Services & Supplies	\$8,545,220	-	-	-	-	-	\$8,545,220
Total Expenditures							
Total Expenditures	8,545,220	-	-	-	-	-	8,545,220
Total Expenditures	\$8,545,220	-	-	-	-	-	\$8,545,220
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

Contract and Business Services

Program Description

Contracts and Business Services is responsible for negotiating and administering the public defense contracts that provide legal representation for financially eligible persons, and for processing requests and payments for non-contract fees and expenses. In addition, this section provides administrative support (accounting, budget development, human resources, facilities management, and general operations) for the agency as a whole.

Organizational Chart



32 Positions with 32.0 FTE CBS

Major Functions

Contract Administration – Contract Services staff negotiates and administers approximately 82 contracts for the provision of legal services. Four Contract Analysts have primary responsibility for contracts assigned to them.

Review of Non-Routine Expense (NRE) Requests – ORS 135.055(3) requires that PDSC pay the cost of “reasonable and necessary” expenses for public defense cases. Routine expenses, such as copying costs, do not require pre-authorization. Non-routine expenses, such as investigation, must be approved by PDSC before the expense is incurred. Over 25,000 requests for pre-authorization are submitted per year. There are four NRE staff within this unit who are responsible for the initial intake of all Non-Routine Expense Requests for the agency.

Financial Services – Processes operating bills for the Appellate Division, Business Services and Contract Services, as well as all fee statements submitted for payment for public defense cases across the state. This eight-staff unit is also responsible for ensuring compliance with agency payment policy and state accounting rules. Over 56,000 payments are reviewed and processed per year.

Accounting and Budget – Performs accounting services and maintains agency compliance with statewide accounting principles. This unit is also responsible for preparing management reports on the agency budget for distribution to executive management, stakeholders and legislative agencies.

Quality Assurance and Complaint Processing – OPDS’s Office of General Counsel coordinates peer reviews of public defense providers. Review teams of experienced public defense administrators and attorneys from across the state conduct evaluations of public defense contractor management and operations to identify strengths and weaknesses, and make recommendations for change where needed. In addition to document and data review, review teams usually devote three days to interviewing contractors and other justice system stakeholders, including judges, prosecutors, corrections officers and other law enforcement, probation and parole officers, juvenile department officials, Department of Human Services case managers, and others. To date, OPDS has completed 50 comprehensive contractor evaluations through the peer review process. The General Counsel division has also divided the jurisdictions across the state into regions and assigned approximately one third of the state to each deputy general counsel to monitor for quality assurance. With the addition of a third deputy general counsel, the division intends to visit each of their jurisdictions annually and conduct shorter, targeted reviews to stay informed of what is going well and not going well in each jurisdiction. The goal is to stay abreast of any representation problems to address them quickly, and to learn of and promote successful practices of OPDS’s contractors.

General Counsel also receives and coordinates the handling of complaints regarding expenditures and the quality of legal representation, pursuant to the PDSC’s Complaint Policy and Procedure. Each of the three deputy general counsels focus on issues and complaints that arise in their assigned jurisdictions. Other quality assurance initiatives include an annual statewide performance survey with detailed follow-up on survey results and comments, review of certificates of attorney qualification, planning, and participation in continuing legal education programs, participation in performance standards revision projects, and participation in other workgroups and initiatives aimed at improving the quality of public defense services.

Contract and Business Services

010 Non-PICS Personal Services/ Vacancy Factor

Package Description

This package includes standard adjustments to PERS Pension Bond Contribution and standard inflation for non-PICS personal services accounts. The total of this package is \$85,079 in general fund and \$1,936 in other funds.

021-02 Phase in

Package Description

Package 021-02 is the Phase In of the actions given to OPDS during the April 2020 E-board. There were 9 positions given to CBS, IT Professional Services given to CBS and Provider rate increases for Interpreters and Investigators within the Professional Services Account. The increase for Provider rates was for 1 year of funding. This package will fully fund the Provider rate increase for the 21-23 Biennium. \$105,648 GF was calculated based on the 9 positions given for a partial Biennium. This amount will fully fund these positions S & S for 21-23. \$446,705 GF was calculated based on the amount given for IT Professional Services for a partial Biennium. This amount will fully fund OPDS’s needs from OJD. The total amount for CBS for Pkg. 021-02 is \$552,353 GF.

021-04 OJD ACP Expenditure Limitation Phase In

Package Description

Package 021-04 is the Phase In of the \$240 OF from the Oregon Justice Department Application Contribution Program (ACP) for Expenditure limitation.

031 Standard Inflation

Package Description

This package includes standard inflation adjustments on services and supplies in the amount of \$79,668 in general fund. State government services charges are increased by \$84,721 in general fund making the total amount of the package an increase of \$164,389 in general fund.

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

NOT AUDITED

Cross Reference Name: Contract & Business Svcs. Div.
Cross Reference Number: 40400-004-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	85,079	-	-	-	-	-	85,079
Transfer In - Intrafund	-	-	-	-	-	-	-
Tsfr From Judicial Dept	-	-	1,936	-	-	-	1,936
Total Revenues	\$85,079	-	\$1,936	-	-	-	\$87,015
Personal Services							
Pension Obligation Bond	80,689	-	1,834	-	-	-	82,523
Mass Transit Tax	4,390	-	102	-	-	-	4,492
Total Personal Services	\$85,079	-	\$1,936	-	-	-	\$87,015
Total Expenditures							
Total Expenditures	85,079	-	1,936	-	-	-	87,015
Total Expenditures	\$85,079	-	\$1,936	-	-	-	\$87,015
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 021 - Phase-in

NOT AUDITED

Cross Reference Name: Contract & Business Svcs. Div.
Cross Reference Number: 40400-004-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	552,353	-	-	-	-	-	552,353
Total Revenues	\$552,353	-	-	-	-	-	\$552,353
Services & Supplies							
Instate Travel	2,067	-	-	-	-	-	2,067
Employee Training	9,332	-	-	-	-	-	9,332
Office Expenses	9,211	-	-	-	-	-	9,211
Telecommunications	904	-	-	-	-	-	904
Data Processing	6,258	-	-	-	-	-	6,258
Publicity and Publications	324	-	-	-	-	-	324
Professional Services	12,279	-	-	-	-	-	12,279
IT Professional Services	458,525	-	-	-	-	-	458,525
Dues and Subscriptions	524	-	-	-	-	-	524
Facilities Rental and Taxes	30,873	-	-	-	-	-	30,873
Facilities Maintenance	723	-	-	-	-	-	723
Other Services and Supplies	6,592	-	240	-	-	-	6,832
Expendable Prop 250 - 5000	3,444	-	-	-	-	-	3,444
IT Expendable Property	11,297	-	-	-	-	-	11,297
Total Services & Supplies	\$552,353	-	\$240	-	-	-	\$552,593
Total Expenditures							
Total Expenditures	552,353	-	240	-	-	-	552,593
Total Expenditures	\$552,353	-	\$240	-	-	-	\$552,593

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 021 - Phase-in

NOT AUDITED

Cross Reference Name: Contract & Business Svcs. Div.
Cross Reference Number: 40400-004-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	(240)	-	-	-	(240)
Total Ending Balance	-	-	(\$240)	-	-	-	(\$240)

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 031 - Standard Inflation

NOT AUDITED

Cross Reference Name: Contract & Business Svcs. Div.
Cross Reference Number: 40400-004-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	164,389	-	-	-	-	-	164,389
Total Revenues	\$164,389	-	-	-	-	-	\$164,389
Services & Supplies							
Instate Travel	500	-	-	-	-	-	500
Employee Training	271	-	-	-	-	-	271
Office Expenses	1,444	-	-	-	-	-	1,444
Telecommunications	1,991	-	-	-	-	-	1,991
State Gov. Service Charges	84,721	-	-	-	-	-	84,721
Data Processing	129	-	-	-	-	-	129
Publicity and Publications	61	-	-	-	-	-	61
Professional Services	28,143	-	-	-	-	-	28,143
IT Professional Services	18,758	-	-	-	-	-	18,758
Dues and Subscriptions	59	-	-	-	-	-	59
Facilities Rental and Taxes	23,540	-	-	-	-	-	23,540
Other Services and Supplies	2,414	-	-	-	-	-	2,414
Expendable Prop 250 - 5000	95	-	-	-	-	-	95
IT Expendable Property	2,263	-	-	-	-	-	2,263
Total Services & Supplies	\$164,389	-	-	-	-	-	\$164,389
Total Expenditures							
Total Expenditures	164,389	-	-	-	-	-	164,389
Total Expenditures	\$164,389	-	-	-	-	-	\$164,389

____ Agency Request
 2021-23 Biennium

____ Governor's Budget
 Page _____

____ Legislatively Adopted
 Essential and Policy Package Fiscal Impact Summary - BPR013

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Public Defense Svcs Comm
Pkg: 031 - Standard Inflation

NOT AUDITED

Cross Reference Name: Contract & Business Svcs. Div.
Cross Reference Number: 40400-004-01-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

Attachment 5



Oregon

Office of Public Defense Services

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To: Public Defense Services Commission

From: Lane Borg, OPDS Executive Director
Julie Fetsch, OPDS Budget and Finance Manager

Re: 2021-23 Policy Option Packages (POP)

Date: July 9, 2020

Proposed Motion: Move to adopt the four policy option packages, POP 102, POP 103, POP 104 and POP 105, for incorporation into the 2021-23 biennial budget.

Overview:

- POP 102 addresses trial level sustainability. Requests funding to increase the statewide provider pool by 30 representation units to stabilize contractor workloads.
- POP 103 addresses CBS infrastructure needs. Requests funding for additional staff to perform the business functions necessary to support the agency.
- POP 104 proposes an expansion of the Parent Child Representation Program (PCRP). Requests Funding to expand the Parent Child Representation Program (PCRP) into three additional counties, including Clackamas County, Douglas County and Clatsop County, and add internal infrastructure to appropriately direct, oversee and support PCRP.
- POP 105 addresses Appellate Division mandated caseload requirements. Requests funding for additional staff to meet the Appellate Division's KPM of attaining a median number of days to file opening briefs and also to address current case intake.

Agency Recommendation:

OPDS is recommending to PDSC that the policy option packages listed above be incorporated into the 2021-23 Agency Requested Budget.

POP 102-Trial Level Representation

Package Description:

In 2020, the agency changed the way contractors provide trial-level representation, from payment on a case type basis to payment based on a workload model. The agency received a 10.05% increase in PSA from the 2019 legislature, which allowed the agency to change the model and increase the number of Public Defense Attorneys in the state by approximately 30 attorneys.

The workload cost per attorney is still high compared to other states. The business costs of contractors providing trial-level representation continue to increase. As a result, in order to keep up with costs, contractors continue to see an inability to recruit and retain qualified attorneys, which causes workload to continue to be higher than desired.

Purpose:

This package attempts to narrow the gap between the rapidly increasing costs of operating a small business or public defender office and a history of high workloads for providers. This package requests the amount needed to increase the statewide provider pool by 30 representation units. The amount requested is intended to stabilize contractor workloads moving forward.

How Achieved:

Trial Level	Cost Detail (21-23 biennium)
18 units at \$242,000 – Urban Rate	\$8,712,000
12 units at \$225,000- Rural Rate	\$5,400,000
Total 30 Units of Representation for PSA	\$14,112,000

Revenue Source:

This package would require an additional \$14,112,000 from general fund for the Professional Services Account Appropriation.

POP 103 – CBS Infrastructure

Package Description:

The Office of Public Defense Services is seeking appropriate infrastructure to support day to day business needs as outlined in the Special Appropriations Request set aside for OPDS during the 2019-2021 biennium, that was not released in full. This package is intended to provide appropriate staffing levels to perform the business functions necessary to support the Oregon public defense system.

Purpose:

This package will provide the Office of Public Defense Services the adequate staffing needed to perform business functions to support employees, programs, providers, and clients. The positions will provide internal audit, budget and administrative support, program and policy development, research and analysis, attorney training, and achieve auditing protocols to ensure appropriate payment processing.

Positions included in this package were outlined in the Special Purpose Appropriations (SPA) set aside for the 2019-2021 biennium and presented during the 2020 short session. The positions in the SPA were scheduled for approval before the session ended prior to the floor vote. During the COVID-19 pandemic, the Emergency Board approved nine positions, to provide permanency for administratively appointed positions. This package is intended to address the remaining infrastructure needed to complete the critical business functions as outlined below.

Budget and Finance

Fiscal Analyst 3 (1 FTE)

As the agency's budget continues to add programs and expand, there is a critical need for a Fiscal Analyst to manage the other funds programs and gather useful data to seek grant and other federal funding streams to reduce the general fund dollars allocated to the agency in future biennia. This position is critical in identifying, tracking, monitoring, and analyzing data, that will be useful in seeking other funding streams outside of the general fund dollars at the state level.

Operations

Internal Auditor (1 FTE)

The agency does not have an internal auditor as outlined under ORS 184.360, ORS 174.111 , and as suggested by the Secretary of State. While OPDS has the position listed on the compensation plan, it has never been funded as an FTE. This position will provide regular audits on internal programs within OPDS to provide accountability in business processes and facilitate Secretary of State required audits.

Office Specialist 2 (2 FTE)

The agency does not have any dedicated support staff to help with a wide variety of secretarial or administrative related tasks. The agency is requesting these positions to perform tasks including receiving emails to the agency inbox, general correspondence to stakeholders, processing incoming mail, development of reports and memos, collecting materials for public records requests, general phone inquiries and walk-in assistance, and take meeting minutes when needed. Having that capacity in the agency at this level will enable management to be more effective and efficient in corresponding with stakeholders and allow the program level staff to focus on program related duties.

Operations and Policy Analyst 4 (1 FTE)

The agency is seeking a senior policy analyst position to develop, implement, and streamline critical business processes within the Business Services Division. As the task of building a new financial management system approaches, the contract model changes, and existing programs are expanded, this professional level function is critical to ensure that processes are developed to guide the agency in appropriately staffing programs, identifying process improvement, providing security in process management, and regular analysis of business processes. This will allow management to focus on strategic issues, management of programs, and agency decisions to improve the public defense system, rather than being bogged down by processes on a regular basis.

Manager 1 (1 FTE)

The Office of Public Defense Services has assigned office space in the Multnomah County Court House. The Public Defense Resource Center will need to be staffed with a fulltime Office Manager to manage and coordinate all of the daily functions of the office and coordinate with the central business office on a regular basis.

Contracts Support

Program Analyst 2 (2 FTE Limited Duration),

Program Analyst 1 (1 FTE Limited Duration)

The agency contracts with trial attorney providers across the state. One third of the agency budget is comprised of funding for non-routine expenses including but not limited to, interpreter and investigators support for trial attorneys. These vendors are not under contract with the agency, but they are hired by the trial attorneys for assistance on their case load. The agency pays for these services through non-routine expense authorizations and payments. Until the agency's financial management system is in place, which would provide an automated process for requesting authorizations and receiving payments, the agency needs to staff the manual process to grant authorizations during the interim period. These positions will be critical for reviewing and researching requests for authorizations and then auditing the payment requests to ensure the authorization has been fulfilled before payment. To support this workload, there is a temporary need for limited duration positions through the biennium until the agency can establish the ongoing workload need from the efficiencies gained in the

new system. This will free up about thirty percent of the contract analyst’s time to focus on managing contracts and working with our trial providers on a consistent basis.

Research Analyst 4 (1 FTE)

As the contracting model and business needs continue to change, the agency is requesting a position to plan and conduct major research projects, as recommended in the Sixth Amendment report. The Research Analyst will plan and conduct major complex research projects and analyze the data and statistics gathered in that research. This position will enable the agency to better inform the legislature and other state partners of national trends and other major issues from a more global perspective, providing insight regarding trends in the public defense system and how it impacts the agency and the Public Defense community.

How Achieved:

Cost Data

Fiscal Analyst 3 (1.0 FTE)	\$248,715
Internal Auditor (1.0 FTE)	\$230,433
Office Specialist 2 (2.0 FTE)	\$259,756
Operations and Policy Analyst 4 (1.0 FTE)	\$221,943
Manager 1 (1.0 FTE)	\$257,650
Program Analyst 2 (2.0 FTE) Limited Duration	\$400,739
Program Analyst 1 (1.0 FTE) Limited Duration	\$167,027
Research Analyst 4 (1.0 FTE)	\$230,433
Total	\$2,016,696

Revenue Source:

This package would require an additional \$2,016,696 from General Fund for Personal Services.

POP 104 - Parent Child Representation Program Expansion

Clackamas, Douglas & Clatsop Counties

Package Description

The Office of Public Defense (OPDS) requests \$3,662,255 in its Professional Services Account and \$1,252,807 for Contracts and Business Services (\$4,915,062 GF) to expand the Parent Child Representation Program (PCRP) into three additional counties, including Clackamas County, Douglas County and Clatsop County, and add internal infrastructure to appropriately direct, oversee and support PCRP.

Purpose

In Oregon, nearly 8000 children are in foster care, all placed with the goal of keeping them safe. However, even when necessary, removal of a child from family and placement into foster care is a traumatic experience that often leaves long-lasting impacts on children and families. The foster care experience itself—separation from family, extreme uncertainty, and multiple foster homes—imparts additional traumatization. Because of this, state and federal laws require that efforts are made to reunify families, the needs of children in foster care are adequately met, and steps are taken to ensure children do not spend lengthy periods of time languishing in foster care.

Legal representation of parents and children is closely intertwined with the functioning of the child welfare system and our state's ability to meet its constitutional and federal-statutory requirements. Numerous recent studies demonstrate that children and parents benefit from good lawyers. High-quality legal representation is associated with fewer unnecessary removals. Additionally, families are more likely to: (1) participate in court hearings; (2) engage in meaningful services; (3) have frequent family visitation; (4) minimize time in foster care; (5) achieve permanency sooner; and (6) reunify successfully. These outcomes improve child and family well-being and diminish harm.¹ Reduced foster care stays also have the additional benefit of saving states money.²

¹ Courtney, M. E. & J.L. Hook, Evaluation of the Impact of Enhanced Parental Legal Representation on the Timing of Permanency Outcomes for Children in Foster Care, Children and Youth Services Review 34(7) (2012), <http://partnersforourchildren.org/resources/publications/evaluation-impact-enhanced-parental-legal-representation-timing-permanency>. Center for Family Representation, <http://www.cfrny.org/our-work/training-and-technical-assistance>. Oregon Task Force on Dependency Representation, Task Force on Dependency Representation Final Report (July 2016) http://www.oregon.gov/gov/policy/Documents/LRCD/Oregon_Dependency_Representation_TaskForce_Final_Report_072516.pdf, US DHHS ACF Children's Bureau, Information Memorandum ACYF-CB-IM-17-02 on High Quality Legal Representation for All Parties in Child Welfare Proceedings (January 17, 2017), <https://www.acf.hhs.gov/sites/default/files/cb/im1702.pdf>.

² American Bar Association Center on Children and the Law, Investment that Makes Sense, http://www.americanbar.org/content/dam/aba/administrative/child_law/ParentRep/At-a-glance%20final.authcheckdam.pdf.

PCRCP provides the high-quality, interdisciplinary legal representation proven to improve outcomes for parents and children impacted by the justice system. The PCRCP model includes the following core components: (1) a caseload limit of 80 open cases; (2) multidisciplinary representation through the use of social work case managers in 10-15% of cases; (3) heightened accountability, including tracking and reporting of attorney time and case activities; and (4) oversight, training, and support. Reduced caseloads allow attorneys to allocate enough time to client communication, court preparation and out of court advocacy in manner consistent with national standards.³ The intentional and regular oversight helps ensure attorneys are meeting performance standards, and data and regular reviews allow OPDS to be accurate and responsive to needs.

The PCRCP draws on established national and regional best practice indicators that recognize juvenile representation's complexity and disproportionate intersectionality with poverty, race, substance abuse and untreated mental illness.⁴ Its design improves legal representation by enabling lawyers to zealously protect the legal rights of parents and children while engaging in client-driven collaborative problem solving. Combining the complementary approaches of skilled attorneys and trained case managers also allows the PCRCP interdisciplinary team to understand and address the array of social and systemic difficulties indigent clients may face during the court proceeding, providing the children and parents the support they need to succeed. Ongoing training is also integral to the success of PCRCP, to ensure achievement of standards of practice and provide opportunities for oversight and quality assurance.

PCRCP is modeled on the highly successful Washington State Parent Representation Program, which, over the past 21 years, has increased the speed at which children achieve permanency and reduced the use of foster care.⁵ PCRCP counties have similarly shown an increase in the frequency of family reunifications, a reduction in the time children spend awaiting permanency, and a reduced use of foster care when compared with the state as a whole.

PCRCP initially began in August 2014 as a pilot project in Linn and Yamhill counties and has now expanded to six Oregon counties. The model began in response to statewide concerns about deficiencies in the quality of juvenile representation. These concerns were echoed

³ Attorneys are expected to spend 1/3 of their time with clients, 1/3 in court and meetings and 1/3 doing legal research and case preparations. Other regularly measured data points include, (1) initial client meetings within 72 hours of appointment, (2) use of case managers, experts and investigators when appropriation and (3) representation at all court appearances and case related meetings.

⁴ Gerber, supra note iii; Kara R. Finck, A Robust Defense: The Critical Components for Reimagined Family Defense Practice (2016), available at <https://academicworkds.cuny.edu/clr/vol20/iss1/15>.

⁵ Courtney, M. E. & J.L. Hook, Evaluation of the Impact of Enhanced Parental Legal Representation on the Timing of Permanency Outcomes for Children in Foster Care, Children and Youth Services Review 34(7) (2012), <http://partnersforourchildren.org/resources/publications/evaluation-impact-enhanced-parental-legal-representation-timing-permanency>.

in 2016 by the Oregon Dependency Representation Task Force, that recommended expansion of the PCRP model.⁶ With cost savings gained from rolling out the program in these initial two counties, PCRP was expanded to Columbia County in January 2016. In recognition of the potential for improved outcomes and cost savings, the legislature expanded PCRP to Coos and Lincoln Counties in October 2018, and Multnomah County in July 2020.

How Achieved

This policy package requests the expansion the Parent Child Representation Program (PCRCP) to Clackamas, Clatsop, and Douglas counties. Infrastructure will need to be put into place in January 2022, in order to prepare for roll-out of PCRCP in the three counties in July 2022.

Infrastructure

Successful implementation of PCRCP—which involves not only program roll-out and implementation, but ongoing monitoring, support, oversight, and training—requires additional OPDS infrastructure. Without adequate infrastructure, OPDS will be unable to effectively provide the support, training and oversight expected of PCRCP, to engage in effective remedial efforts where needed, and to participate in collaborative stakeholder initiatives for justice system improvement.

Infrastructure initially allocated to the PCRCP program during its initial pilot-program stages are now understood to be insufficient and currently impair OPDS' ability to fulfill its mandate and the expectations of the PCRCP. In particular, the current PCRCP/Juvenile Manager is not supported with staffing-levels that match other states with similar high-quality interdisciplinary defense models; nor does OPDS have the infrastructure necessary to create a centralized approach to offering training that has been successful in other states with similar programs, like Washington, Colorado and Massachusetts.

Additional PCRCP infrastructure will also have the added benefit of creating ripple effects that improve the standards of practice statewide. As OPDS works collaboratively with stakeholders to improve the quality of representation in PCRCP counties, those practices will inevitably impact and improve representation practices for parents and children in juvenile court cases across Oregon.

The oversight, training, operational guidance, and business processes involved in successfully implementing and maintaining the PCRCP in the three counties requires the following corresponding OPDS infrastructure to be hired in January 2022:

⁶ Executive Summary, Oregon Task Force on Dependency Representation, July 2016, available at https://www.oregon.gov/gov/policy/Documents/LRCD/2page_execsummary_TaskForce_Dependency_Representation.pdf

(1) 3 FTE Deputy General Counsel

Under the direction of the OPDS' PCR/P/Juvenile Manager, the deputy general counsels will work collaboratively and independently to support the attorneys in the PCR/P counties and ensure the quality of dependency and delinquency representation for parents and children in Oregon.

Each Deputy General Counsel will oversee the implementation of PCR/P in one of the new PCR/P counties, and execute the following ongoing oversight, quality assurance, and systemic advocacy tasks in three of the total PCR/P counties:

- Initial implementation tasks, including stakeholder engagement, in-depth analysis of county-specific systemic support to facilitate program success, contract negotiation, etc.;
- Quality assurance of PCR/P attorneys, including review of time and activity reports, compliance reviews, facilitation of agency-stakeholder quarterly meetings, observation and compliance reviews of attorneys, and meetings with system stakeholders (including judges, DHS, DOJ, etc.) to evaluate system outcomes and identify needs for program improvements;
- Attorney education, training and technical assistance;
- Observation and evaluation of court proceedings and attorney reports to understand practice needs and trends to inform centralized and localized trainings for attorneys; and
- Coordination with OPDS staff, including contract analysts, data analysts, and the PCR/P/Juvenile Manager, to support contract negotiations, program evaluation, policy development, and stakeholder engagement.

(2) 1 FTE Operations and Policy Analyst 4

Under the direction of the OPDS' PCR/P/Juvenile Manager, the operations and policy analyst 4 will support the PCR/P through the following tasks:

- Development, drafting, and revisions of PCR/P-related policies;
- Research of best practices in parent and child representation and program management;
- Consultation with OPDS staff, PCR/P attorneys, and other relevant stakeholders to evaluate necessary practices and procedures to ensure program success
- Assistance to the PCR/P/Juvenile program manager and deputy general counsels with PCR/P implementation and program evaluation; and
- Production of written evaluations and reports about program performance and needed improvements.

(3) 1 FTE Operations and Policy Analyst 2

The operations and policy analyst 2 will work with the PCR/P/Juvenile Manager and the deputy general counsels to support the critical quality assurance and data reporting elements of the PCR. This position will create and maintain quality assurance processes, including:

- Development of quality assurance reports and tools to analyze attorney performance and outcomes;
- Analysis of data to allow to systemic quality assurance and informed decision-making;
- Preparation of data reports and analysis that Deputy General Counsel staff can utilize to assess providers quantitatively and understand county-specific needs for training, support or systemic advocacy; and
- Partnership with other agencies, particularly the Oregon Judicial Department, to facilitate data-sharing and ensure efficiencies and collection of data necessary to engage in program and attorney performance evaluations.

In order to prepare for a roll-out of PCR in the three counties on July 1, 2022, each of these positions will need to be filled in January 2022. Therefore, these positions will need to be funded for 18 months of the 2021-2023 biennium.

Provider Contracts

OPDS will need to contract with public defense providers and case managers to provide representation to parents and children in the additional three counties in this policy package. These contracts will replace current contracts for representation in juvenile dependency and delinquency cases in these counties, and include attorneys, contract administrators, social work case managers, and case manager administrators. The contracts will go into effect on July 1, 2022.

Attorneys: The number of attorneys necessary to roll out PCR in these counties is based on caseload estimates calculated by analyzing court case data provided by the Oregon Judicial Department. PCR utilizes a workload model and places a limits an attorney’s caseload to 80 open cases. Compensation for these attorneys is set at standard PCR-specific rates and includes funding for support staff and overhead. These rates are set at:

Annual Rates	Urban	Non-urban
Attorney	\$139,230	\$139,230
Staff	\$54,621	\$54,621
Overhead	\$48,195	\$32,130
Total	\$242,046	\$225,981

Contract administration: Associations of attorneys work with a contract administrator that provides the support necessary for assigning cases to attorneys, coordinating payments to attorneys, and

negotiating contracts with OPDS. These associations come in the form of consortia, nonprofits, and law firms. PCRP contract administration for each association is compensated at a standard rate of 4% of the total attorney contract for that association, excluding overhead costs.

Social work case managers: The number of social work case managers is also calculated based on the caseload estimates referenced above, with the assumption that case managers will be utilized in the 10-15% of cases where parents and children need additional support to address the mental health, economic, social and systemic challenges that often coincide with justice system involvement, and can only be adequately attended to through an interdisciplinary lens. Based on similar models and standards of practice, a full-time equivalent case manager carries an open case load of 28 clients. This calculates out to approximately one case manager for every three PCRP attorneys. Annual compensation for a full-time equivalent case manager is \$82,252.80. Case managers are responsible for covering their own overhead costs, which are not separately compensated.

Case manager administrators: Case manager administrators provide oversight, training, coordination, and onboarding/recruitment of case managers. One case manager administrator is needed for every 20 social work case managers. Annual compensation for a full-time case manager administrator is \$102,816. Case manager administrators are responsible for covering their own staffing and overhead costs, which are not separately compensated.

	Professional Services Account ⁷	Professional Services Account	Contracts and Business Services ⁸	Contracts and Business Services
County/Staff	2021-23 General Fund Implementation Costs	2023-25 General Fund Rollup Costs	2021-23 General Fund Implementation Costs	2023-25 General Fund Rollup Costs
Clackamas	\$ 1,048,827	\$ 2,097,654	\$ 0	\$ 0
Clatsop	\$ 411,261	\$ 822,521	\$ 0	\$ 0
Douglas	\$ 2,202,167	\$ 4,404,335	\$ 0	\$ 0
3.0 FTE Deputy General Counsel	\$ 0	\$ 0	\$ 881,244	\$ 1,273,815
1.0 FTE Operations and Policy Analyst 4	\$ 0	\$ 0	\$ 198,809	\$ 285,141
1.0 FTE Operations and Policy Analyst 2	\$ 0	\$ 0	\$ 172,754	\$ 246,869
General Fund Totals	\$ 3,662,255	\$ 7,324,509	\$ 1,252,807	\$ 1,805,825

Staffing Impact

- 3 – Deputy General Counsel
- 1 – Operations and Policy Analyst 4
- 1 – Operations and Policy Analyst 2

Revenue Source

POP 104 PCRP would require an additional \$4,915,062 from General Fund for both the Professional Services Account and Contract & Business Services Appropriation.

⁷ Contracts paid for out of the PSA will go into effect on July 1, 2022.

⁸ Infrastructure paid for out of the Contracts and Business Services account will be hired July 1, 2022.

POP 105 Appellate Mandated Caseload Increase

Package Description:

This package adds 3 Deputy Public Defender positions, 4 Senior Deputy Defender positions, and two Legal Secretary positions. The additional positions are required to address two circumstances: Two CAS attorneys (1 Deputy Public Defender and 1 Senior Deputy Defender) are needed to meet the Appellate Division's key performance measure (KPM) of attaining a median number of days to file the opening brief equal to 180 days past record settlement, and three CAS attorney positions (2 Deputy Public Defender and 1 Senior Deputy Defender) and 1 JAS attorney position (1 Senior Deputy Defender) are needed to address current case intake, which has markedly increased over the last four years.

Purpose:

The number of cases in which an appeal is requested is out of the agency's control. The number of cases resolved is a function of the number of Appellate Division attorneys. Attorneys in the Juvenile Appellate Section cannot maintain cases on a backlog because the cases are expedited; any case referred after the attorney's monthly case assignment capacity has been met must be sent to an outside provider.

The Appellate Division's key performance measure (KPM #1 APPELLATE CASE PROCESSING) measures the median number of days past record settlement that the attorneys in the Criminal Appellate Section need before filing the opening brief. The 180-day target reflects the agency's consideration that it is intolerable that an individual would have to wait more than six months before an appellate attorney is in a position to properly advise a client regarding the viability of an appeal challenge to their conviction and/or sentence.

Because the Appellate Division of the Department of Justice routinely take a similar amount of time to file an answering brief, meeting or exceeding the KPM would result in cases being submitted to the appellate courts within a year of the entry of the judgment of conviction and imposition of sentence. Currently, it routinely takes longer than one year between the filing of the notice of appeal and the submission of the case for the appellate court's ruling. With the additional office space vacated by Business Services, the Appellate Division can physically house staff for the first time that request. Additional positions are necessary to reduce the median filing days from 217 days to 180 days.

The backlog of cases has increased over time because intake continues to rise without an increase in capacity of the Criminal Appellate Section since the addition of four attorney positions requested for the 2009-11 legislative session. Attorneys in the Criminal Appellate Section process cases on a FIFO (first in, first out) basis. Consequently, the attorneys are working on their oldest cases, those cases that are already 120 days or more past record settlement.

The number of cases between 1 and 90 days past settlement represent the cases that CAS attorneys will be reviewing six to nine months later. The average number of cases between 1 and 90 days past settlement has increased more than 33% over the last four fiscal years (FY16 209, FY17 236, FY18 258, FY19 282).

How Achieved:

Cost Data

Deputy Public Defender (3.0 FTE)	\$713,601
Senior Deputy Defender (4.0 FTE)	\$1,184,964
Legal Secretary (2.0 FTE)	\$275,478
Total	\$2,174,043

Revenue Source:

This package would require an additional \$2,174,043 from general fund for the Professional Services Account Appropriation.