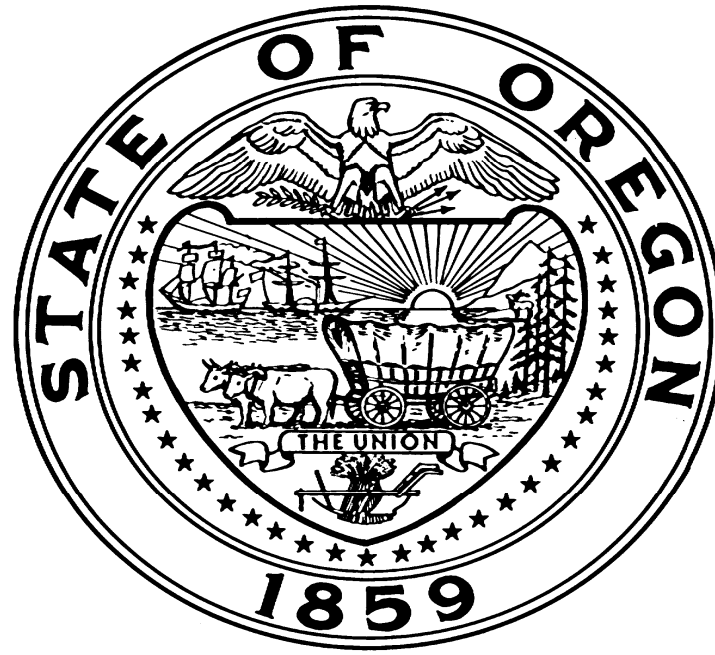


DEPARTMENT OF JUSTICE

2013-2015

Public Safety Subcommittee Ways and Means





Department of Justice



Overview

Mission of the Department of Justice

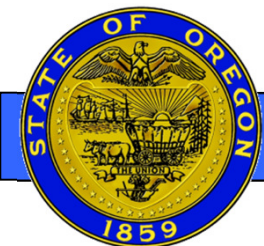
The Department of Justice is dedicated to pursuing and achieving justice and supporting healthy and safe communities throughout our state. Its 1,300 employees in eight divisions, including nearly 300 lawyers, are dedicated to the rule of law and serving the people of Oregon and its government.

- Providing effective, high quality legal services to all entities of state government;
- Protecting and supporting families and children through child advocacy and child support services;

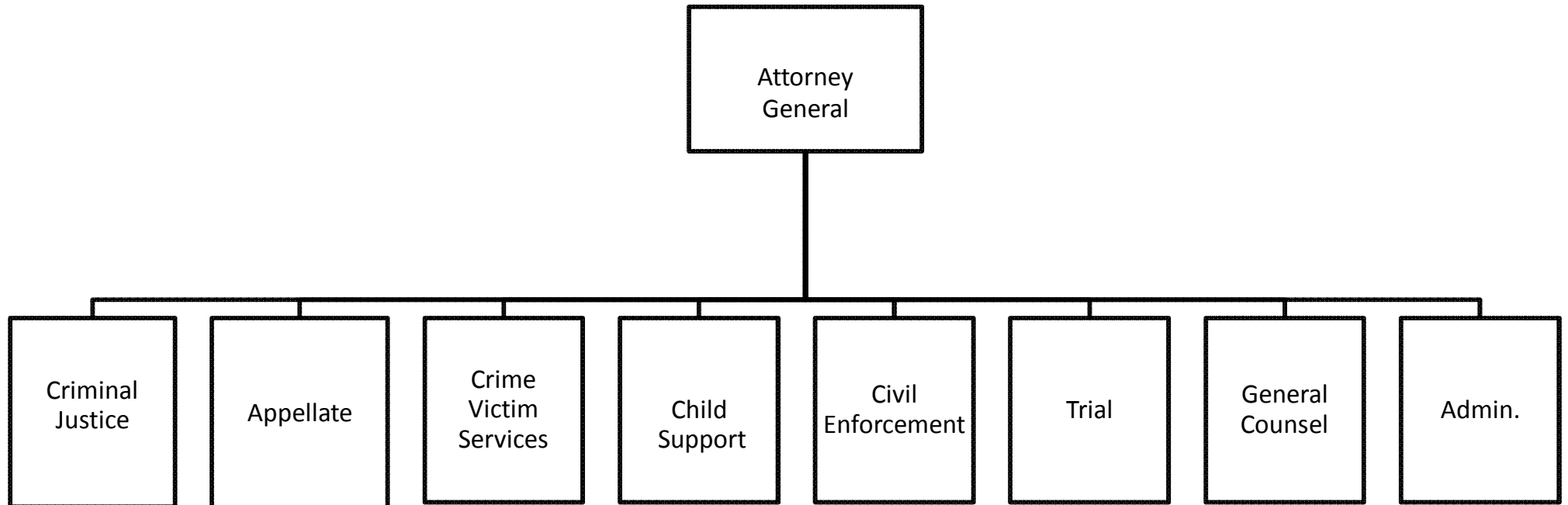


Mission of the Department of Justice (Cont.)

- Protecting consumers-- particularly our most vulnerable citizens -- from fraudulent schemes and other unlawful trade practices;
- Helping obtain and preserving criminal convictions;
- Protecting and compensating victims of crime;
- Upholding the rule of law.

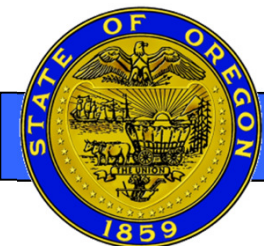


Organization of Department



Department Strengths

- Consumer protection
- Legal services to the state
- Criminal prosecutions
- Trials and appeals
- Crime victims services
- Child support services



Efficiencies

- Employer Portal in Division of Child Support and plan to modernize the Child Support System
- Using technology in the Trial and Civil Divisions to reduce litigation costs
- Lean Administrative Services



Major Budgetary Issues

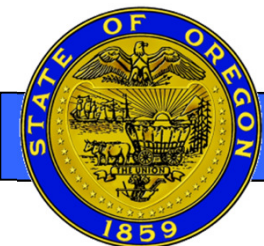
- Child Support System Modernization
- Tobacco Master Settlement Agreement Litigation
- Defense of Criminal Convictions
- Criminal Justice
- Crime Victims



Ratio of Employees to Supervisory Employees (HB 2020/HB 4131)

Effective December 2012:

The Department achieved the required staffing ratio of 1 supervisor to 11 employees



Secretary of State Audits (HB 3291)

- March 2012 - Medicaid cluster audit of which the Department's Medicaid Fraud Control Unit was a small piece of the audit. No audit findings were cited.
- June 2010 - Report No. 2010-25 entitled Management Practices That Could Increase Child Support Collections. Four recommendations were included (a) develop ambitious performance goals; (b) supplement tracking and reporting of federal performance measures; (c) monitor collection performance results at all levels; and (d) consider adopting other strategies top collecting states use. In November 2012, each of the four recommendations was noted as being fully implemented.



Proposed Legislation

Consumer Protection

- Foreclosure Avoidance Mediation Program
- Charitable donations

Crime Victim Protection

- Restitution Pilot Project extension
- Defense investigators transparency
- Eliminating constraints on restitution collection
- Clarifying the timing of interlocutory appeals by crime victims



Proposed Legislation

Criminal Justice

- Clarifying electronic warrant requirements
- Raising the penalties against criminals who deliberately target vulnerable populations
- Expansion of the RICO Revolving Account

Good Government

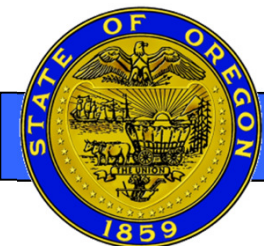
- Remand of facially incorrect juvenile orders
- Disclosure of witnesses in post conviction proceedings



KEY PERFORMANCE MEASURES (KPMs)

KPMs

- Measured Goals
 - Efficiently provide highest quality legal services to the state
 - Achieve client satisfaction
 - Enhance public safety by identifying, investigating and prosecuting criminal activity and supporting the victims of crime
 - Improve the effectiveness of efforts to increase support distributed to households with children
- KPMs address each goal



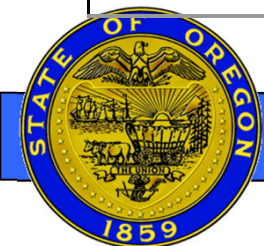
KPMs (cont.)

KPM - 1	Percentage of legal cases in which the state's position is upheld
KPM - 2	Percentage of appropriate litigation resolved through settlement
KPM - 3	Amount of monies recovered for the state divided by the cost of recovery
KPM - 4	Average time from receipt of contracting document to first substantive response to agency
KPM - 5	Percentage of legal billing receivables collected within 30 days



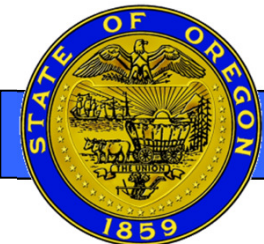
KPMs (cont.)

KPM - 6	Percentage of timely and complete charities' reports submitted relative to total charities registered
KPM - 7	Percentage of customers rating their satisfaction with the agency's customer service as "good" or "excellent"
KPM - 8	Percentage of Criminal Justice Division cases resolved successfully
KPM - 9	Percentage of crime victims compensation orders issued within 90 days of claim receipt
KPM - 10	Percentage of support collected by the Child Support Program (CSP), which is distributed to families



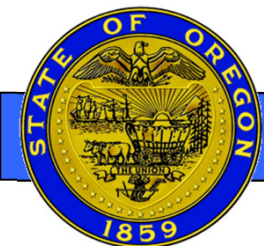
KPMs (cont.)

KPM - 11	Percentage of current child support collected relative to total child support owed
KPM - 12	Percentage of CSP cases paying towards arrears relative to total CSP cases with arrears due
KPM - 13	Percentage of CSP cases with support orders relative to total CSP cases
KPM - 14	Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more
KPM - 15	Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)



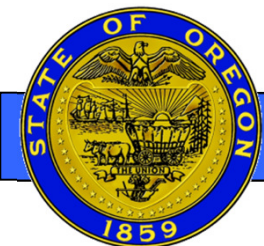
KPM Results

- KPMs at or within 5% of target – 80% - 12 of 15
- KPMs within 6 to 15% of target – 7% - 1 of 15
 - #12 Percentage of CSP cases paying towards arrears relative to total CSP cases with arrears - Target 65% / Actual 58%
- KPMs within 15%+ of target – 13% - 2 of 15
 - #9 Percentage of crime victims compensation orders issued within 90 days of receipt - Target 90% / Actual 75%
 - #15 Percentage of sexual assault of exams conducted by specially trained Sexual Assault Nurse Examiners – Target 85% / Actual 65%

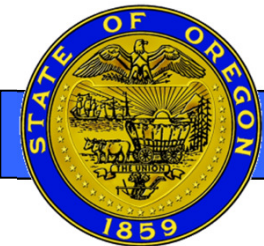
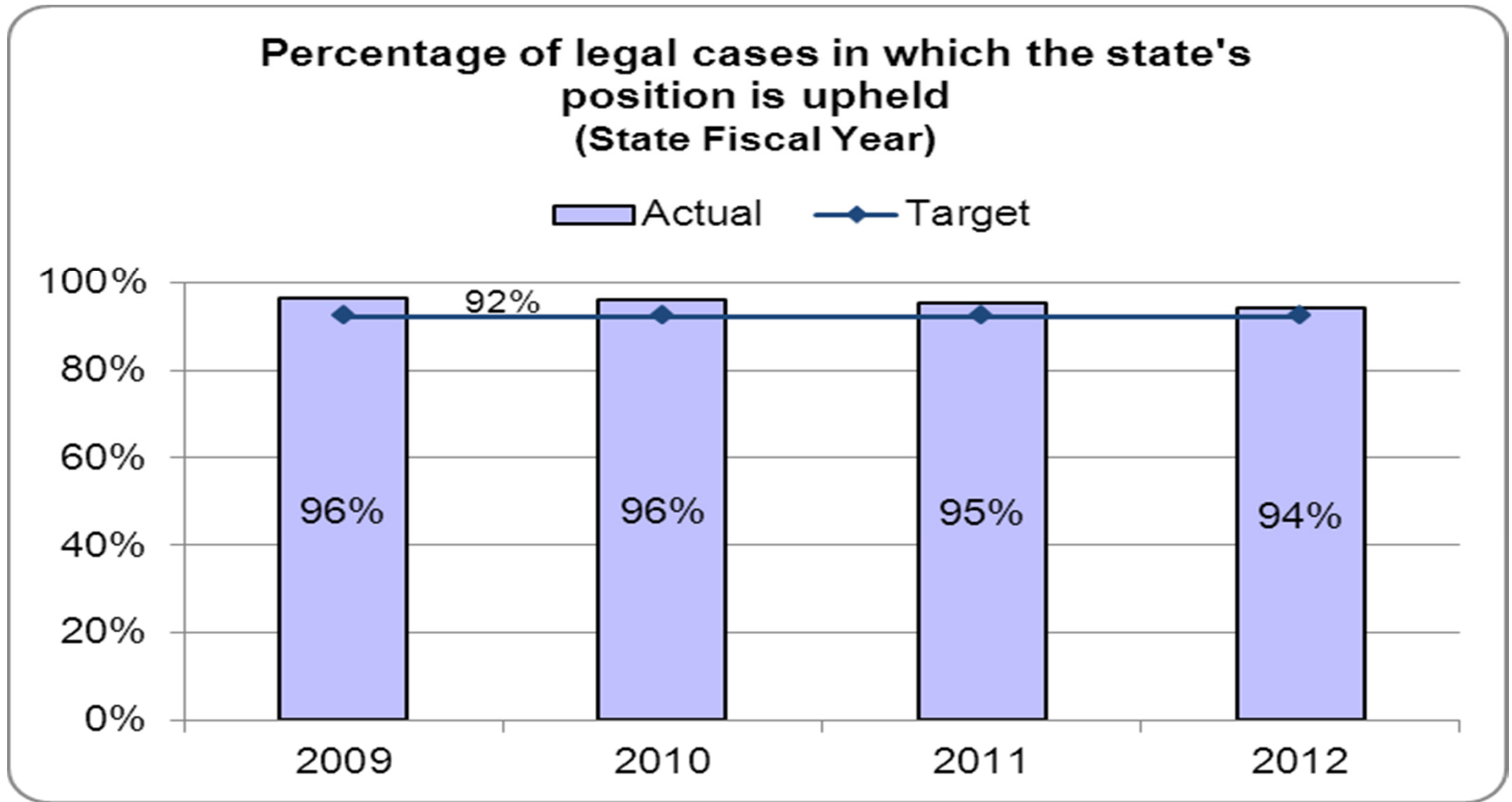


KPMs with Department-Wide Impact

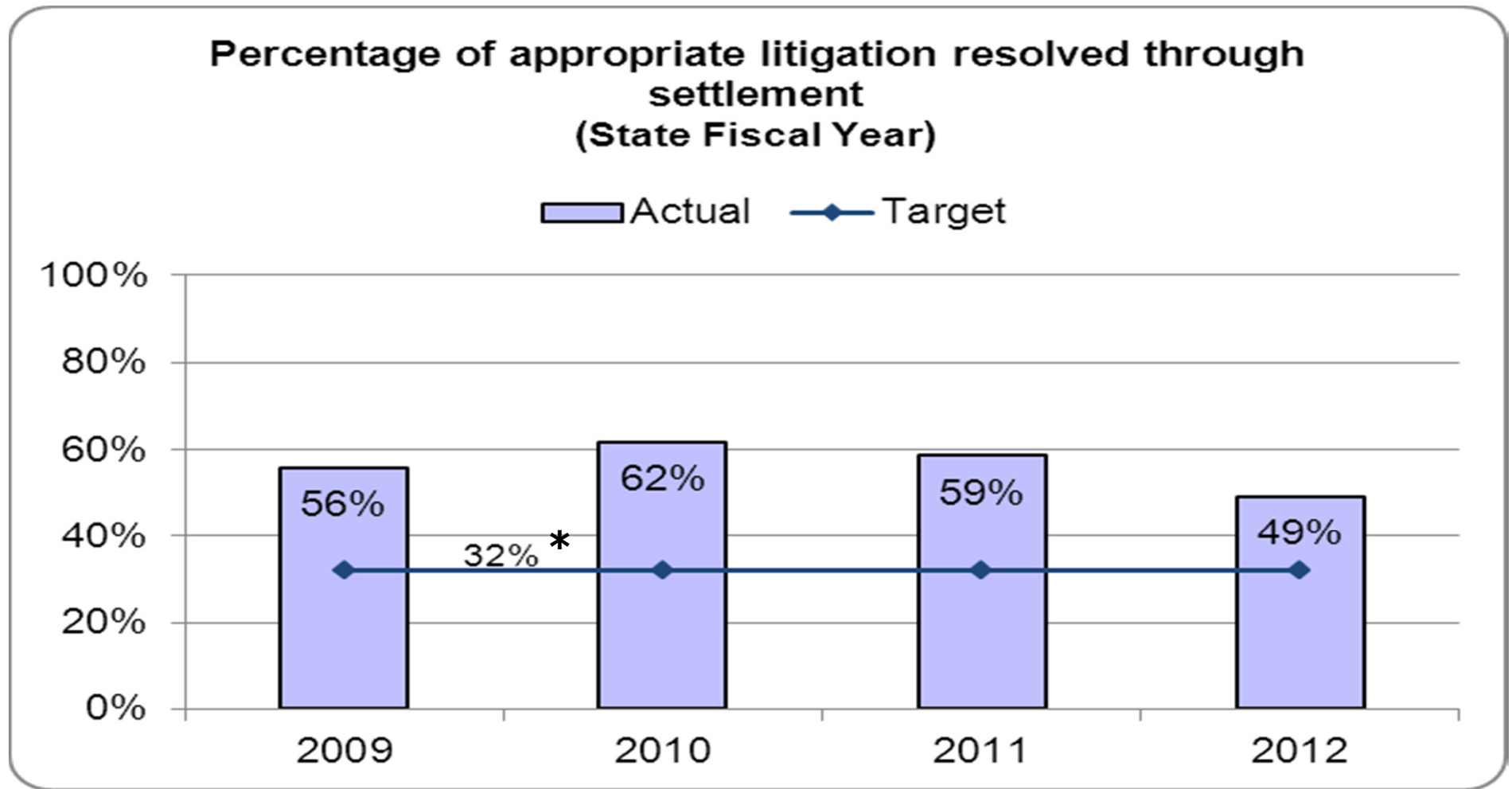
- KPM #1: Percentage of Legal Cases in Which the State's Position is Upheld
- KPM #7: Percentage of Customers Rating Their Satisfaction With the Agency's Customer Service as "Good" or "Excellent"



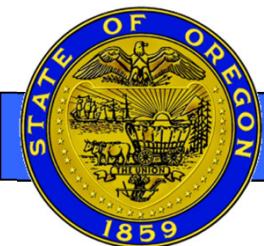
KPM #1- Percentage of Legal Cases in Which the State's Position is Upheld



KPM #2 - Percentage of appropriate litigation resolved through settlement

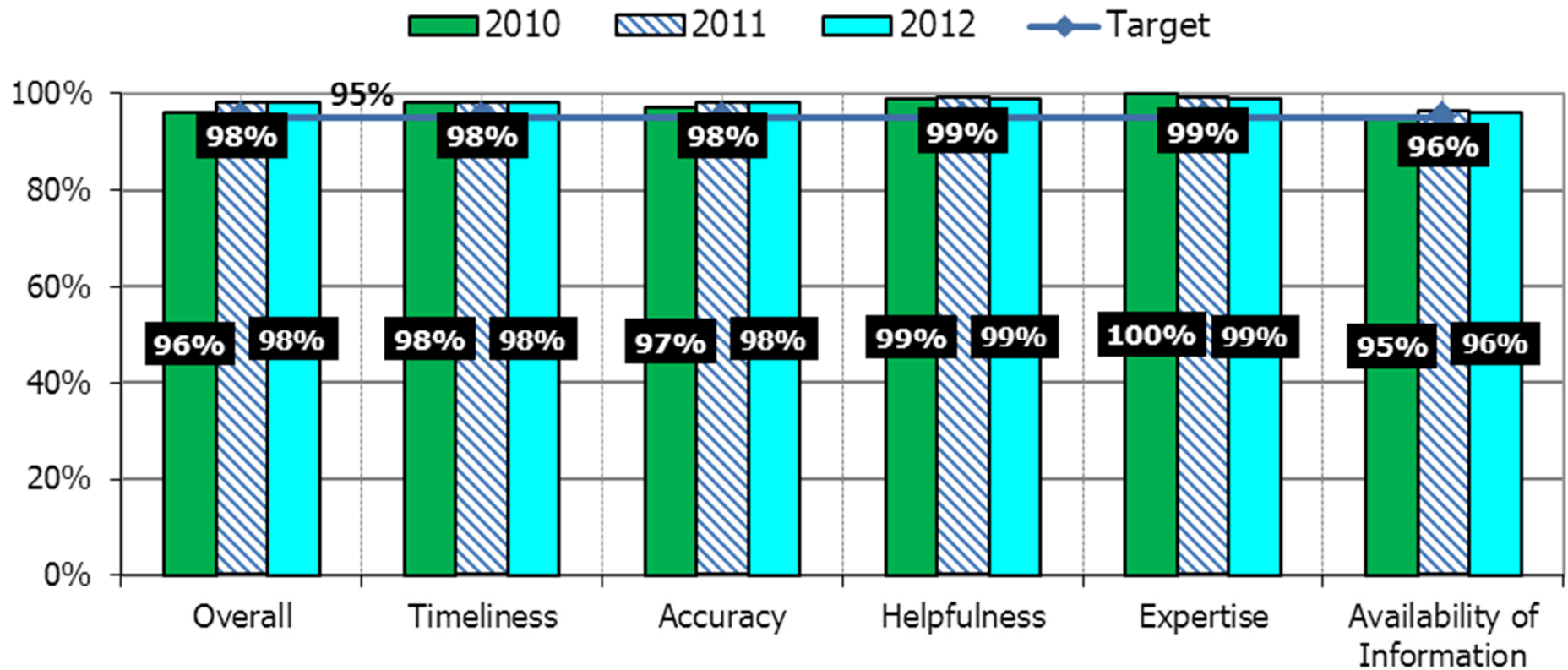


* Suggestion for a new target as required by SB 5518 (2011) is 55 %.



KPM #7-Percentage of Customers Rating Their Satisfaction With the Agency's Customer Service as "Good" or "Excellent"

7. Percentage of customers (state agencies) rating their satisfaction with the agency's customer service as "good" or "excellent" (Calendar Year)



Overview

Questions?





Department of Justice

Criminal Justice Division

Criminal Justice Division Mission

The mission of the Criminal Justice Division is to fight crime and protect the citizens of Oregon using our unique combination of highly qualified special agents, prosecutors and analysts.



Criminal Justice Division is Unique

We are the only agency in Oregon that combines law enforcement officers, analysts and prosecutors in a single agency.

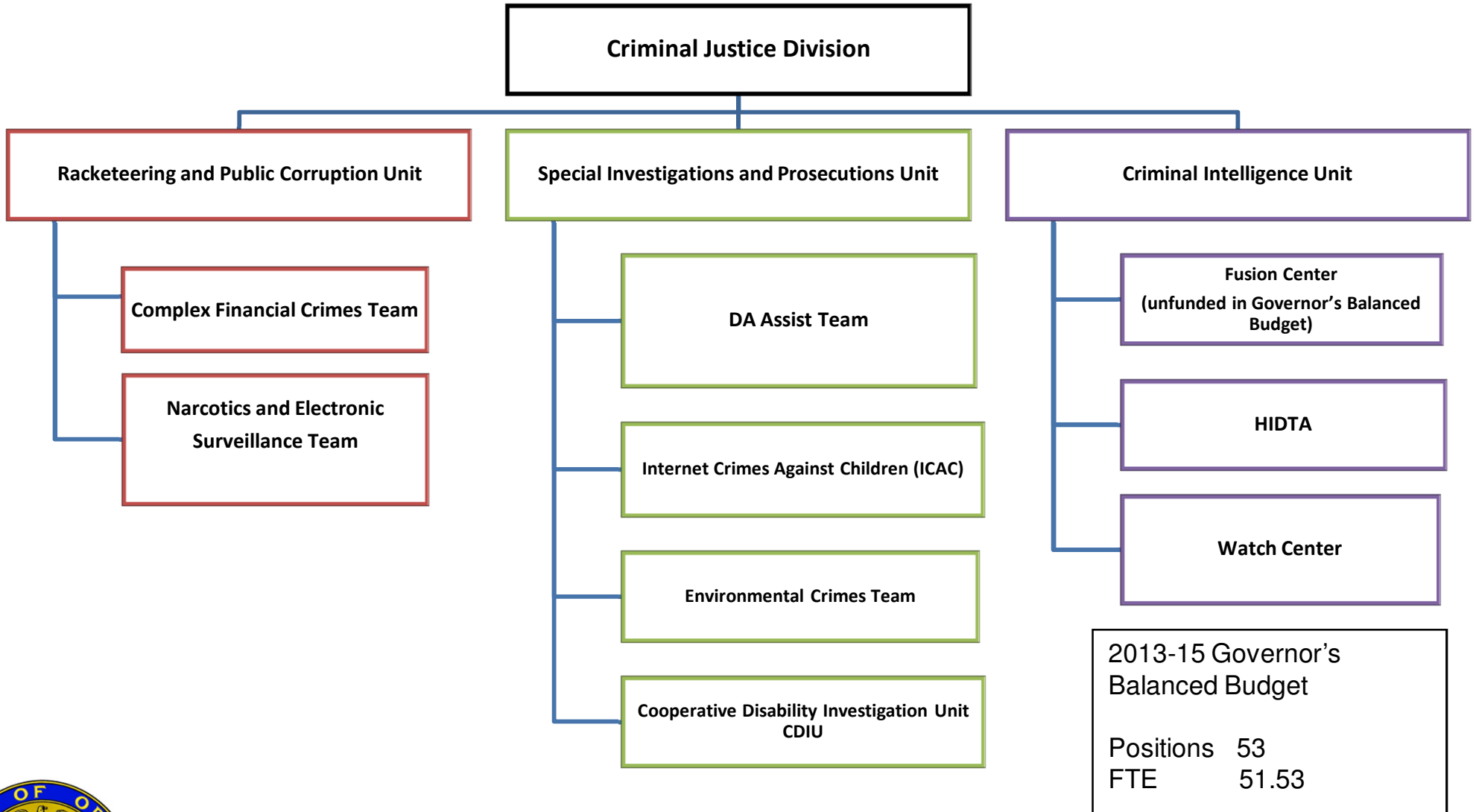
Because of this:

- We are able to conduct large scale, complex, multi-jurisdiction investigations and prosecutions better than any other state or local agency in Oregon;
- We lead the Oregon effort to combat internet crimes against children (ICAC) with our ICAC Task Force;
- We are the center for case deconfliction in the state through the Watch Center, increasing officer safety;
- We fight terrorism and share criminal intelligence with local, state, and federal law enforcement agencies through the TITAN Fusion Center;
- We have special expertise to assist District Attorneys when they ask for our help with their most difficult and complex cases and legal issues.



Department of Justice – Criminal Justice Division

Organization



Primary Responsibilities

- Organized Crime
 - Public Corruption/Malfeasance
 - Drug Trafficking Organizations (DTOs)
 - Complex Financial Crimes
- Internet Crimes Against Children (ICAC)
- Law Enforcement/District Attorney Support
- Criminal Intelligence



Organized Crime

ORS 180.600

“Organized crime” is:

Two or more people committing or conspiring to:

- Commit crimes as a significant source of income or for their livelihood; or
- Violate criminal laws relating to prostitution, gambling, loan sharking, theft, controlled substances offenses, counterfeiting, extortion, or corruption of law enforcement officers, public officials or public employees.



Organized Crime

ORS 180.610

The Department of Justice is required to:

- Establish a coordinated system of collecting, storing and disseminating information relating to organized crime.
- Assist law enforcement agencies in Oregon in the investigation and suppression of organized crime and encourage cooperation among those agencies.
- Conduct comprehensive factual studies of organized crime in Oregon and propose needed changes in policies and procedures.
- Investigate allegations of corruption or malfeasance by public officials in Oregon and, where appropriate, coordinate, cooperate and assist in taking legal action.
- Investigate investment of funds in Oregon suspected to have been generated by criminal activities.



Organized Crime: Public Corruption

Racketeering and Public Corruption Unit

- Investigate and prosecute elected and other high-level public officials for allegations of corruption and malfeasance.
- Cases are referred by law enforcement agencies, citizens and District Attorneys
- 48 public corruption cases worked from July 1, 2011, to January 8, 2013.

State v. Jerry Wyatt

- Dallas City manager who used city funds to buy approximately \$15,000 worth of trips and personal items for himself and his family.
- Sentenced to two years in prison



Organized Crime: Drug Trafficking Organizations (DTOs)

Narcotics and Electronics Surveillance Team (NEST)

The team's mission is to disrupt and dismantle DTOs:

- Special agents, analysts and prosecutors with expertise in the unique legal and technical issues associated with the successful investigation and prosecution of drug trafficking organizations.
 - 95 drug trafficking cases worked from July, 1 2011, to January 8, 2013.
- Specialized equipment and trained personnel to conduct wiretap investigations and electronic surveillance.



Organized Crime: Drug Trafficking Organizations

To disrupt and dismantle DTOs, the NEST team:

- Conducts wiretap and undercover investigations
- Executes search warrants
- Arrests and prosecutes DTO leaders
- Provides technical support to law enforcement agencies (e.g. pole cams)
- Seizes or assists other agencies with the seizure of hundreds of pounds of illegal drugs, hundreds of thousands of dollars of assets and currency, and dozens of firearms every year



Organized Crime: Drug Trafficking Organizations

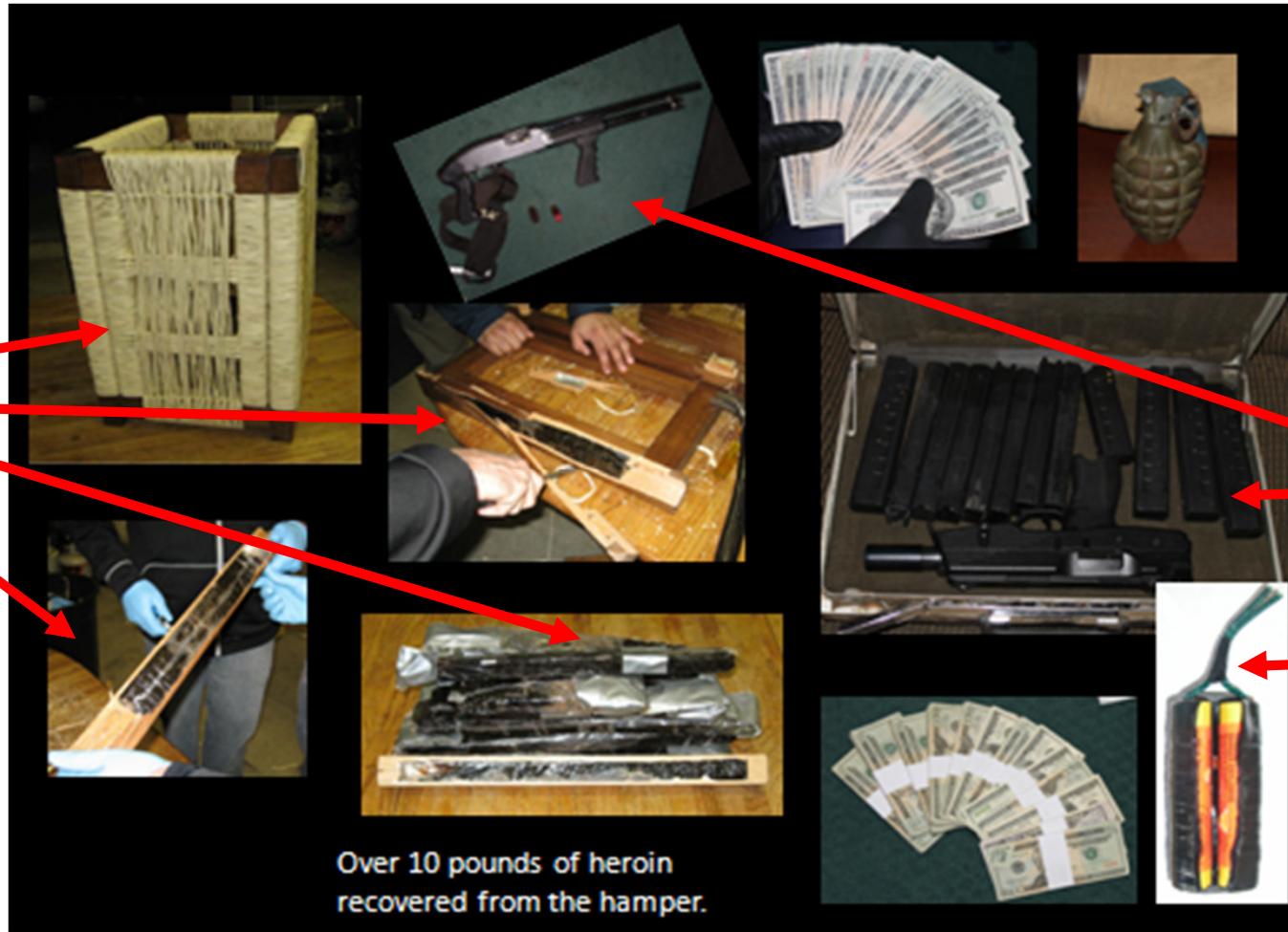
Operation Icebreaker 2 (Multi-County Wiretap Investigation)

- Benton, Linn and Marion Counties
- 26 pounds of heroin seized (23,608 doses)
- Over \$110,000 cash seized
- 26 firearms seized
- 16 defendants prosecuted
- 546 total months in prison as of February 13, 2013



Organized Crime: Drug Trafficking Organizations

- **Operation Icebreaker 2 (Multi-County Wiretap Investigation)**



Heroin hidden
in hamper

Firearms and
ammunition

IED

Over 10 pounds of heroin
recovered from the hamper.



Organized Crime: Complex Financial Crimes

Complex Financial Crimes Team (CFCT)

- Special agents and prosecutors who target financial racketeering offenses such as white collar crime.
- This team was created in the fall of 2012.
- Continues and expands the work of the mortgage fraud grant.
- Works with Division of Finance and Corporate Securities, Department of Revenue, and other agencies to identify offenders.



Internet Crimes Against Children (ICAC)

ICAC's mission is to protect Oregon's children through community education the identification, apprehension and prosecution of those who commit internet crimes against children.

Criminal Justice (CJ) is the lead agency. CJ contributes:

- Two general fund agents
- Two grant-funded agents, including a computer forensic investigator.
- Prosecutors

From July, 1, 2011, to December 31, 2012, ICAC was responsible for:

- 2,115 cybertips
- 38 arrests
- 80 warrants
- 1,042 forensic exams
- Training 5,159 parents, educators and law-enforcement officers about how to protect children on the internet



Special Investigations and Prosecutions Unit (SIPU)

SIPU supports law enforcement agencies and District Attorneys by:

- Investigating and prosecuting highly complex criminal cases, cases requiring specialty expertise, and cases in which the investigating agency or District Attorney has a conflict.
- Offers advice and other assistance when requested.
- DUII and Domestic Violence resource prosecutors
- Provides training to officers and prosecutors
- Acts as the District Attorney when necessary
 - The Division is currently administering the Klamath County District Attorney's Office
- 118 cases worked



Criminal Intelligence Unit (CIU)

CIU supports law enforcement agencies by:

- Facilitating criminal information sharing among local, state and federal law enforcement agencies.
- Disseminating officer safety bulletins
- Preparing threat assessments
- Sharing terrorism related information
- Providing analytical case support
- Deconflicting law enforcement operations



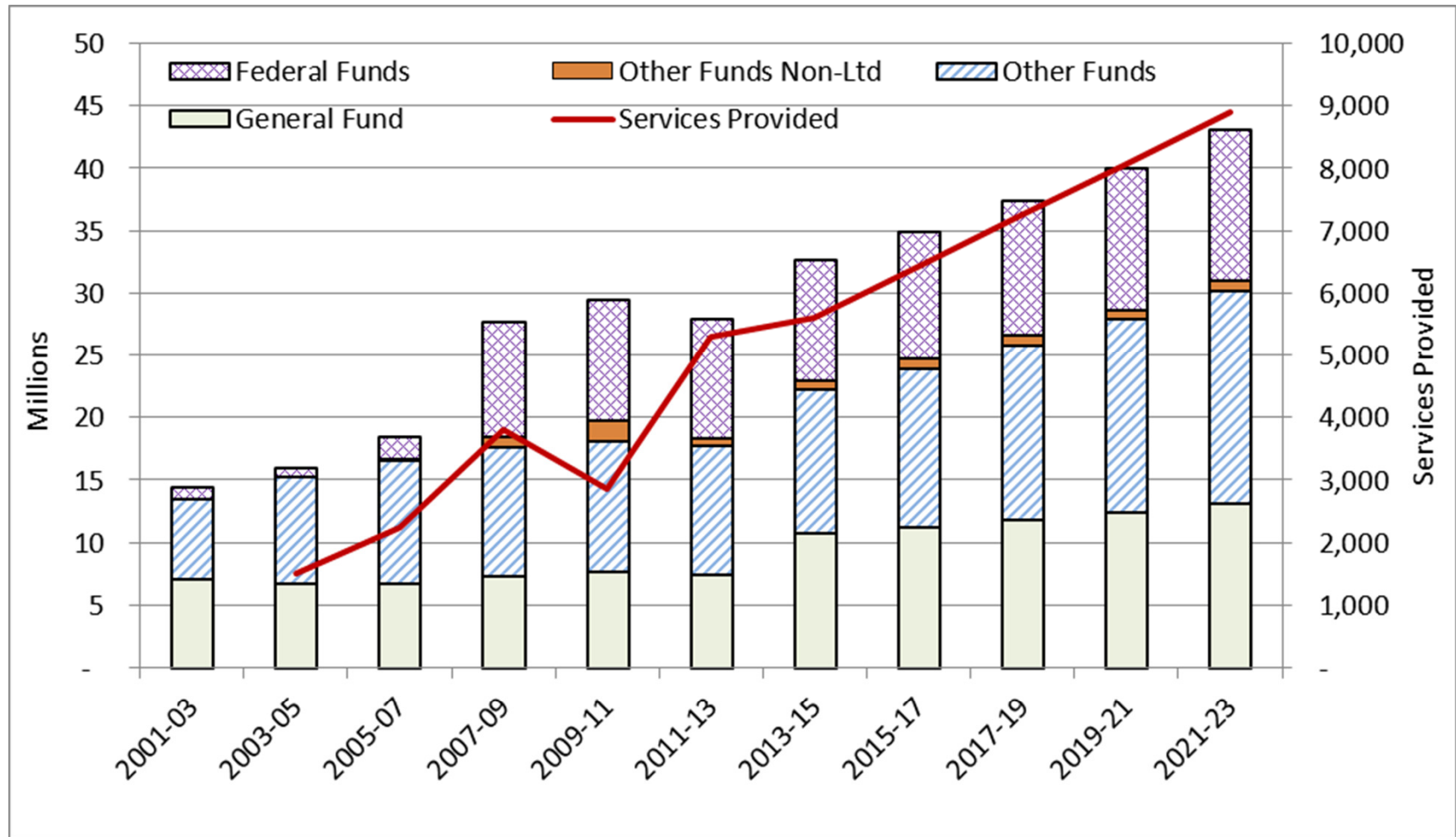
Criminal Intelligence Unit (CIU)

From January 1, 2012 - December 31, 2012 CIU:

- Disseminated 199 publications (law enforcement bulletins, threat assessments, officer safety alerts)
- 829 case related charts and graphs
- 7,219 intelligence profiles (packets containing research on suspects)
- 367 terrorism related tips and leads processed
- 34 wiretap lines supported
- 3683 deconfliction checks

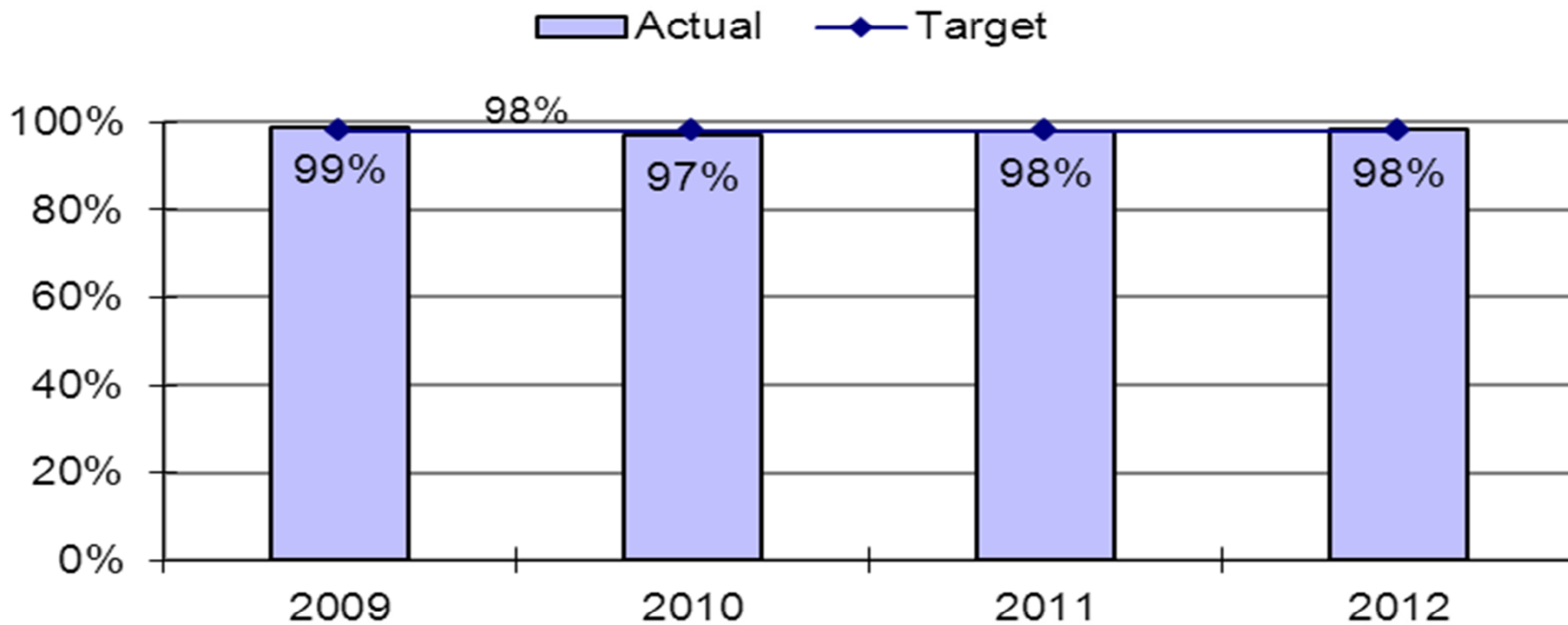


Services Provided 2003-2011



Key Performance Measure (KPM) Results

CRIMINAL JUSTICE
8. Percentage of Criminal Justice Division cases resolved successfully
(State Fiscal Year)



Efficiencies

- Agents, analysts and prosecutors assigned to cases at the earliest stage.
- Simplified our case-opening procedure so that case can be more quickly and efficiently opened and assigned.
- Improved our case-tracking process, enabling us to see the status of investigations and prosecutions, and identify issues that can stall progress.



Major Changes

- Reorganized into three units with teams focused on the Division's primary responsibilities.
- Reworked our records management process to allow for easier access to records, timely provision of discovery, and a unified approach to handling documents.
- Streamlined our Public Records Request response procedure.



Proposed Legislation

- Clarifying electronic warrant requirements
- Raising the penalties against criminals who deliberately target vulnerable populations
- Expansion of the RICO Revolving Account



Major Budgetary Issues

The Division has lost 30 positions since 2009.

- The Division's personnel resources have been stretched to the point that any unplanned major case causes massive disruption and can lead to:
 - Division wide investigative delays on current cases
 - An inability to investigate or prosecute other unplanned major cases
- We cannot provide analytical support on:
 - Child pornography cases
 - Homicides
 - Gang cases
 - Complex financial crimes



Major Budgetary Issues

- Extremely limited in the number of large, complex cases CJ can investigate and prosecute:
 - Two long term drug trafficking cases per year
 - Dependent on forfeited assets, which are used to repay costs of investigations
 - Two large financial crimes cases at one time



Criminal Justice Division

Questions?





Department of Justice

Appellate Division

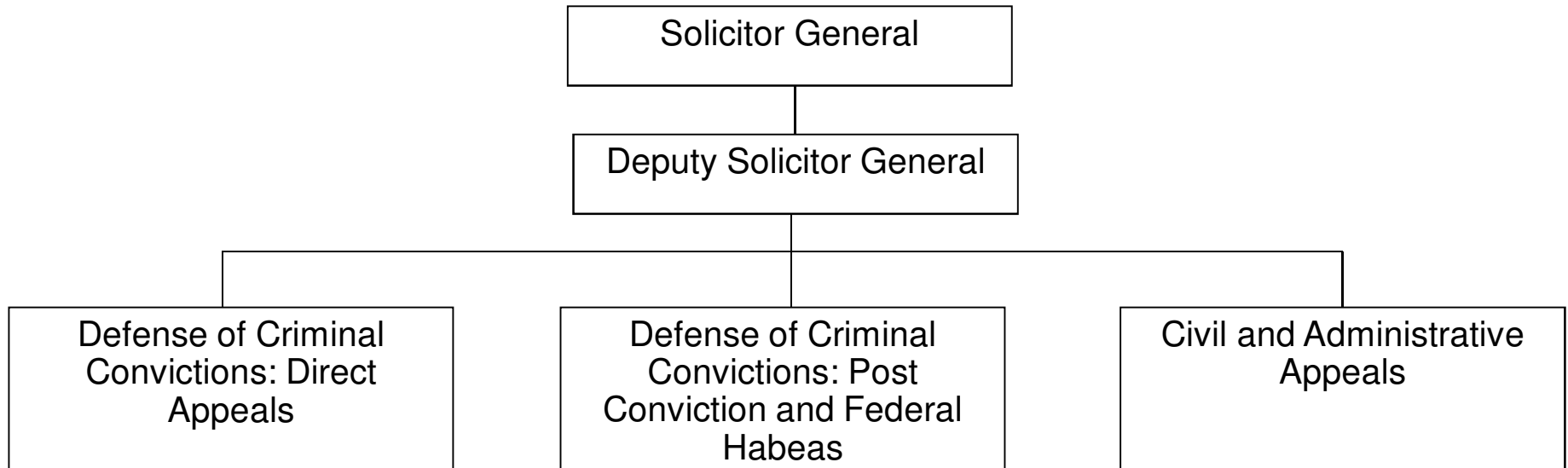
Appellate Division Mission

Effectively advocating the state's interests in the state and federal appellate courts by:

- Preserving criminal convictions;
- Defending state-agency orders and rules;
and
- Representing the state, its agencies and its officials in civil cases that are appealed from the trial courts.



Organization



2013-15 Governor's Balanced Budget	
Positions	59
FTE	58.40



Program Summary

Write briefs and argue cases in:

- Oregon Court of Appeals
 - State is a party in every criminal and post-conviction case and approximately 60% of the civil cases
- Oregon Supreme Court
 - State is a party in 50-60% of cases
- Federal Appellate Courts



Types of Cases

- Defense of Criminal Convictions
- Civil
- Administrative
- Other



Types of Cases

Defense of Criminal Convictions (DCC)

- Direct Appeal
- Post-Conviction Relief
- Federal Habeas Corpus



Types of Cases

Civil

- Tort
- Juvenile dependency and termination of parental rights
- State habeas corpus
- Challenges to statutes and initiatives



Types of Cases

Administrative

- Administrative Procedures Act (APA)
- Examples:
 - Appeals from decisions that affect professional and other licenses
 - Appeals from regulatory decisions to impose fines or other penalties
 - Appeals from benefits decisions



Types of Cases

Other cases

- “Original Jurisdiction” cases (bypass lower-court review and go directly to the Supreme Court)
 - Mandamus
 - Ballot titles
 - State’s appeals in murder cases
- Amicus (state is not a party, but has an interest)



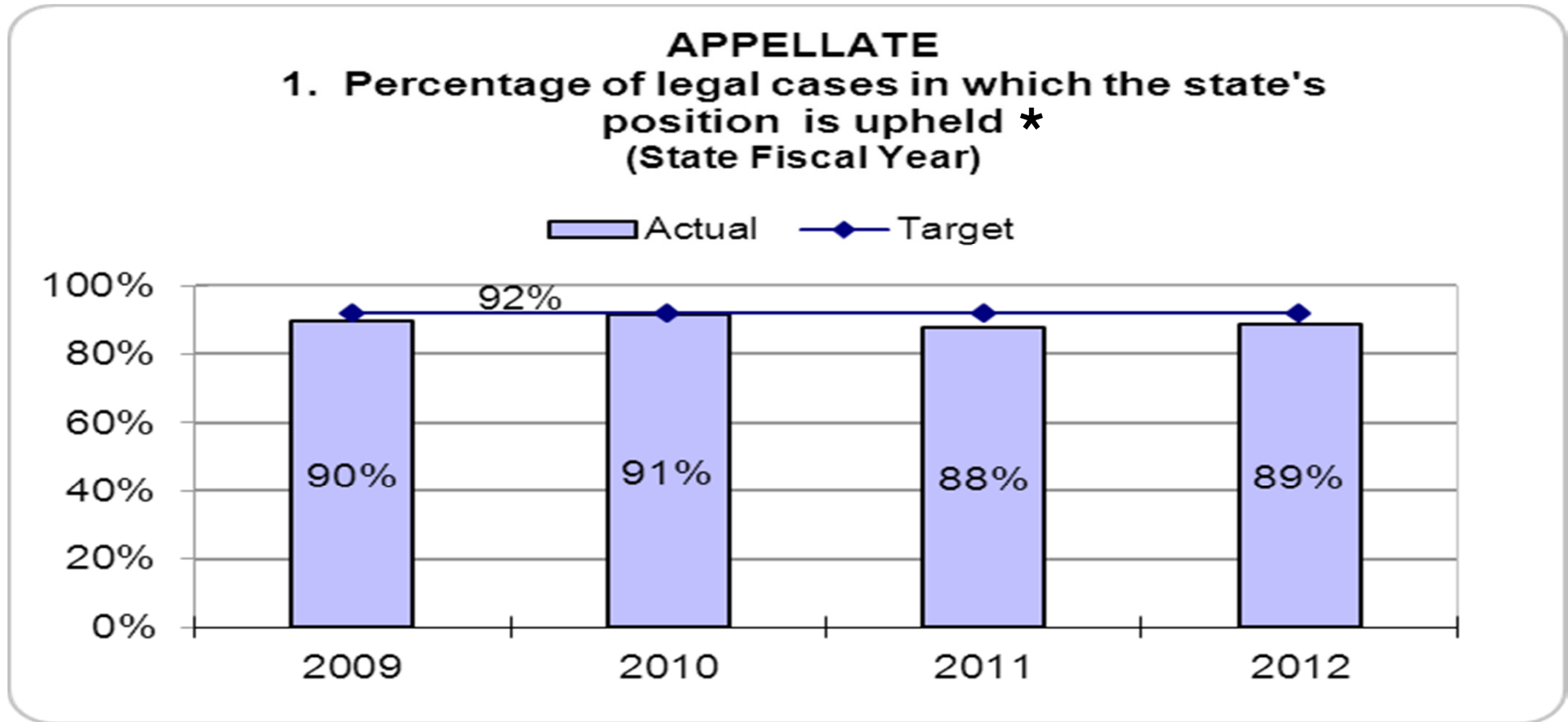
Workload

Average number of cases each year:

- Civil/administrative: 495
- Juvenile dependency/termination: 165
- Ballot titles: 20



Key Performance Measure (KPM) Results



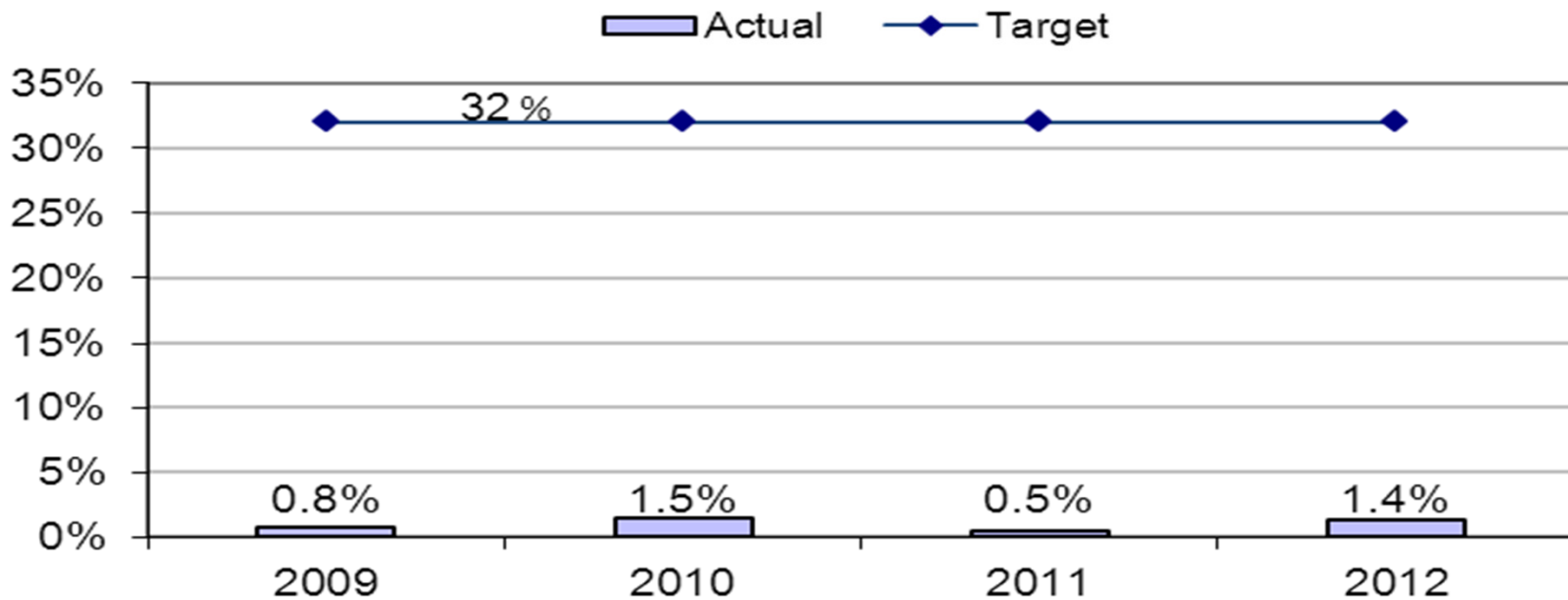
* Includes Defense of Criminal Convictions cases



Department of Justice – Appellate Division

KPM Results

APPELLATE 2. Percentage of appropriate litigation resolved through settlement * (State Fiscal Year)



* Excludes Defense of Criminal Convictions Cases

Department of Justice – Appellate Division



Efficiencies

Maximize efficiencies through:

- In-house training and education
- Designate lead cases in areas where issues repeat
- Expedited disposition of many cases through:
 - waivers of appearance;
 - motion practice;
 - dismissal of cases in which defendants abscond



Appellate Division

Questions?



Department of Justice – Appellate Division



Department of Justice

Defense of Criminal Convictions

(DCC)

Program Mission

To preserve criminal convictions and sentences obtained by the state's prosecutors.



Department of Justice – Defense of Criminal Convictions

Program Summary

- Preserve criminal convictions against direct and collateral challenges in the state and federal courts.
- Appeal from adverse trial court decisions that place criminal prosecutions in jeopardy.
- Analyze court decisions and provide crucial information and advice to District Attorneys and law-enforcement officers.



Defense of Criminal Convictions

1. Direct Appeal from Conviction

2. Post-Conviction Challenge to Conviction

3. Federal Habeas Challenge to Conviction

Criminal Conviction
(State Trial Court)

Court of Appeals

Supreme Court Review

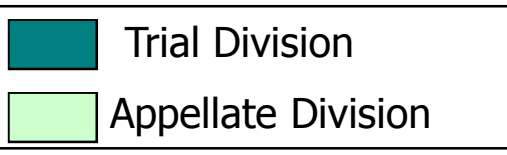
State Trial Court

Court of Appeals

Supreme Court Review

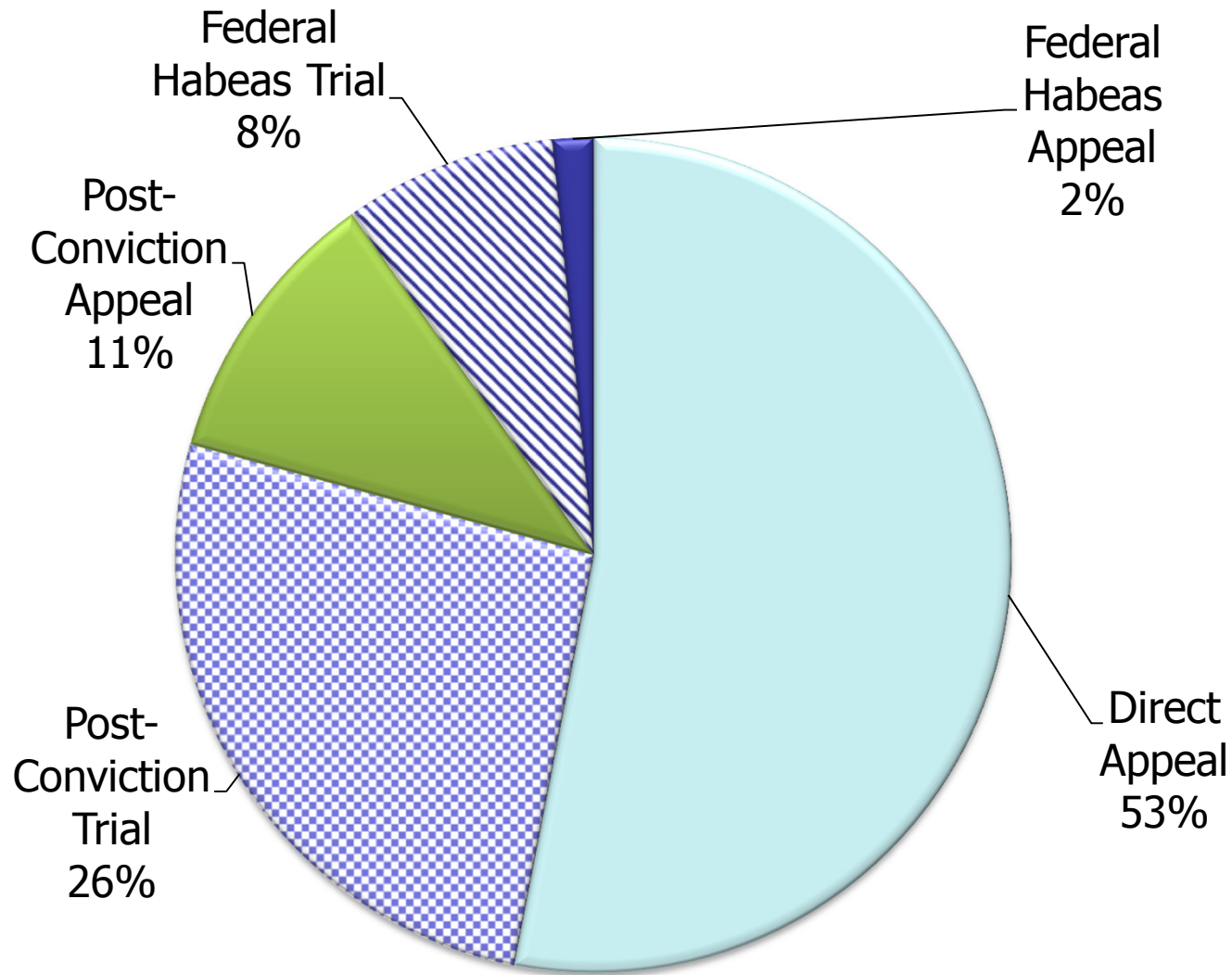
Federal Trial Court

Federal Court of Appeals

 Trial Division
Appellate Division



Caseload



Caseload

- Over 95% of the DCC cases are driven primarily by decisions of individuals convicted of crimes to contest those convictions
- Approximately 1,600 cases each year



State's Appeals

A small portion of the DCC caseload involves State's appeals:

- Solicitor General approves appeal of lower-court decisions;
- Typically involve a challenge to the dismissal of criminal charges or the exclusion of evidence critical to the successful prosecution of the case;
- Approximately 50 such case per year.



Supporting District Attorneys

Respond to legal questions from the state's prosecutors, often on short notice

Prepare and distribute publications on Oregon criminal law, including:

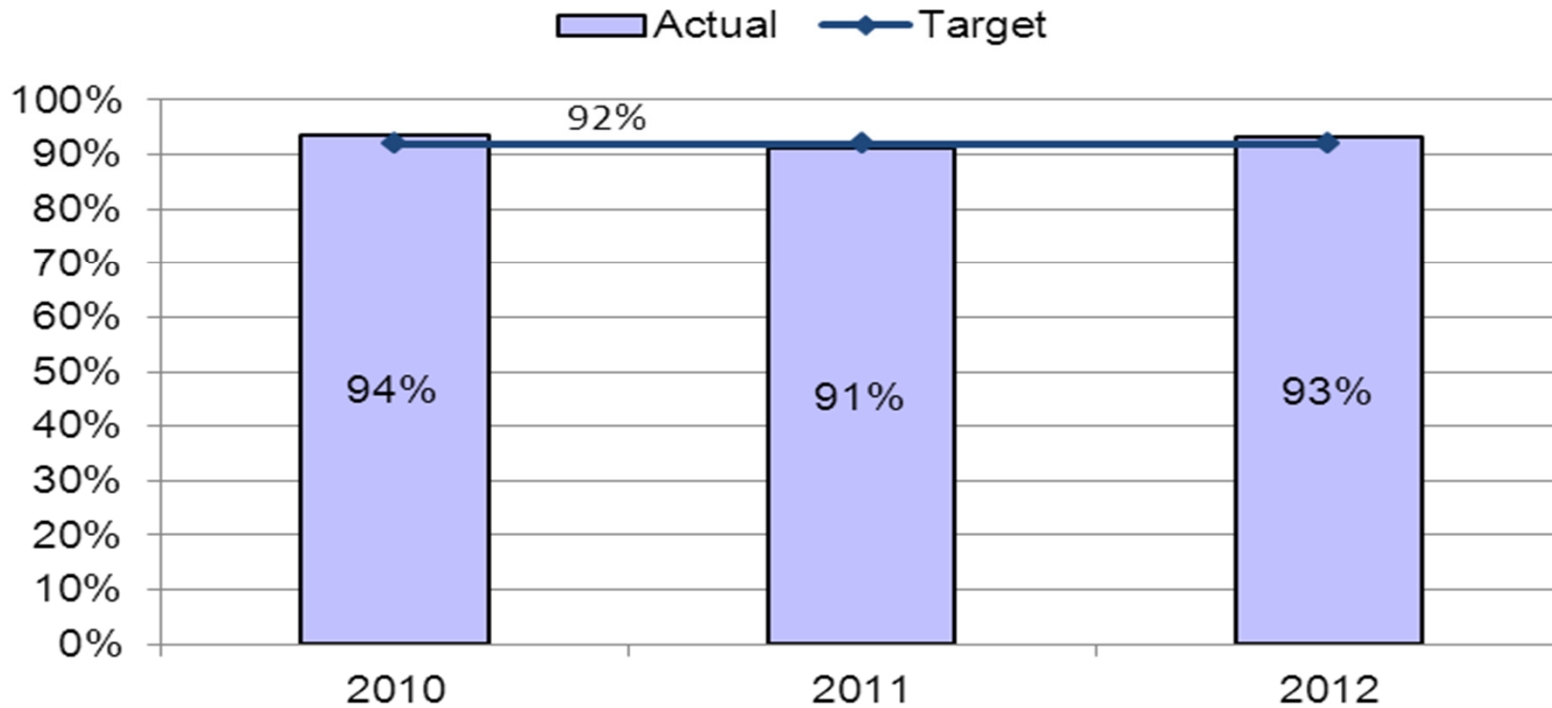
- Weekly electronic legal bulletins
- Search and Seizure Manual
- Oregon Criminal Reporter



Department of Justice – Defense of Criminal Convictions

KPM Results

1. Percentage of DCC cases in which the state's position is upheld * (State Fiscal Year)



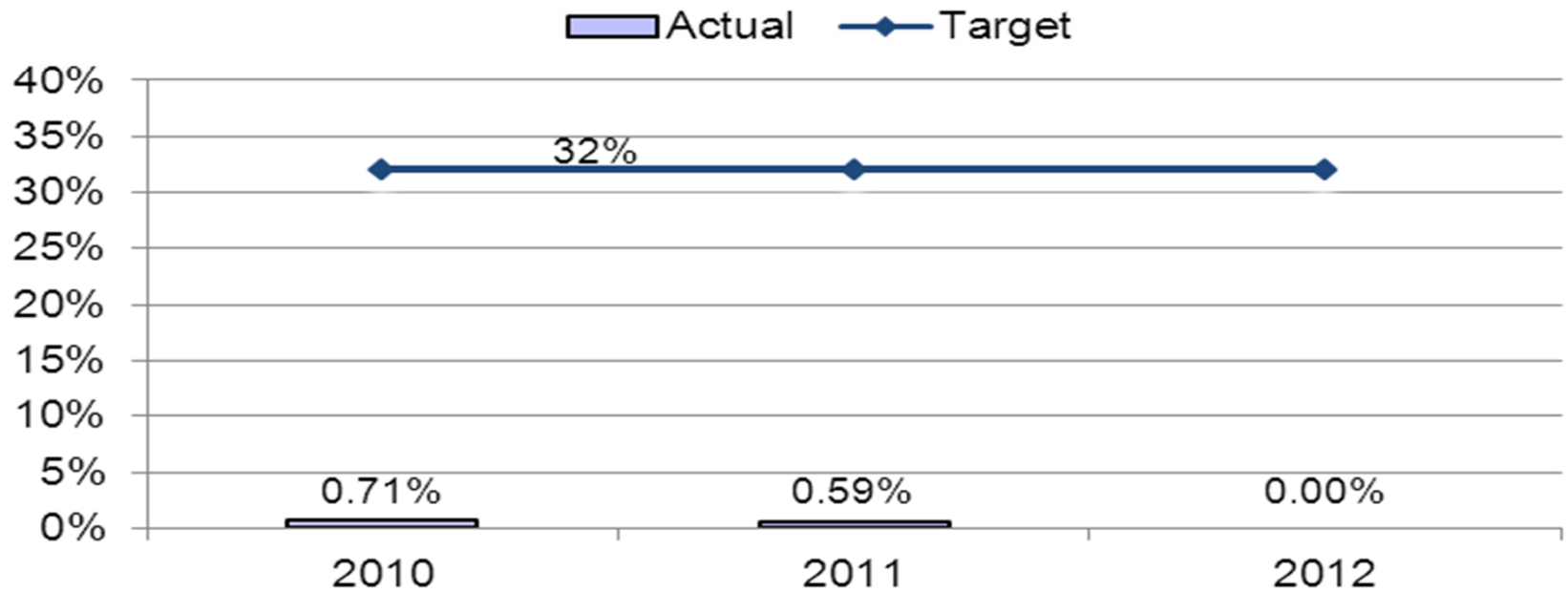
* Combining DCC cases from Appellate and Trial divisions

Department of Justice – Defense of Criminal Convictions



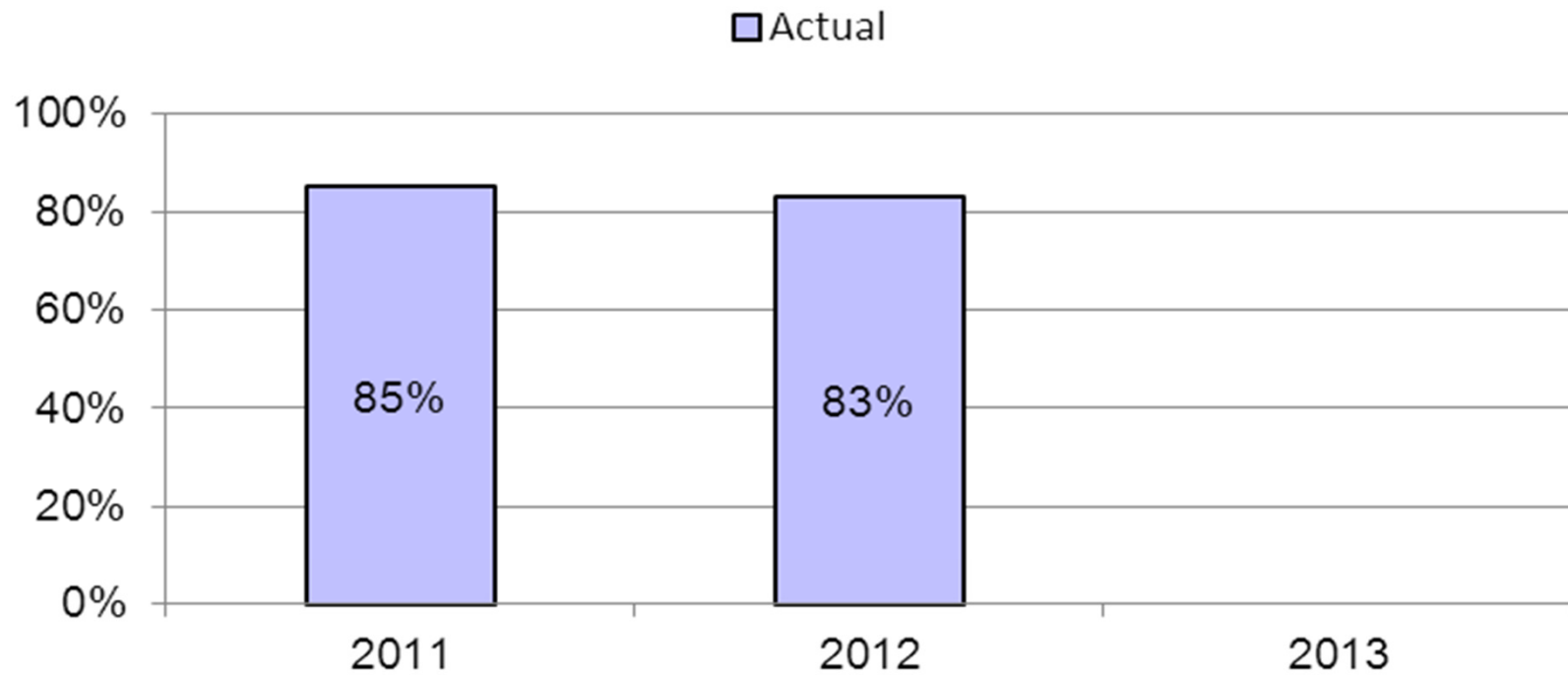
KPM Results

TRIAL 2. DCC Percentage of appropriate litigation resolved through settlement (State Fiscal Year)



KPM Results

APPELLATE 16. Percentage of Defense of Criminal Convictions (DCC) Cases Briefed within 210 days (State Fiscal Year)



Defense of Criminal Convictions

Questions?



Department of Justice – Defense of Criminal Convictions



Department of Justice Crime Victims' Services Division

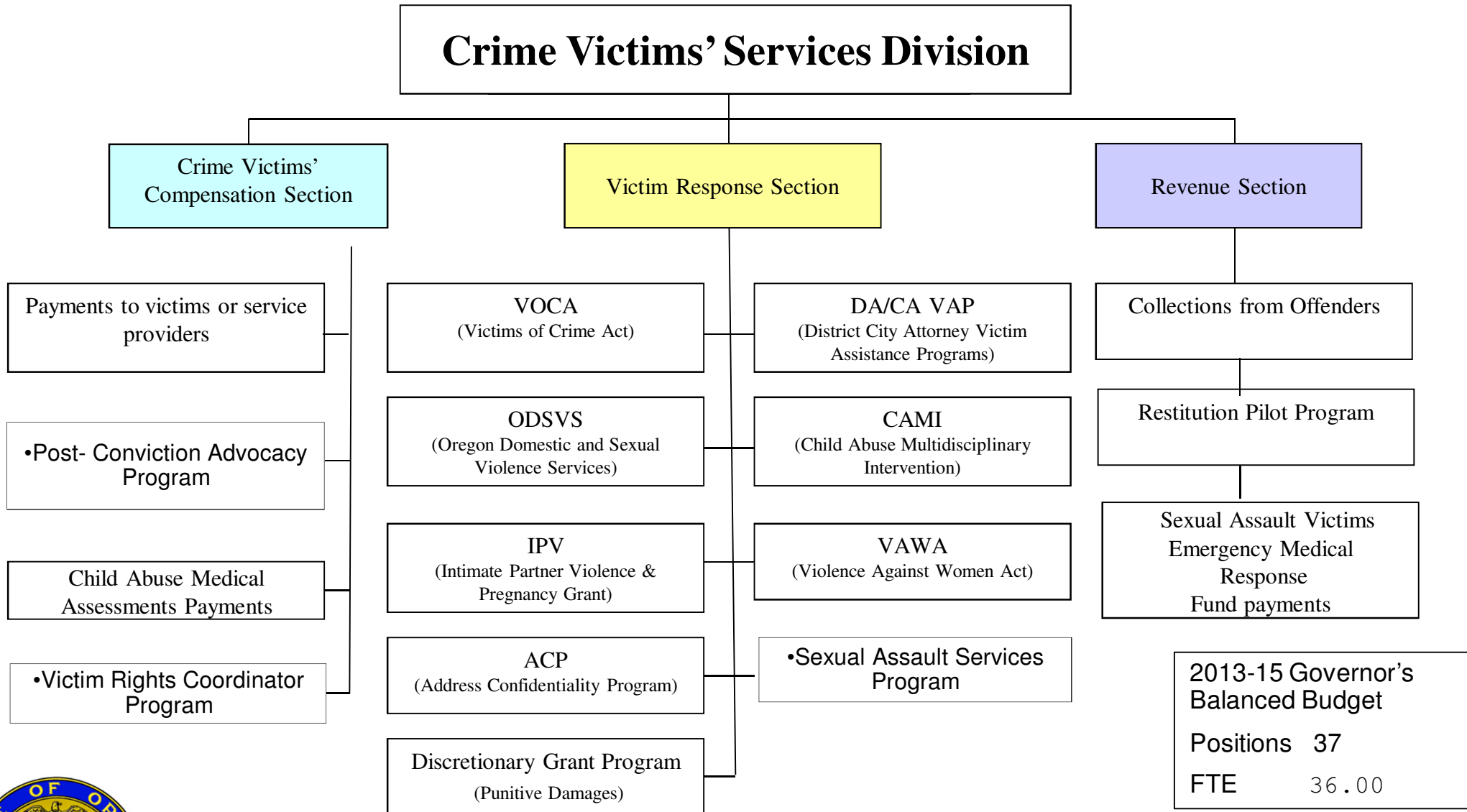
Crime Victims' Services Division

Mission

To reduce the impact of crime on victims' lives by providing financial assistance to victims, supporting statewide victim services programs, promoting victims' rights, and giving victims access to information and resources in a compassionate, responsive, and dedicated manner.



Organization



Crime Victims' Compensation Section

Primary Purpose: Provide financial compensation to victims of violent crime. This is a statutorily mandated program created to mitigate the financial impact of crime on victims' and their families.

Victims may apply for compensation to cover:

- Medical and counseling services
- Loss of Earnings and Loss of Support
- Funeral costs
- Transportation and rehabilitation
- Child Abuse Medical Assessments

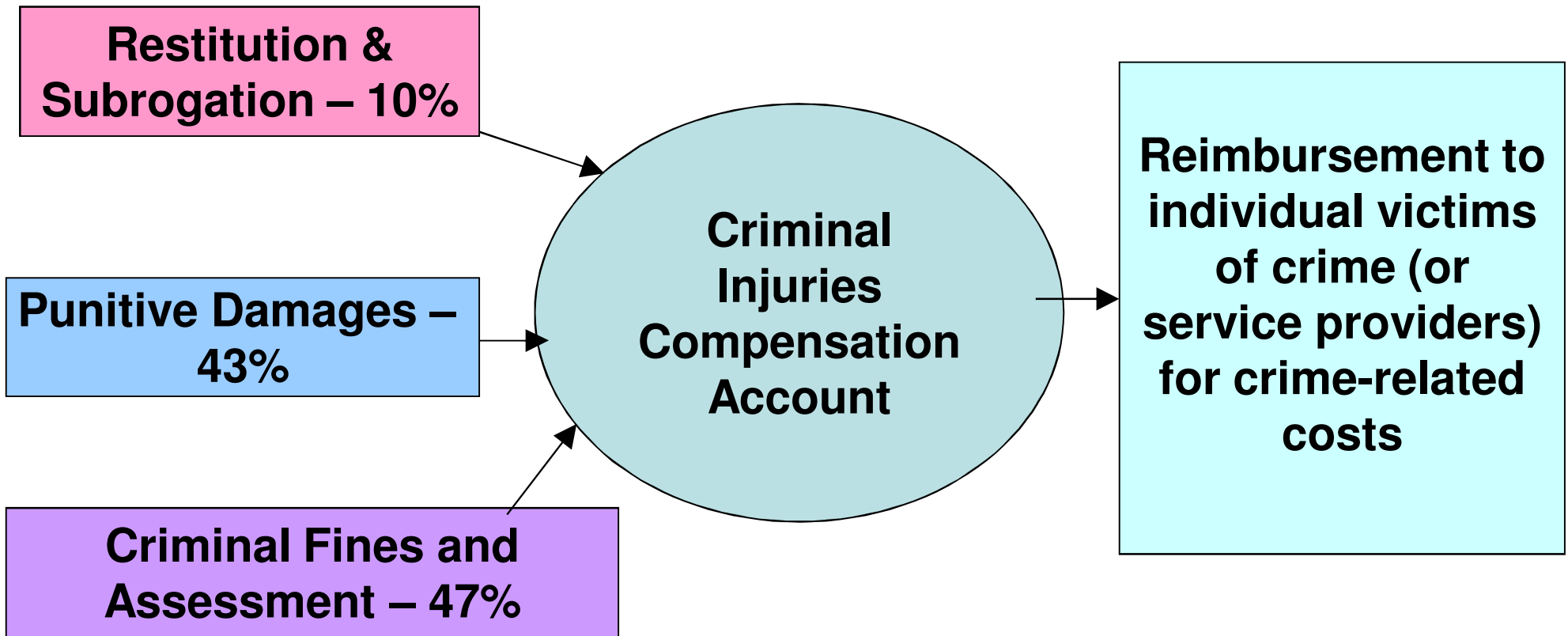
CVSD is a payor of last resort

Other Programs/Services include:

- Victims' Rights Program
- Post Conviction Advocacy Program
- Address Confidentiality Program
- Payments from the Sexual Assault Victims Emergency Medical Response (SAVE) fund



State Funds for Crime Victims' Compensation



Address Confidentiality Program

Purpose: Allows victims of domestic violence, sexual assault, human trafficking and stalking to use DOJ Post Office box for residential address and mail

Services include:

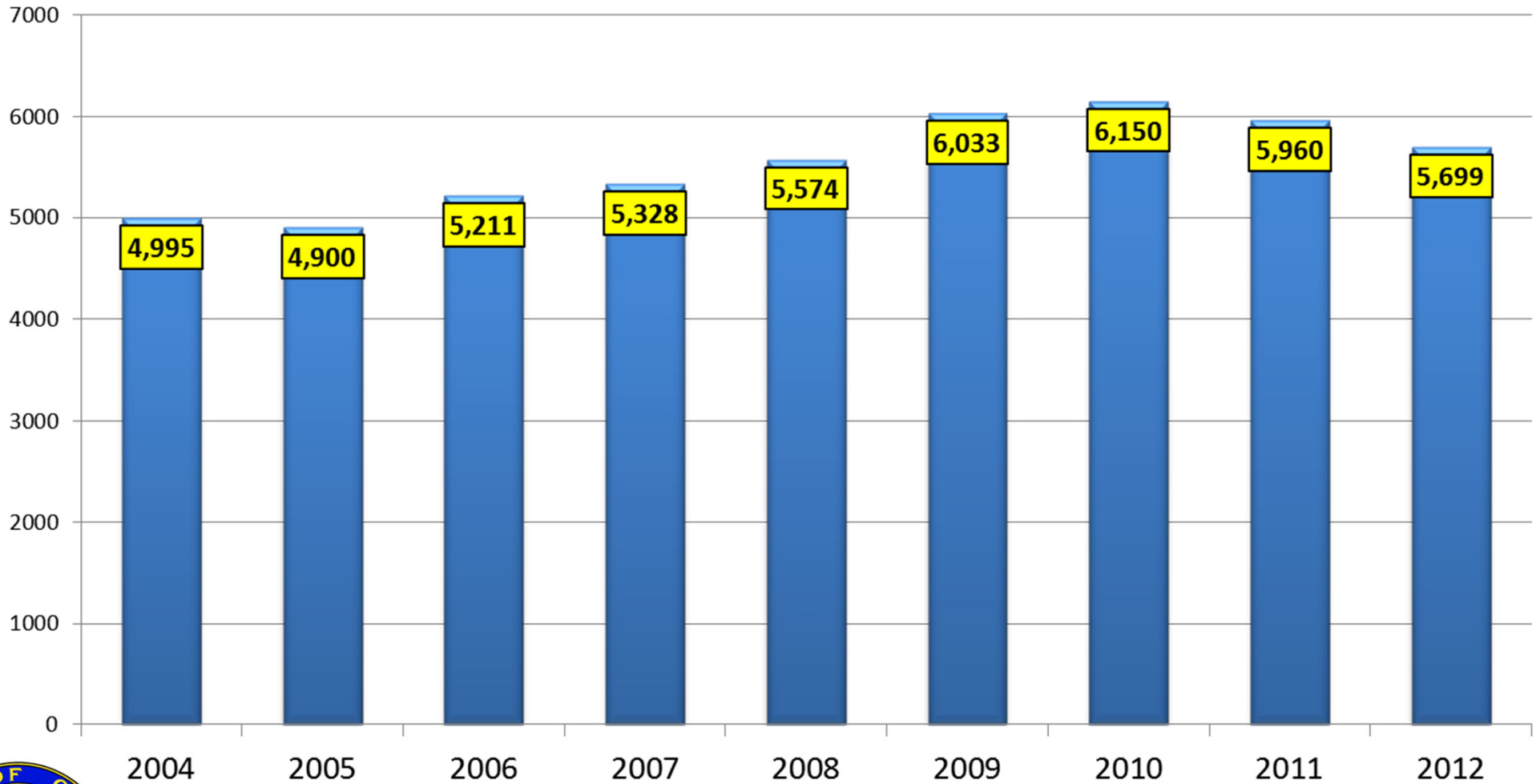
- Mail and legal service forwarding
- 193 households with 1,593 participants
- 2,258 pieces of mail forwarded a month
- 253 trained Application Assistants

Funding: General Fund and punitive damages



Total Compensation Claims Received

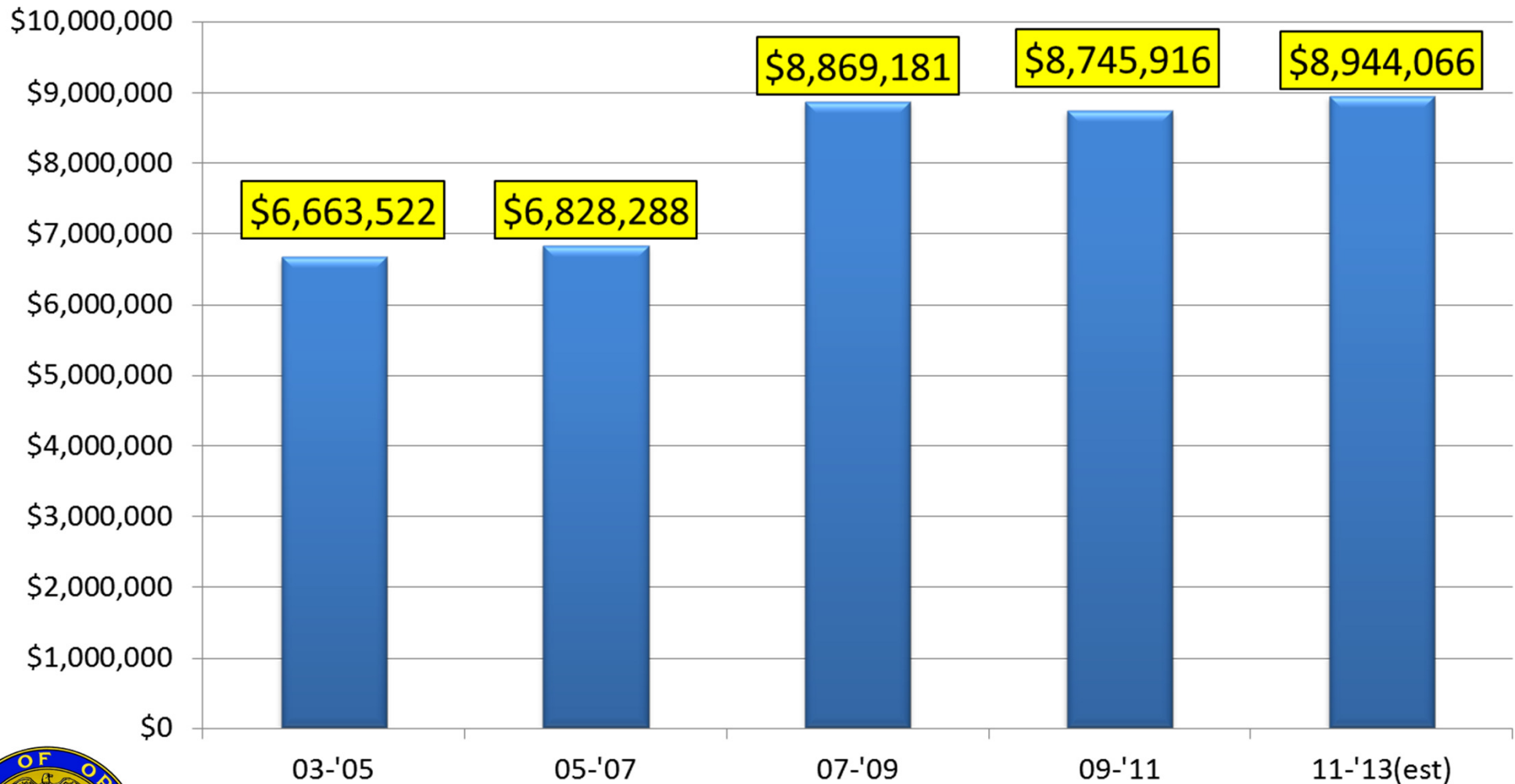
Total Applications 2004-2012 (Calendar Years)



Department of Justice – Crime Victims' Services Division

Compensation Payments

Payments 2003 - 2011

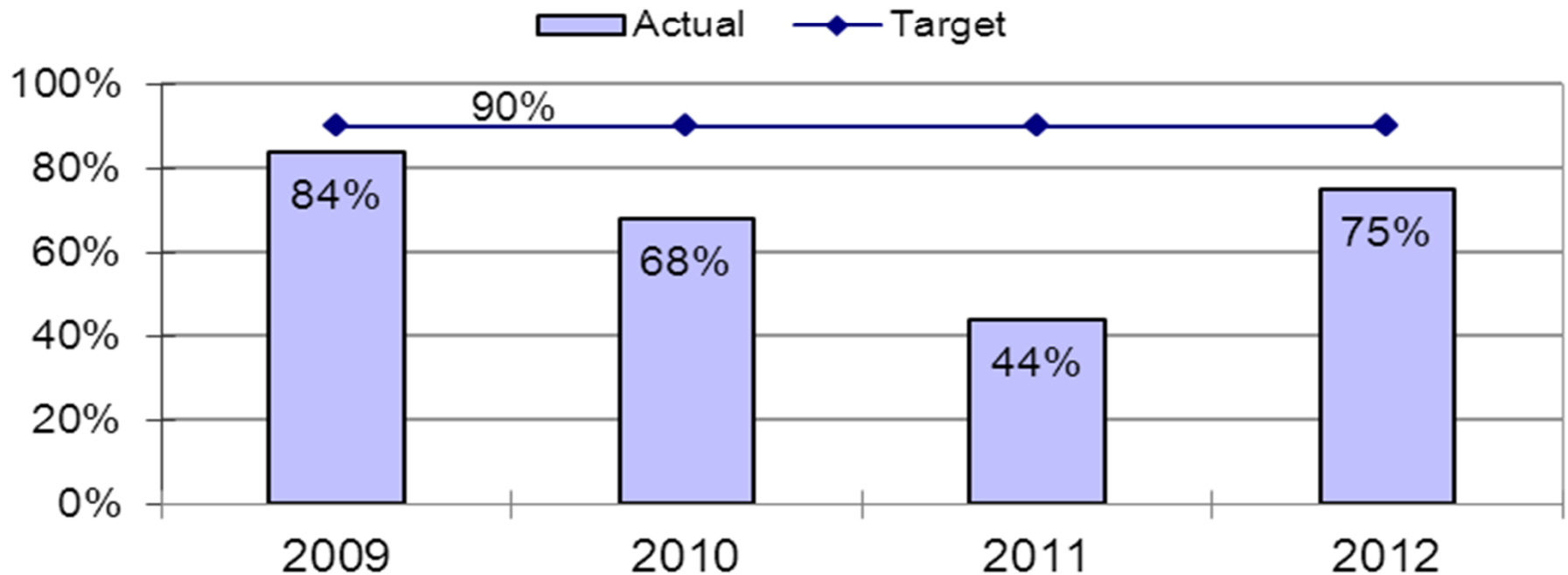


Department of Justice – Crime Victims' Services Division

Key Performance Measure (KPM) Results

CRIME VICTIM'S SERVICES

9. Percentage of crime victims compensation orders issued within 90 days of receipt
(State Fiscal Year)



Victim Response Section

This section administers seven state and federal grant funds providing victim services in all 36 counties

- **Victim of Crime Act Grants (VOCA)**
- **Violence Against Women Act Grants (VAWA)**
- **Sexual Assault Services Program (SASP)**
- **Intimate Partner Violence and Pregnancy Grant**
- **Oregon Domestic and Sexual Violence Services (ODSVS)**
- **Child Abuse Multi-Disciplinary Intervention (CAMI)**
- **District Attorney Victims' Assistance Program Grants (DA/VAPs)**



Federal Grants Administered by Victim Response Section

Victim of Crime Act Grants (VOCA)

- 134 grants, \$9.7 million 2011-2013

Violence Against Women Act Grants (VAWA)

- 73 grants, \$3.5 million (includes 5 Sexual Assault Services grants)

Sexual Assault Services Program (SASP)

- 7 grants, \$653K for 2012-2014

Intimate Partner Violence and Pregnancy Grants (IPV)

- 15 grants, \$2.1 million granted for 2011-13



District Attorney Victim Assistance Grants

Purpose: Fund programs providing victims with notification of, and access to, constitutionally and statutorily mandated rights as they move through the criminal justice system.

- **36 Grants, \$3.8 million granted for 2011-2013**

Services also include:

- Crisis intervention services
- Information and referral
- Court accompaniment
- System advocacy

Funding: Criminal Fines Account



Child Abuse Multidisciplinary Intervention (CAMI) Grants

Purpose: Support Multidisciplinary Child Abuse Intervention Teams (MDTs) in each county to provide a coordinated response to child abuse and 5 Regional Service Providers (RSP)

- **36 MDT Grants, \$8.4 million granted for 2011-2013**
- **5 RSP grants, \$939K granted for 2011-2013**

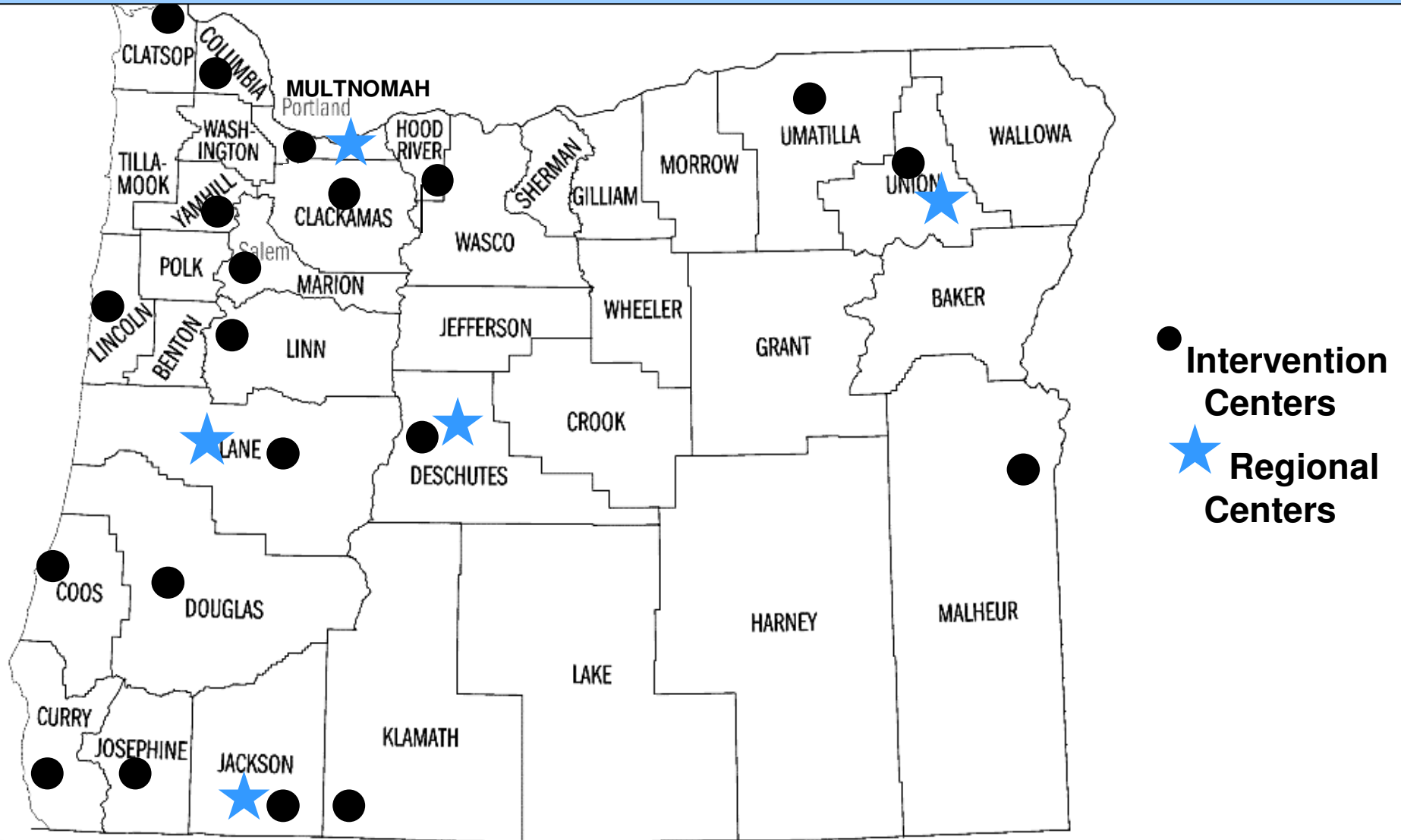
Services include:

- Coordinated investigation of child abuse
- Child-sensitive investigations, exams, interviews
- Continuing training for professionals conducting child- abuse assessments

Funding: Criminal Fines Account and General Fund



Child Abuse Intervention Centers



Department of Justice – Crime Victims’ Services Division

Oregon Domestic and Sexual Violence Services Fund

Purpose: Provide funding to stabilize essential response services for victims of domestic or sexual violence and increase victim safety

- **49 grants, \$3.7 million granted for 2011-2013**

Services include: shelter services, safety planning, 24-hour hotline, advocacy, information and referral

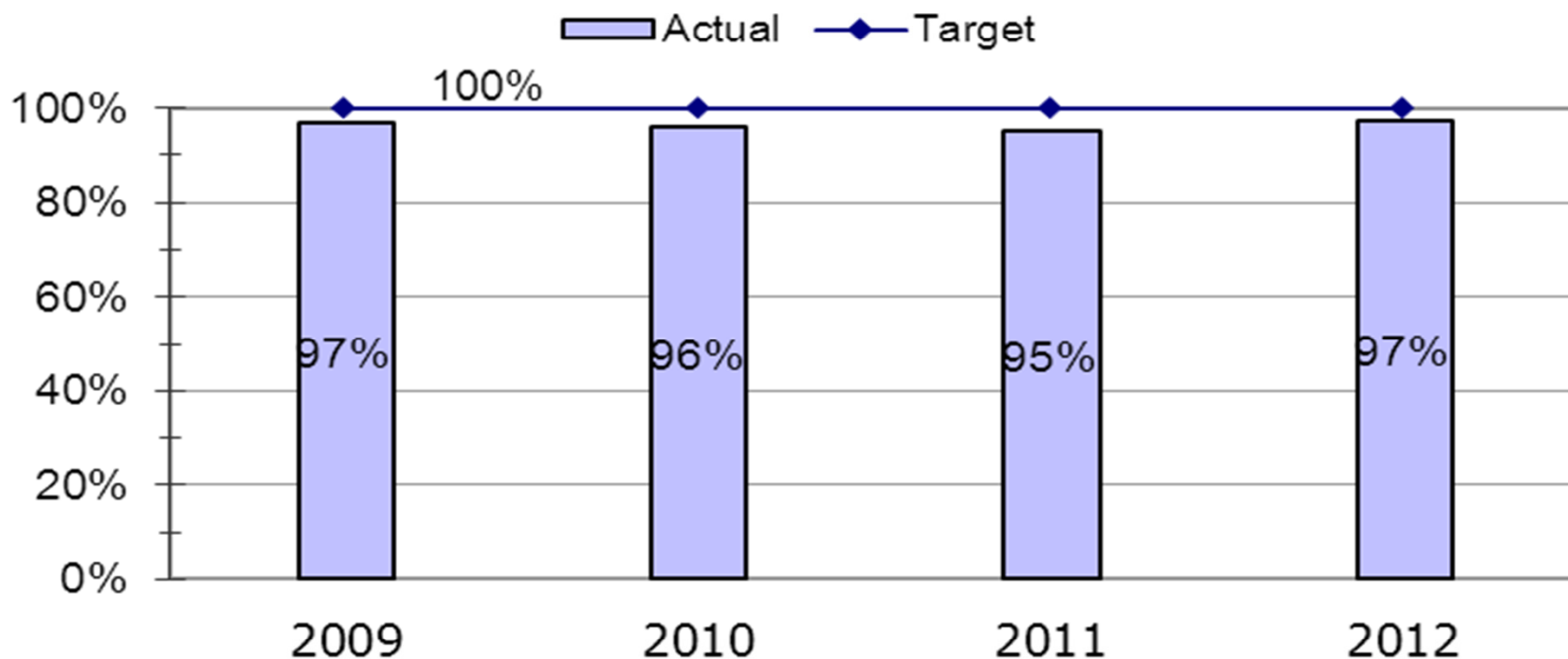
Funding: Supported by General Fund and punitive damages



KPM Results

CRIME VICTIMS' SERVICES

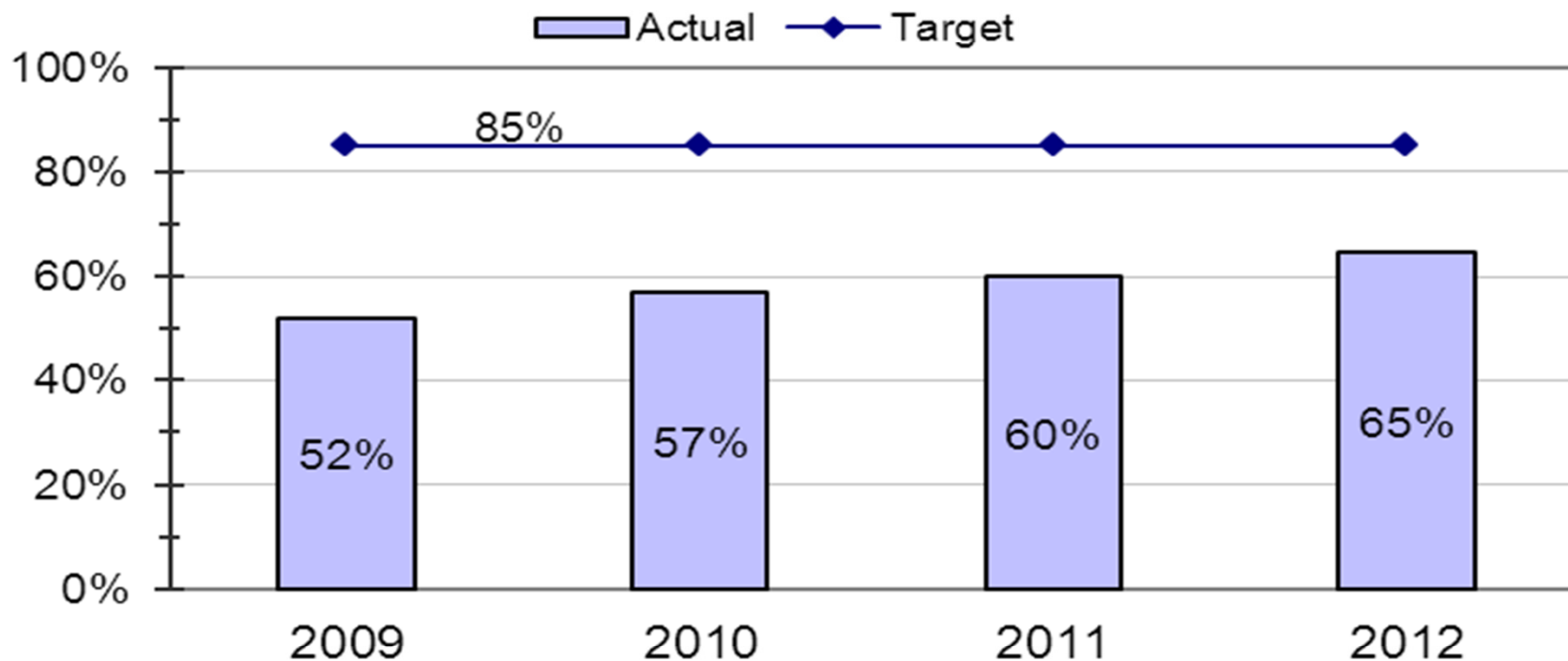
14. Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more (State Fiscal Year)



KPM Results

CRIME VICTIMS SERVICES

15. Percent of sexual assault exams conducted by specially trained sexual assault nurse examiners (State Fiscal Year)



Revenue Section

Purpose: To collect restitution, compensatory fines and other court fees from criminal offenders in an effort to enforce victims' rights to prompt restitution.

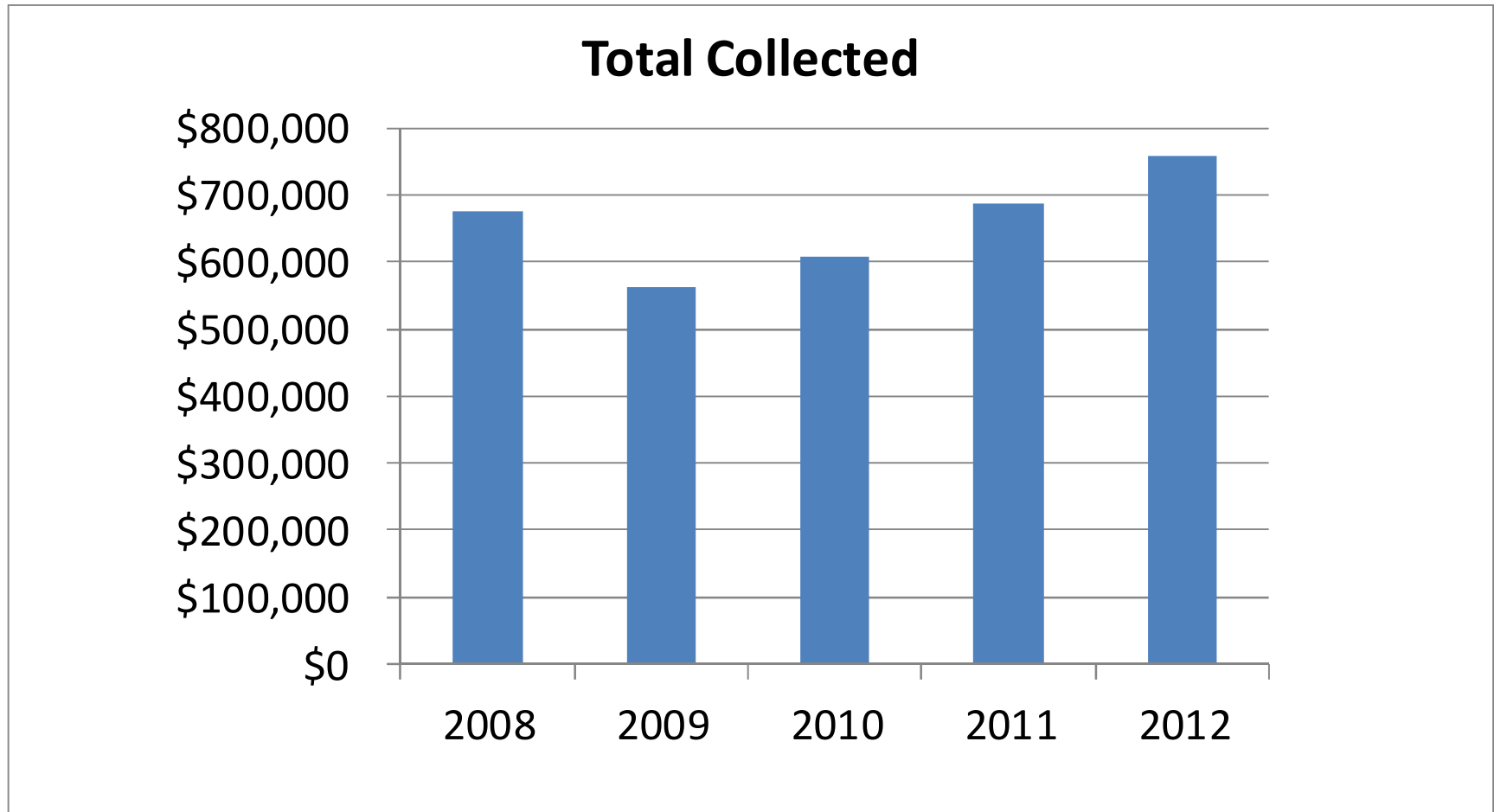
Collections:

In the last biennium, two agents collected nearly \$1.5 million a biennium on behalf of the Crime Victims' Compensation program to recover funds paid out to eligible victims. Monies collected consisted of voluntary and court ordered restitution, fines and fees and subrogation. The department added a third agent to the collection team in early 2011.

Funding: Collection monies, punitive damages, Criminal Fines Account and federal Victim of Crime Act (VOCA) Compensation Grant



Compensation Collections

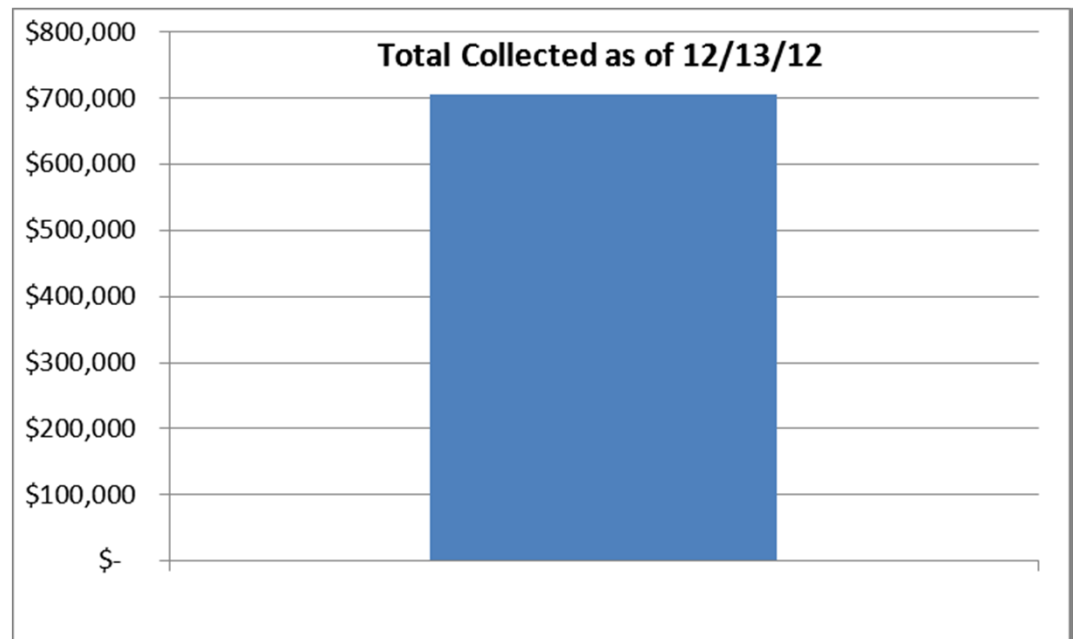


Restitution Pilot Program

Restitution Pilot Program:

In 2011 HB 3066 authorized DOJ to create restitution pilot programs in five counties: Multnomah, Lane, Jackson, Crook and Jefferson. The pilot funds collection agents in each participating county to work with victims and DDA's to ensure that the court orders restitution that accurately reflects the victims' loss. The pilot also funds collection agents to work with the offender, parole and probation and the courts to ensure that prompt and meaningful restitution payments are made to the victim.

Funding: Punitive Damages



Efficiencies

- Eliminated a CVCP backlog of over 1,400 cases
- Cut response time in half for victims' compensation requests.
- Payments on behalf of victims are now processed twice as fast
- Implemented a paperless CVCP claims process



Major Budgetary Requests

- \$2 million increase in the CAMI budget
- \$2 million increase in DA VAP funding
- \$3 million increase in ODSVS funding



Proposed Legislation

- Restitution Pilot Project extension
- Defense investigators transparency
- Eliminating constraints on restitution collection
- Clarifying the timing of interlocutory appeals by crime victims



Crime Victims Services Division

Questions?



Department of Justice – Crime Victims' Services Division



Department of Justice

Division of Child Support

Child Support Program Mission

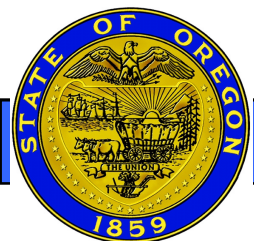
To enhance
the well-being of children
by providing child support services
to families.



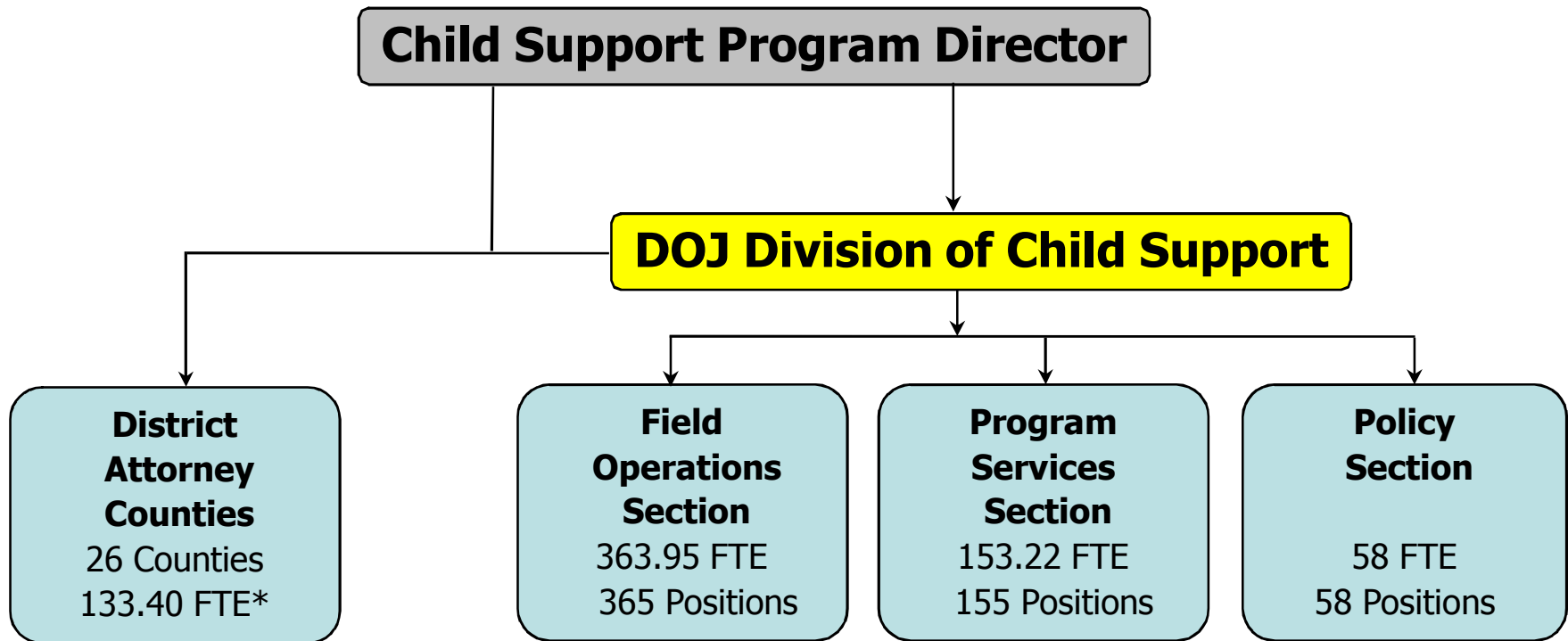
Strategic Plan

Child Support Program Goals

- Increase Support to Children
- Improve Overall Program Performance
- Develop and Strengthen Collaborative Partnerships
- Provide Consistently High-Quality Customer Service



Organization



* Not State FTE

2013-15 Governor's Recommended Budget	
Positions	578
FTE	575.17



Service Delivery

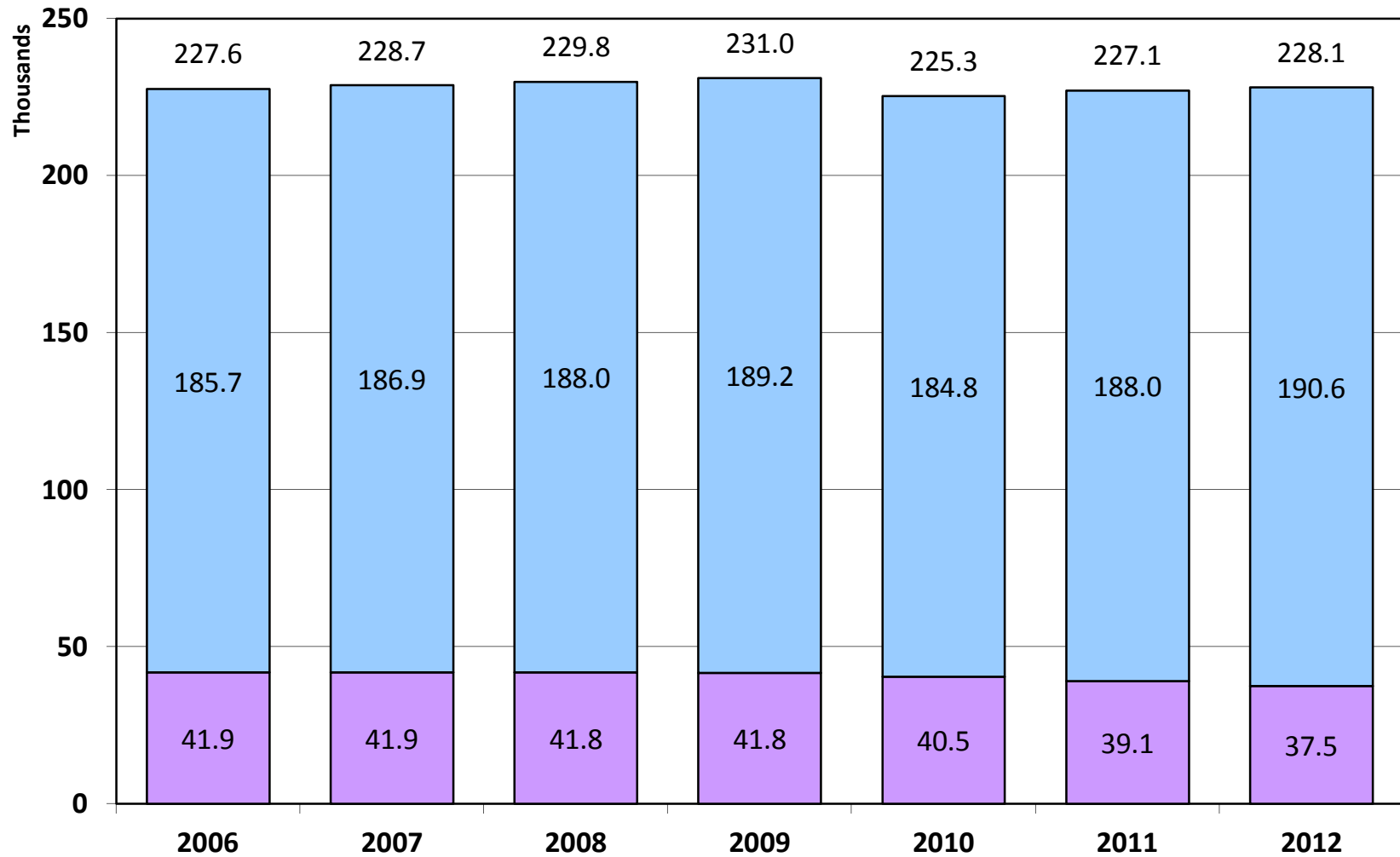
Oregon's Program provides services for more than 237,000 families:

- who are currently or were formerly receiving Temporary Assistance for Needy Families (TANF) or Medicaid
- who apply directly for child support services and have never received public assistance
- when a child is in the care and custody of the state Child Welfare system (including the Oregon Youth Authority)

There is no means test for services.



Caseload



■ District Attorneys (DA)

■ Division of Child Support (DCS)

Department of Justice – Division of Child Support

Data Source: OCSE 157 Annual Report



Core Functions

- **Locate** – The Program uses many data sources to find parents' locations and income sources.
- **Paternity** – Using legal processes, including genetic testing, the Program establishes paternity when a child is born to unwed parents.
- **Establishment** – Once paternity is resolved, the Program establishes a legal obligation (order) for the non-custodial parent to pay support.
- **Enforcement** – After the order is finalized, the Program enforces it using one or more of the enforcement remedies it has available.
- **Modification** – Oregon law provides for a review of each obligation at least every three years. Parties have a right to request a review when circumstances change.
- **Receipting and Distribution** – The Division of Child Support receives, receipts, applies, and distributes an average \$1 million in child support payments each day.

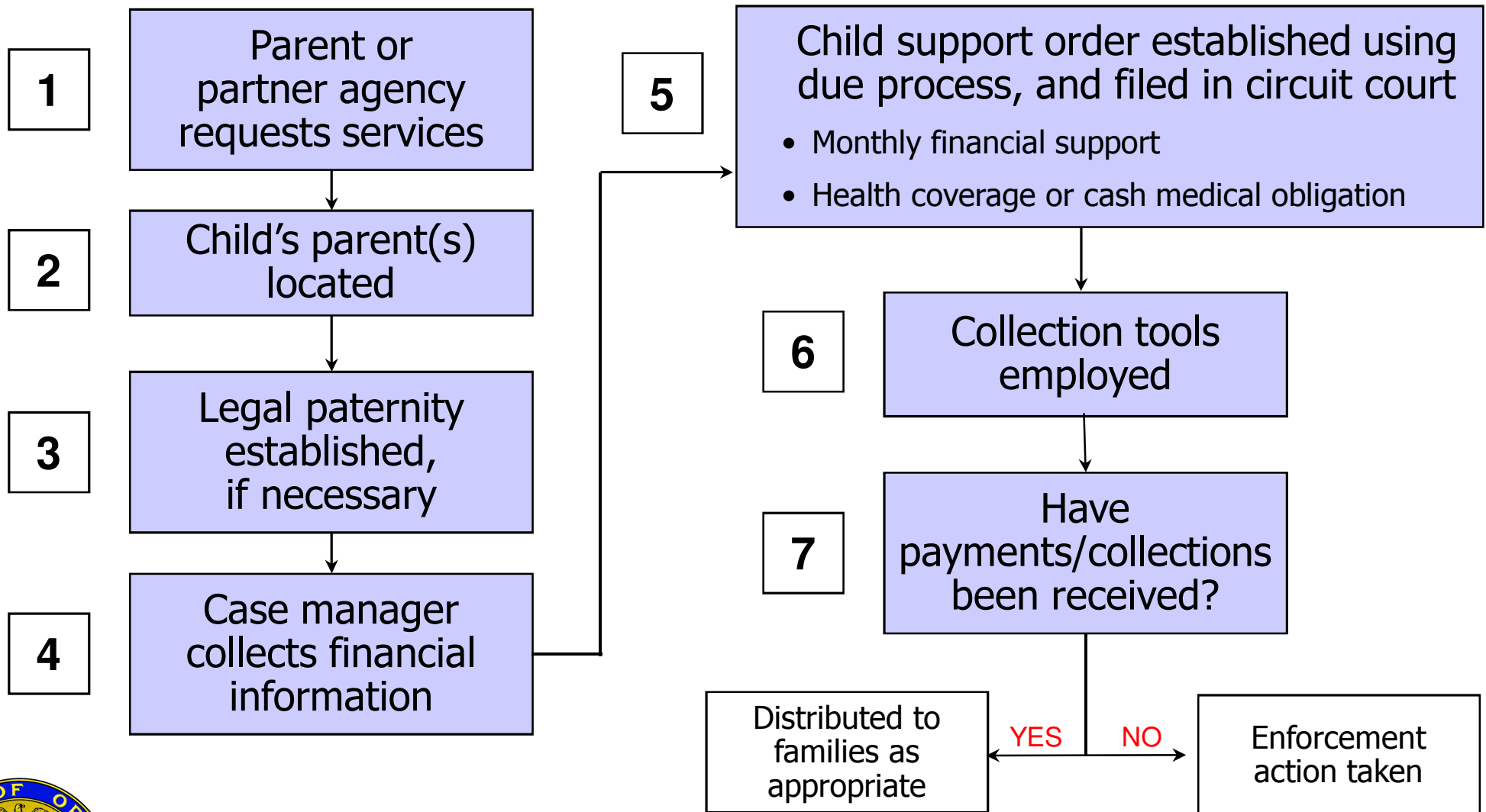


Program Funding

- Largely funded by federal funds that leverage state General Funds
- Earns federal incentive funds
- Generates recoveries for state agencies and the federal government



Establishing Orders



Enforcement

High-impact collection tools

- Immediate income withholding for current accounts
- Income withholding for delinquent accounts
- Health insurance enrollment or collection of cash medical enforced through employers
- Unemployment and workers compensation withholding
- State and federal tax refunds
- Passport restriction
- Liens on property and money awards



Enforcement

Other collection tools

- Compliance agreements through suspension of professional, recreational, and occupational licenses
- Financial institution data matches and garnishments
- Lottery interceptions
- Contempt
- Other sanctions



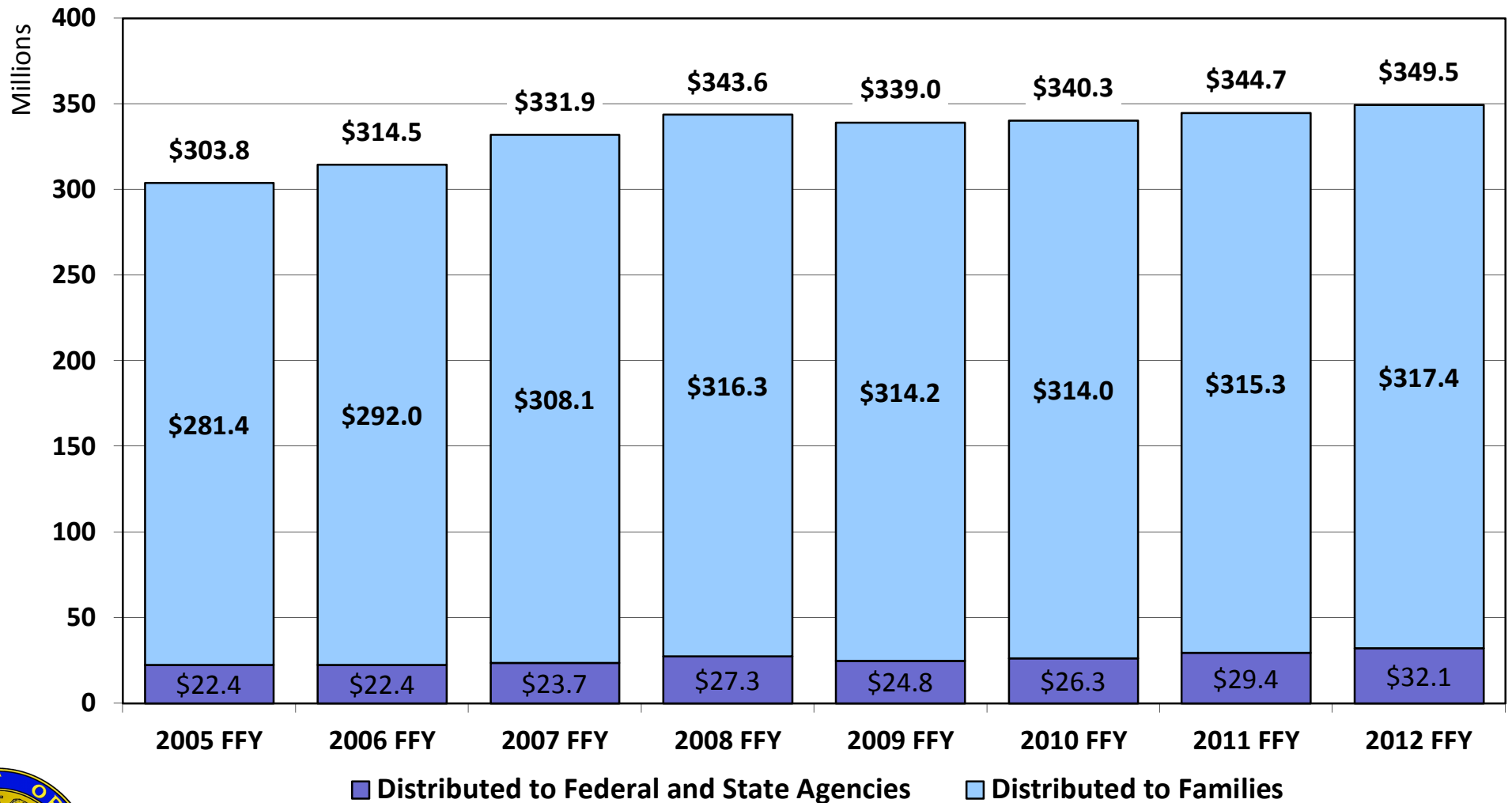
Performance Measures

Investing state funds in the Child Support Program yields a high return on investment.

- Every \$1 of state general funds spent on child support is matched by \$2 of federal funds.
- Every \$1 of state general funds spent on child support puts \$48 into the pockets of a parent or other custodian for the care of Oregon's children.
- In 2012, the Child Support Program recovered \$32.1 million in funds for state agencies.
- In 2012, the Child Support Program recovered \$317.4 million for families, reducing the need for public assistance and avoiding additional costs for taxpayers.



Total Child Support Collections Distributed in Oregon



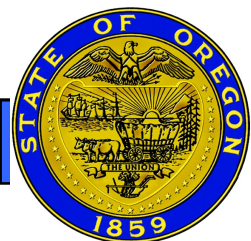
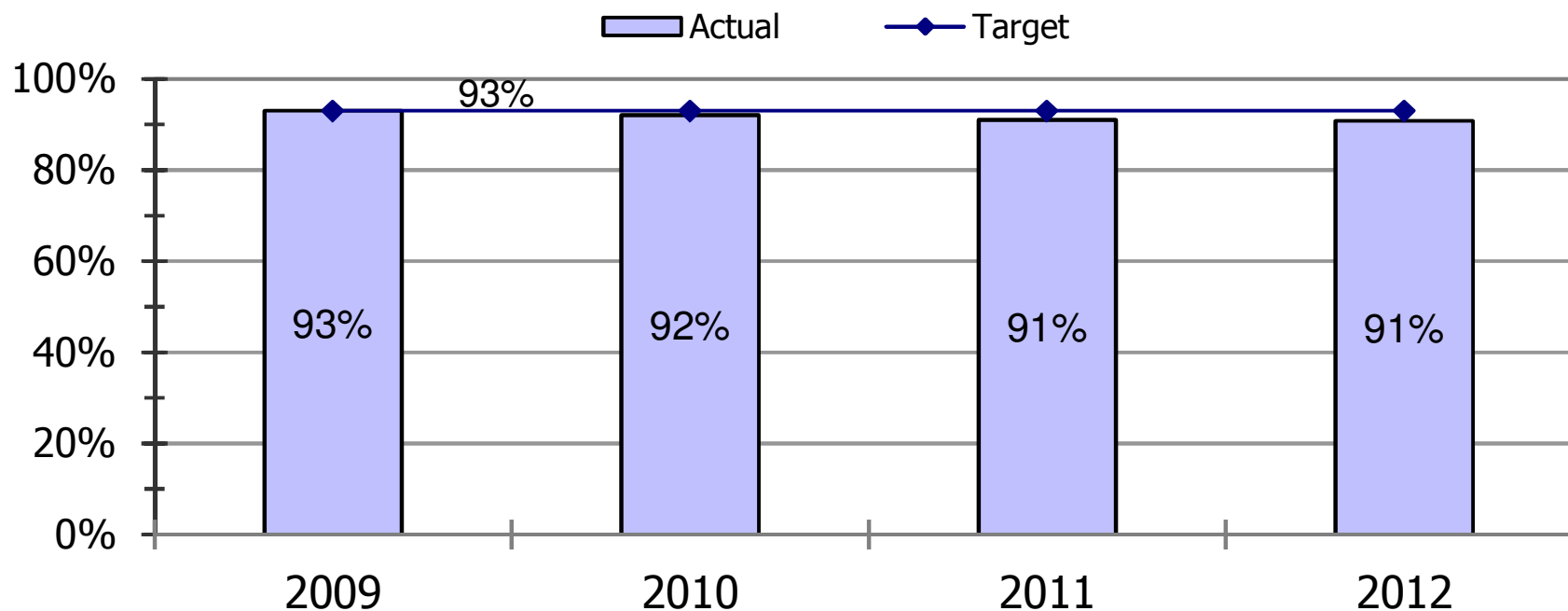
Department of Justice – Division of Child Support

Oregon Child Support Program

KPM #10

CHILD SUPPORT PROGRAM

10. Percentage of support collected by the Child Support Program (CSP) that is distributed to families (Federal Fiscal Year)



Department of Justice – Division of Child Support

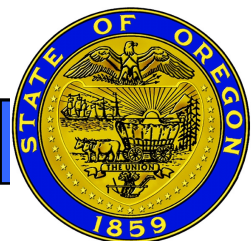
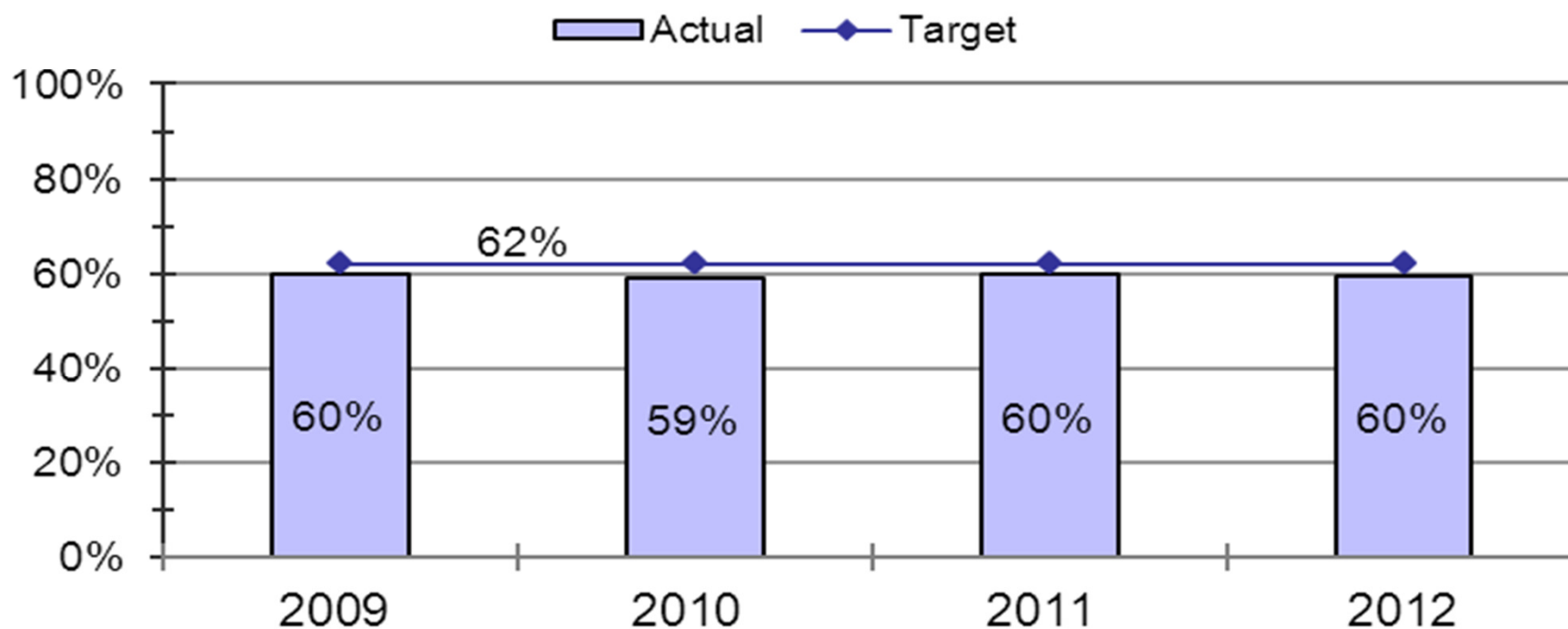
Data Source: Federal OCSE 34A Collection Report

Oregon Child Support Program

KPM #11

CHILD SUPPORT PROGRAM

11. Percentage of current child support collected relative to total child support owed (Federal Fiscal Year)



Department of Justice – Division of Child Support

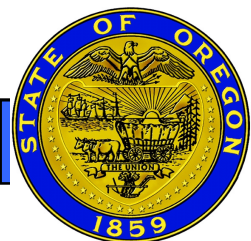
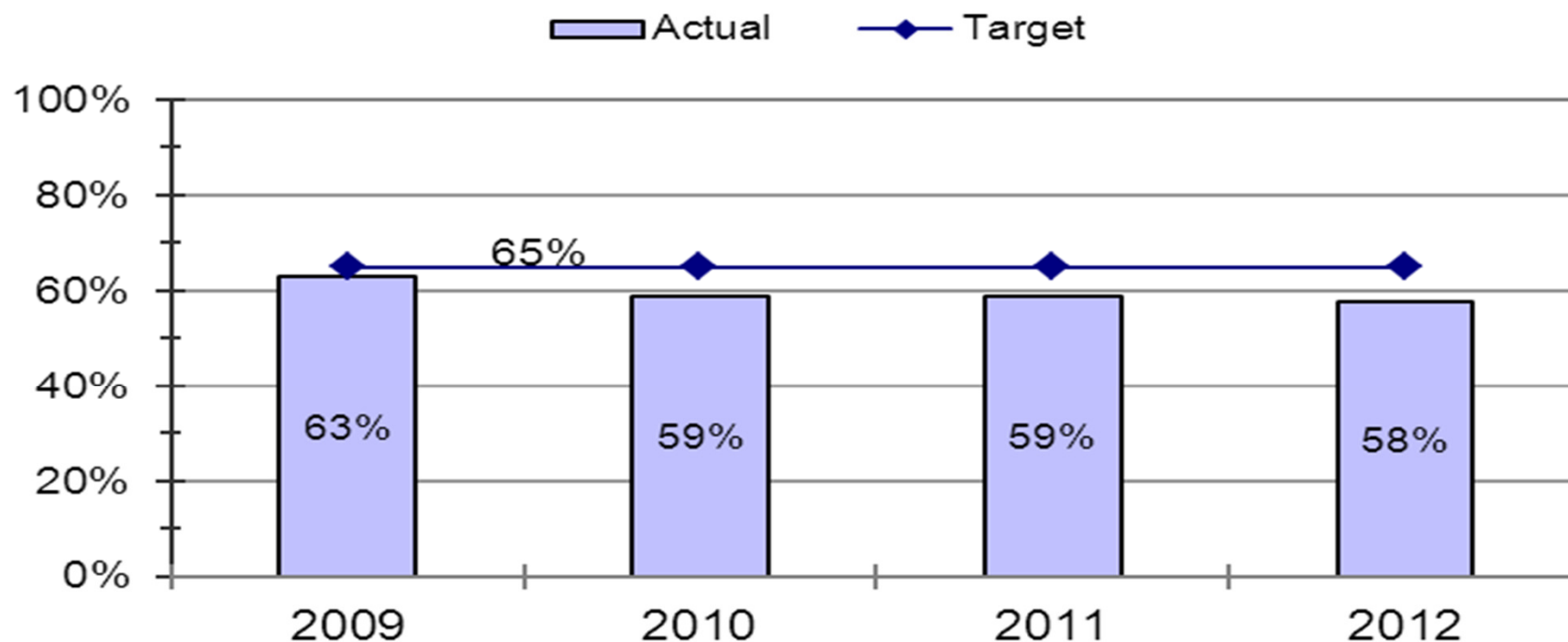
Data Source: Annual Federal OCSE 157 Report

Oregon Child Support Program

KPM #12

CHILD SUPPORT PROGRAM

12. Percentage of CSP cases paying towards arrears relative to total CSP cases with arrears (Federal Fiscal Year)



Department of Justice – Division of Child Support

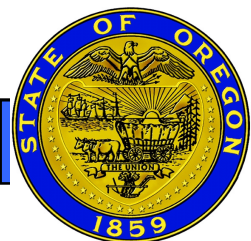
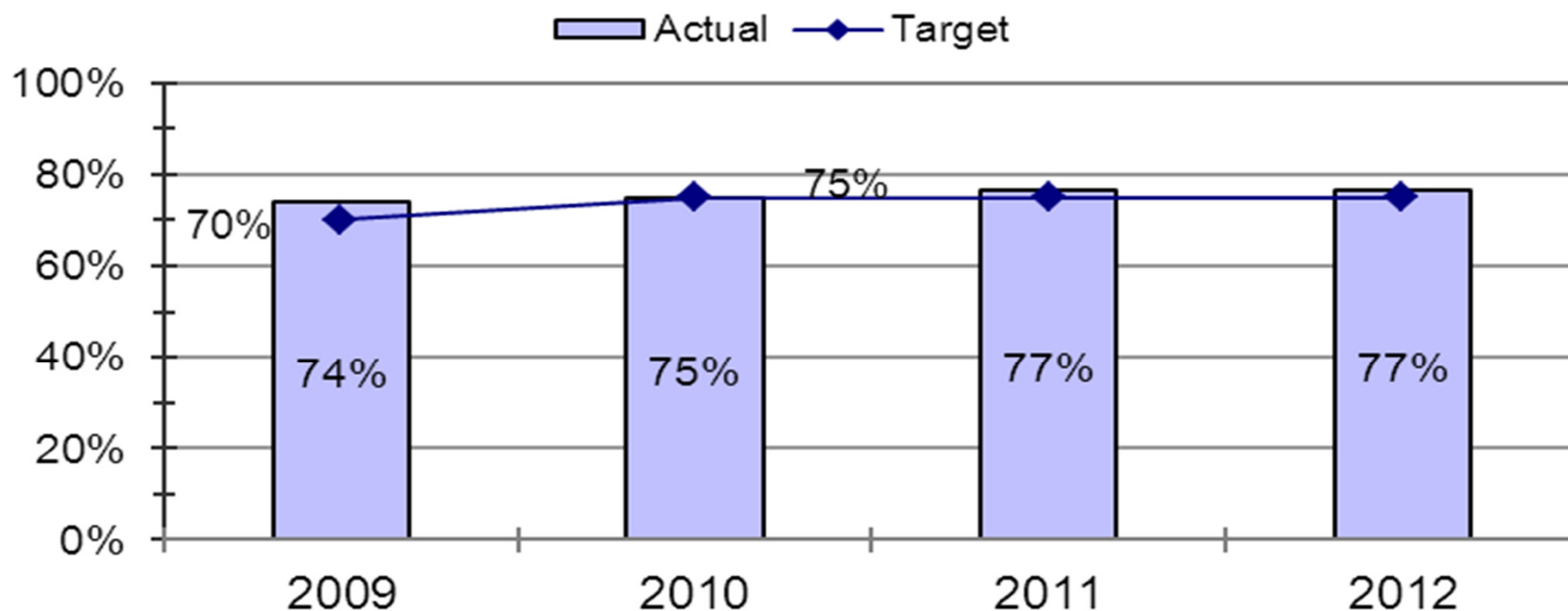
Data Source: Annual Federal OCSE 157 Report

Oregon Child Support Program

KPM #13

CHILD SUPPORT PROGRAM

13. Percentage of Child Support cases with orders relative to total child support cases (Federal Fiscal Year)



Department of Justice – Division of Child Support

Major Budget Drivers

- Aging technology increases liability and workload
 - Even minor changes lead to system problems
 - The Program is entirely dependent on the system
 - The deteriorating condition exposes the State to risk and jeopardizes payments to families
- Lower wages for parents and higher incidence of under- or non-employment
- Pass-through and Other Fund recoveries



Major Changes

- 2007-09 – Federal Deficit Reduction Act
 - Expanded scope of the Program
 - Increased requirements, especially medical support
- 2011-13 – Loss of 18 Positions
 - With 2:1 federal match, General Fund reductions compounded
 - High vacancy rate in 2009-11
 - Loss of productivity and collections



Efficiencies

- Implemented improvements
 - \$400,149 annual savings collectively
 - Technological system changes, including increased data matches and retrieval
- Recent and future improvements
 - \$123,196 anticipated annual savings collectively
- Engaging customers through improved services
- Streamlining business



Proposed Legislation

Three minor bills

1. Removes requirement for court approval of administrative modification of judicial child support order.
2. Clarification that a general judgment of dismissal of judicial proceeding does not dismiss a previously entered administrative child support order involving same parties
3. "Clean-up" fixes to protect telephone numbers, and dates of birth, align reporting requirement with federal timeframes, etc.

No impact to Program operations or budget.



Proposed Information Technology

Child Support System Modernization

(Policy Package 161)

- The Oregon Child Support Program relies on an antiquated, brittle mainframe computer case management and financial system.
- Policy Package 161 will allow the Program to stay in compliance with federal requirements, compete for federal incentives, and keep up with increasing caseload demands.
- The Program is working with its federal oversight office on a multi-year, federally-prescribed process to modernize its federally-certified system.



Child Support System Modernization

(Policy Package 161)

Feasibility Study Report – Nov 2011 to Oct 2012

- Assessment of current system, evaluation of options
- Cost-benefit analysis, proposed solution

Business Process Re-engineering – Dec 2012 to Dec 2013

- Map "As-Is" current processes, design "To-Be" future processes
- Cost/benefit analysis, develop "How-To" guide for implementation

Proposed Implementation – Policy Package 161

- State's 34% portion of the cost in the 2013-15 biennium of modernizing Oregon's Child Support System – sale of capital bonds
- Federal oversight throughout design, development, transition



Division of Child Support

Questions?





Department of Justice

Civil Enforcement Division

Civil Enforcement Division Mission

Preserve state resources, protect consumers, advocate for children and regulate charitable entities.



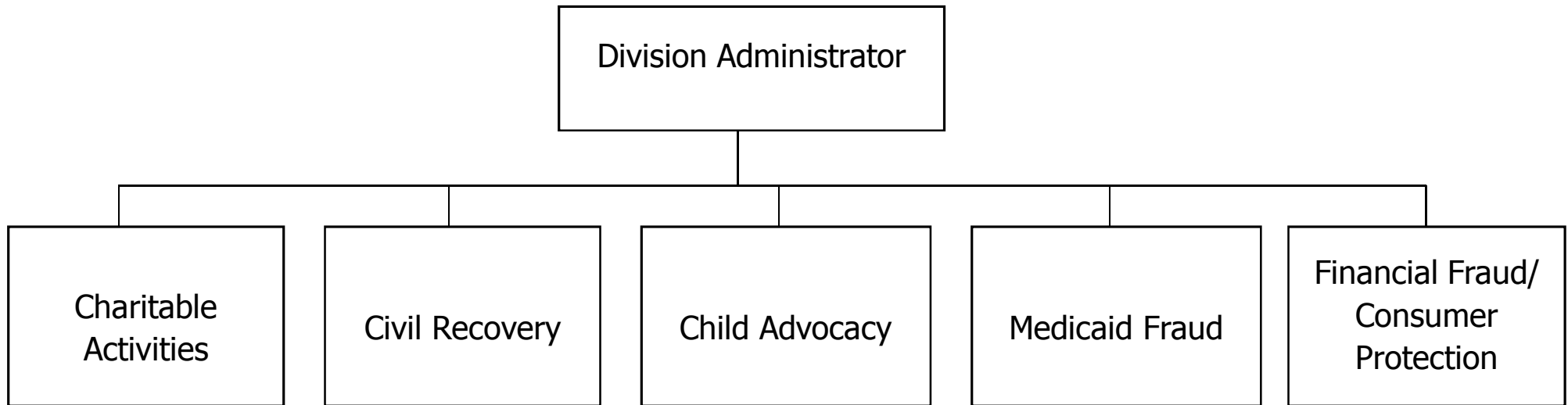
Department of Justice – Civil Enforcement Division

Primary Responsibilities

- Consumer Protection
- Medicaid Fraud
- Child Welfare Advocacy and Advice
- Civil Recovery
- Protection of the Master Settlement Agreement funds
- Charitable Regulation



Organization



2013-15 Governor's Balanced Budget	
Positions	213
FTE	208.64



CED

Major Changes

Creation of the Child Advocacy Section

- 49 AAGs devoted to child welfare advocacy and improving the well being of Oregon's children

Creation of a Civil Recovery unit dedicated to representation of the DCS focusing on recovery

- 9 AAGs devoted to advice and litigation

Foreclosure Crisis

- Increase time spent with consumers and bankers
- Protect states interests



CED

Major Budgetary Issues

- Foreclosure crisis
- Timber county crisis





Financial Fraud/ Consumer Protection Section

Consumer Protection

Enforce Oregon's Consumer Protection Laws

- Protect the marketplace
 - Enhance consumer confidence
 - Ensure businesses follow the law in marketing real estate, goods, and services
 - Well-informed consumers are more likely to recognize fraud and less likely to become victims
 - Promote competition
 - Level playing field for all businesses
 - Stop unlawful practices



Consumer Protection

Accomplishing Mission and Goals

- Emphasis on education and outreach
 - Best method of prevention
 - More cost effective than litigation
 - Full-time Consumer Outreach Coordinator travels the state
 - Launched searchable online consumer complaint database -- "Be InfORmed"
<https://justice.oregon.gov/complaints>



Consumer Protection

Accomplishing Mission and Goals

- Enforcement used when education fails
 - Purpose: To stop, deter, and punish unlawful conduct
 - Where possible, we seek to shift cost of enforcement to violators and recover restitution for consumers



Budget Driver

Consumer Protection

Top Ten Consumer Complaints*

1. Telemarketing Calls
2. Telecommunications
3. International Money Transfer Schemes
4. Financial Services
5. Home Ownership Issues
6. Collection Agencies
7. Motor Vehicle Sales
8. Internet Sales
9. Health-Related
10. Auto Repair

*Complaint = written correspondence

Department of Justice – Civil Enforcement Division



Budget Driver

Consumer Protection

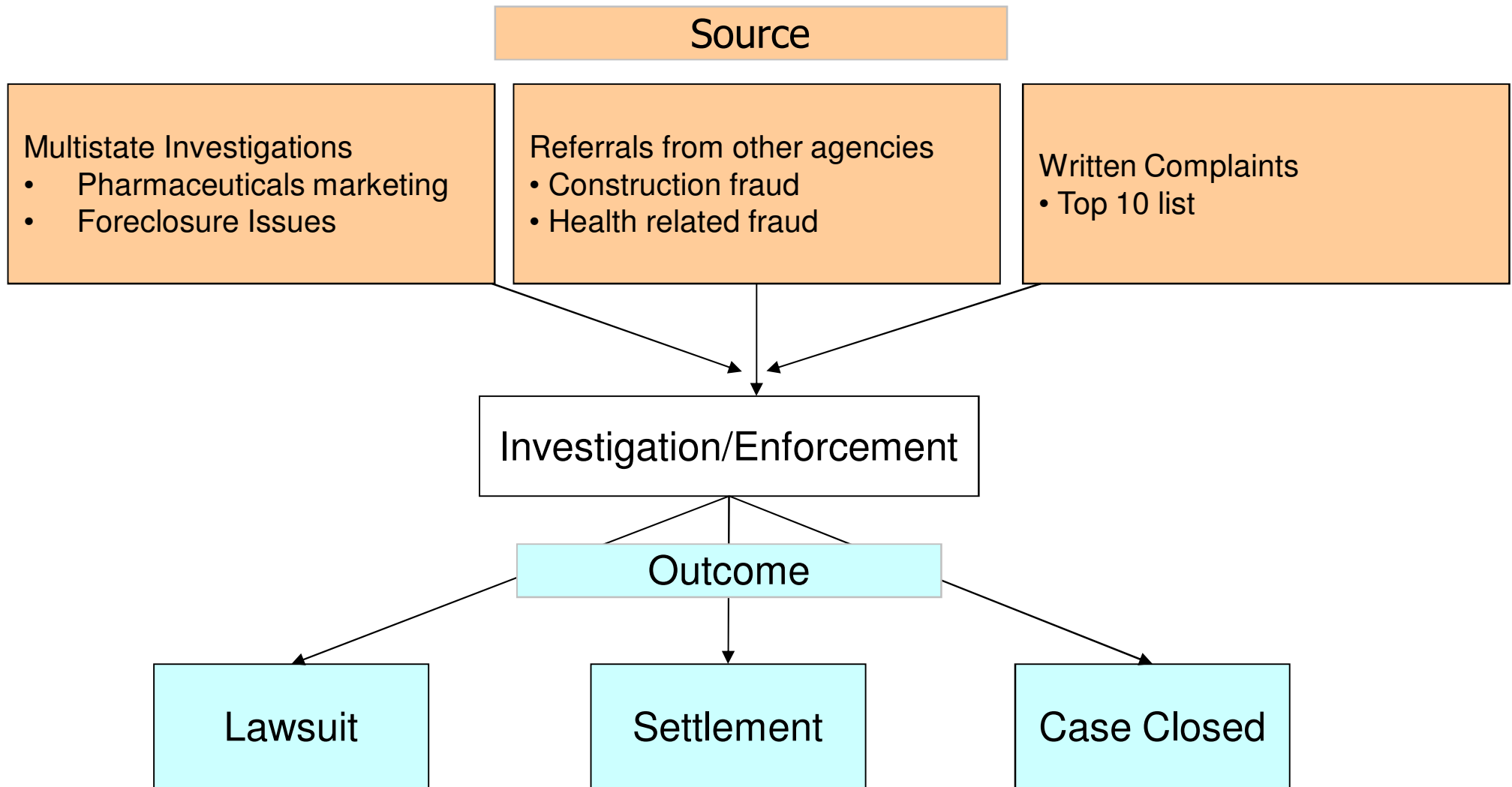
Trends

Year	Written Complaints	Consumer Hotline Calls
2012	12,823 (89) Spanish	40,770
2011	12,495 (101) Spanish	37,195
2010	12,963 (103) Spanish	41,191



Budget Driver

Consumer Protection Enforcement





Medicaid Fraud Control Unit

Medicaid Fraud

Conduct federally-mandated criminal and civil investigations/prosecutions involving:

- False/fraudulent billing by Medicaid-funded/Oregon Health Plan providers
- Physical or financial abuse/neglect of the elderly or disabled committed by Medicaid-funded providers of services
- Physical or financial abuse/neglect of residents of any long-term care facility committed by facility staff
- Fraud in the administration of the Medicaid Program

Provide training on health care fraud and elder/dependent abuse to law enforcement, governmental agencies, providers and community organizations.



Medicaid Fraud Program Performance

FFY	New Cases Referred and Screened	Average Active Caseload	Number of concluded cases with criminal or civil judgments	Monetary Recoveries
2012	186	63	28	\$22.64 million
2011	188	55	40	\$10.70 million
2010	189	70	30	\$13.90 million
2009	234	65	32	\$16.00 million
2008	675	62	40	\$ 7.90 million
2007	392	63	26	\$ 3.71 million
2006	130	58	20	\$ 2.48 million
	121	57	25	\$ 3.82 million



Department of Justice – Civil Enforcement Division

Budget Driver

Medicaid Fraud Trends

- Increased referrals of billing fraud
- Increased national caseload of pharmaceutical pricing/Medicaid drug rebate cases
- Increased referrals of fiduciary abuse cases
- Increased referrals of patient neglect/abuse cases
- Substantial increase in Medicaid budget likely to result in more fraud cases



Budget Driver

Medicaid Fraud

- Increased referrals of billing fraud cases due to high public profile of health care fraud
- Increased sophistication of billing fraud cases
- Increased referrals of fiduciary abuse due to successful Medicaid Fraud Unit prosecutions in this area and lack of local law enforcement resources to handle financially-based fraud cases



Budget Driver

Medicaid Fraud

- Increased number of patient referrals, neglect/abuse cases due to media attention, improved coordination between agencies and lack of local law enforcement resources



Medicaid Fraud

MFCU Comparisons by Federal Fiscal Year

State	FFY 2011 Authorized MFU Staffing (FTE)	FFY 2011 Criminal Convictions	FFY 2011 Recoveries (Total)
Oregon	13.5	16	\$10,700,000
Alaska	5	2	\$2,500,000
Arizona	17	N/A	\$3,300,000
Colorado	17	4	\$7,100,000
Hawaii	14	2	\$2,000,000
Idaho	9	8	\$1,300,000
Montana	8	1	\$2,700,000
Nevada	14	19	\$2,700,000
New Mexico	14	5	\$3,300,000
Utah	11	10	\$13,700,000





Child Advocacy Section

Child Advocacy

Accomplishing Mission and Goals

Legal representation of the Department of Human Services Child Welfare Program (DHS)

- Provide general legal advice to ensure DHS compliance with state and federal laws and agency policies
- Litigate juvenile dependency court hearings, termination of parental rights trials, and administrative hearings



Child Advocacy

Accomplishing Mission and Goals

Promote and provide DHS Child Welfare policy direction

- Legal review of each child's case at five and 11 months in state foster care
- Client staffings on cases where advice or litigation needed or required
- Termination-of-parental-rights staffings and complex litigation which legally frees children for adoption
- General legal advice to administration and local branches statewide
- Representation of DHS at administrative hearings



Department of Justice – Civil Enforcement Division

Child Advocacy

Accomplishing Mission and Goals

Improving the well-being of Oregon's children and families

- Legal cases opened in 2011 » 4,491
- Children legally freed for adoption or established legal guardianship placements in 2011 » 1,487
- Representation Enhancement Pilot to increase attorney representation of DHS in court where all other parties have right to counsel



Department of Justice – Civil Enforcement Division

Budget Driver

Child Advocacy

- Poverty
- State budget issues
- Methamphetamine/drug crisis
- Changing significant appellate case law
- Timber counties crisis

Federal Adoption & Safe Families Act

- Requires states to speed the process for permanent placement of children
- Failure to comply results in loss of funds





Civil Recovery Section

Civil Recovery

Accomplishing Mission and Goals

- Litigate all claims for money or other property due to a state agency
- Protect State's interest in bankruptcies
- Protect State's liens from foreclosure
- Enforce non-participating manufacturer compliance, under the Master Settlement Agreement (MSA)
- Maximum recovery at minimum cost



Civil Recovery

Accomplishing Mission and Goals

Legal representation of the Division of Child Support (DCS)

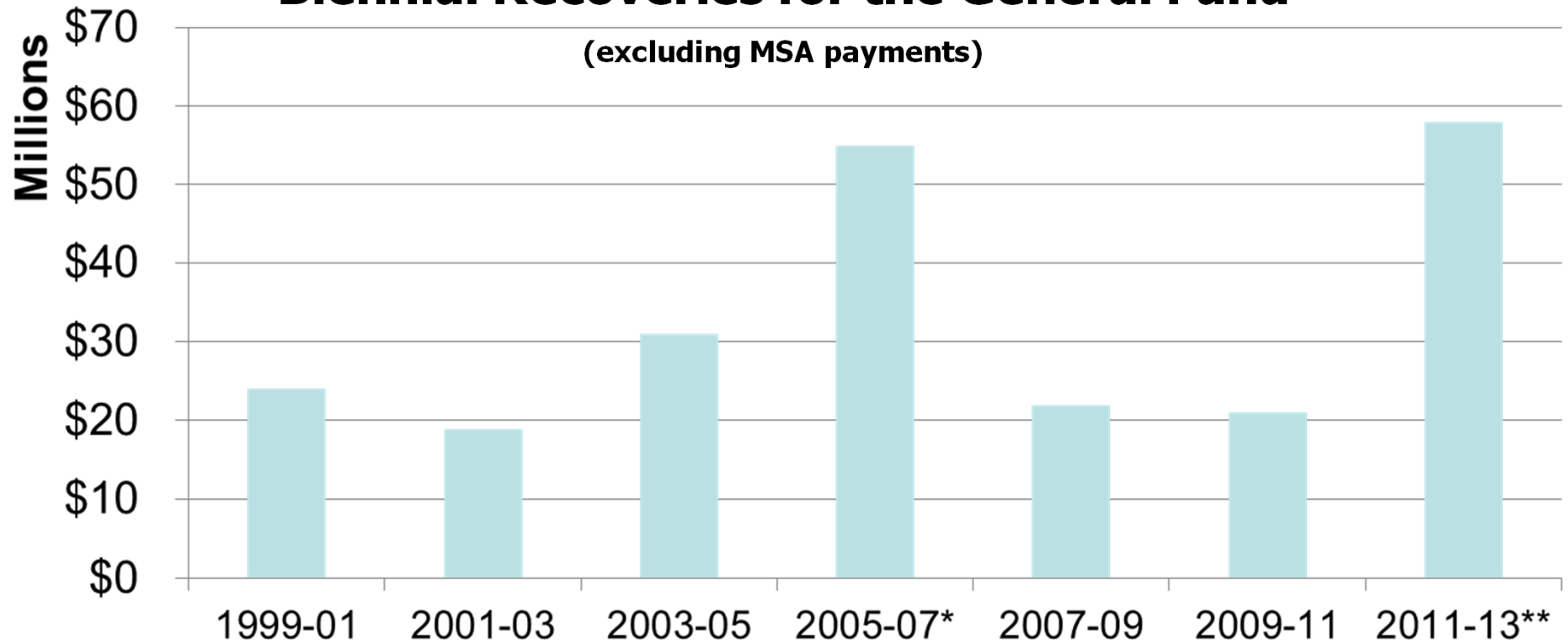
- Provide general legal advice; legal staffings when required or necessary
- Litigate contempt and paternity cases; establish, modify and enforce child support orders



Department of Justice – Civil Enforcement Division

Civil Recovery Amount Recovered

Biennial Recoveries for the General Fund



*2005-07 – This sum reflects \$22 million recovered in the M/V New Carissa litigation.

**2011-13 – This sum reflects \$55 million recovered in the Williams v. Philip Morris litigation.



Department of Justice – Civil Enforcement Division

Budget Driver

Civil Recovery Section

- Bad economic times drive up needs for bankruptcy services
- Protection of tobacco Master Settlement Agreement revenue
- Foreclosure crisis



Civil Rights Unit

Accomplishing Mission and Goals

Civil Actions

- Enforced the State's Fair Housing Laws.
- Protected Oregon veterans by investigating employers for violations of Veterans' reemployment and leave rights
- Protected Oregon's most vulnerable population by investigation and referral of employers to BOLI for human trafficking, wage theft violations against immigrant workers and intimidation.



Civil Rights Unit

Accomplishing Mission and Goals

Criminal Actions referred to Criminal Justice Division

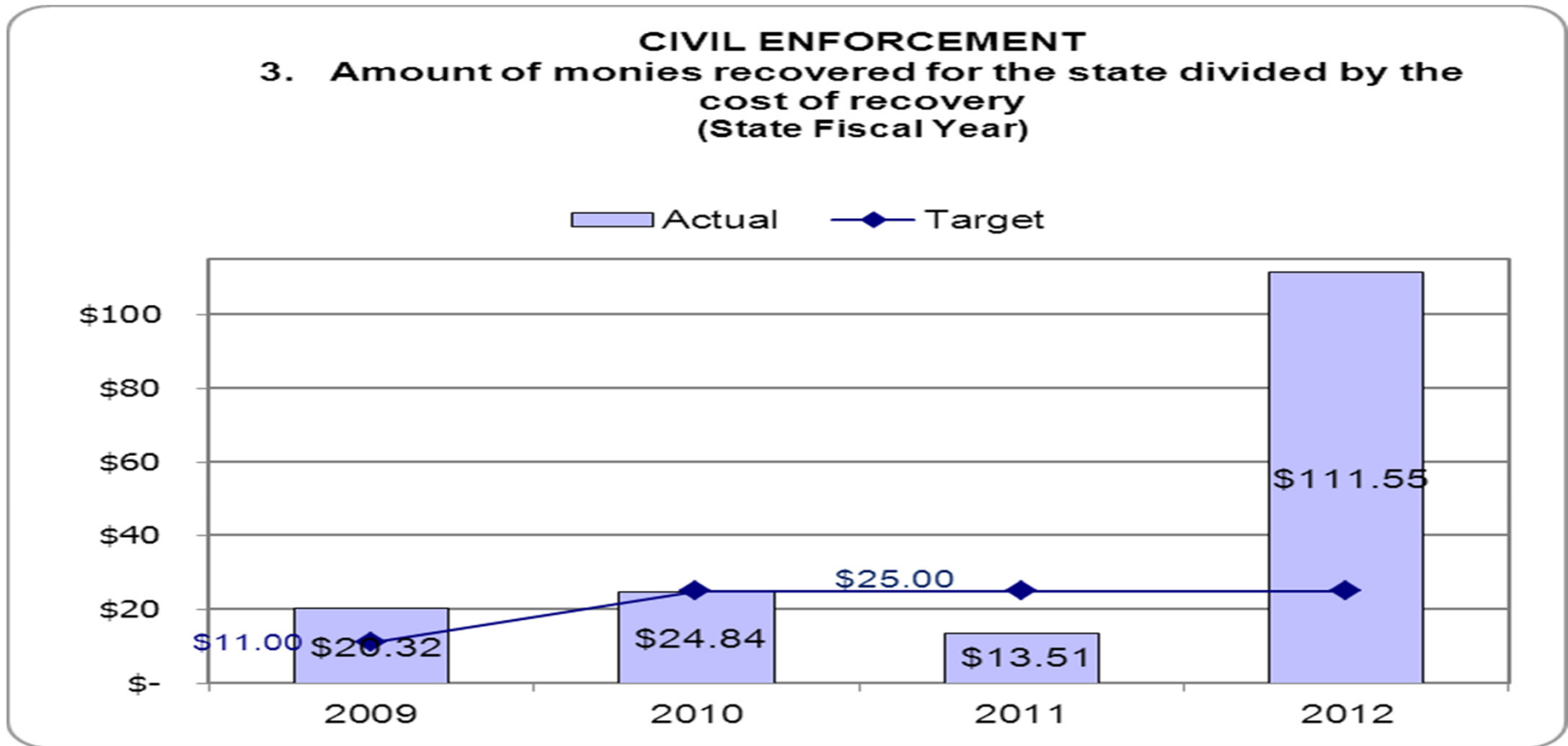
Protected Oregon citizens by investigating claims of:

- Fraudulent tax preparation services
- Assault by police officer
- Employer's refusal to pay wages
- Harassment of disabled citizen
- Racial harassment



Department of Justice – Civil Enforcement Division

Key Performance Measure (KPM) Results



Used to measure the efficient prosecution of recovery cases



Department of Justice – Civil Enforcement Division



Protection of Master Settlement Agreement Funds

Tobacco Diligent Enforcement

Diligent enforcement of the Tobacco Non-Participating Manufacturers (NPM) Agreement

- Drives companies to participate in the Master Settlement Agreement (MSA), with its public health and fiscal benefits for Oregon.
- Can shelter the state from reductions in annual payments under the MSA



Tobacco Arbitration

- Recover monies withheld from Master Settlement Agreement (MSA) payment from tobacco companies
- Oregon must show it diligently enforced its Nonparticipating Manufacturer (NPM) statutes
- Dispute will occur annually
- A loss may result in Oregon losing its total MSA payment for that year



Tobacco Diligent Enforcement

Oregon Tobacco MSA Receipts

2003	\$64,843,922.37
2004	\$71,344,626.71
2005	\$73,163,379.46
2006*	\$66,323,420.00
2007	\$69,664,710.98
2008	\$90,296,770.13
2009	\$98,080,205.02
2010	\$82,327,644.23
2011	\$77,426,557.76

* Should have been approximately \$75 million. \$9 million withheld, subject to arbitration.



Department of Justice – Civil Enforcement Division



Charitable Activities Section

Charitable Activities

Accomplishing Mission and Goals

Charities Program:

- Curtail misleading charitable solicitations
- Foster a climate where donors make informed and confident giving decisions
- Identify and correct breaches of fiduciary duties by officers/directors of charities; protect charitable assets



Charitable Activities

Accomplishing Mission and Goals

Registration/licensing programs

- Charitable organizations
- Professional fundraising firms
- Non-profit gaming (bingo, raffles, Monte Carlo)



Charitable Activities

Accomplishing Mission and Goals

Enforcement and education

- Combat fraudulent/misleading charitable solicitations
- Audit charitable organizations
- Represent public charitable interest in estate proceedings
- Approve modification of charitable trusts
- Initiate legal actions for breaches of fiduciary duties
- Educate registrants/licensees, public and media



Charitable Activities

Program Funding

- Completely fee supported; no General Fund dollars
- All fees paid by licensees/registrants
- Most fee schedules tied to organization's annual revenue
- Gaming fee increases



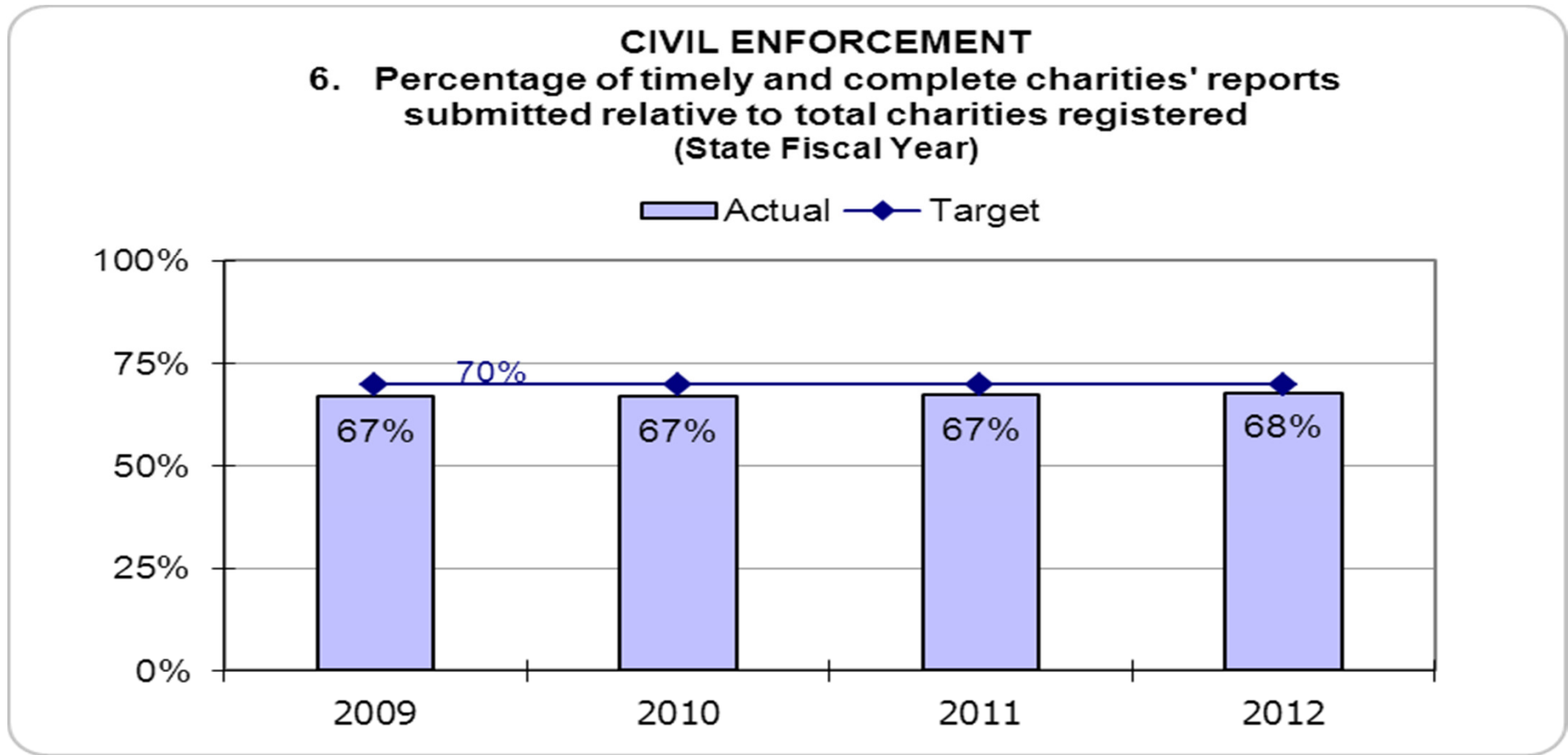
Budget Driver

Charitable Activities

- Increasing number of non-profit organizations
- Increasing complexity of non-profit activities means more litigation
- Adverse affect of economic recession on non-profit sector



Key Performance Measure (KPM) Results



Used to measure success & educational outreach



Department of Justice – Civil Enforcement Division

Civil Enforcement Efficiencies

Increased Efficiency Through the Use of Technology

1. Moving toward a paperless office:
 - Child Advocacy Section – All closed files are scanned, saving storage space and aiding in file retrieval; implementing electronic discovery and filings
 - Consumer Complaints - Completely paperless
 - Charitable Activities – Implementing digital policies



Civil Enforcement Efficiencies

Increased Efficiency Through the Use of Technology

2. Decreasing travel-related costs:
 - Use of Polycom video system
 - Established Medford and Pendleton offices
3. Increased Automation of high-volume practice:
 - ODOT cost recoveries
 - Consumer complaints
4. Use of website:
 - Promote consumer complaint database to internet, saving staff time



Proposed Legislation

- Foreclosure Avoidance Mediation Program
- Charitable Donations



Civil Enforcement

Questions?



Department of Justice – Civil Enforcement Division



Department of Justice

Trial Division

Trial Division Mission

- Defend state agencies, officials, laws
 - Represent each branch of government
 - Appear in State and federal forums
- Advance principled, reasoned and judicious positions
- Fairly, efficiently and effectively resolve cases
- Use all available litigation tools
- Take cases to trial when appropriate



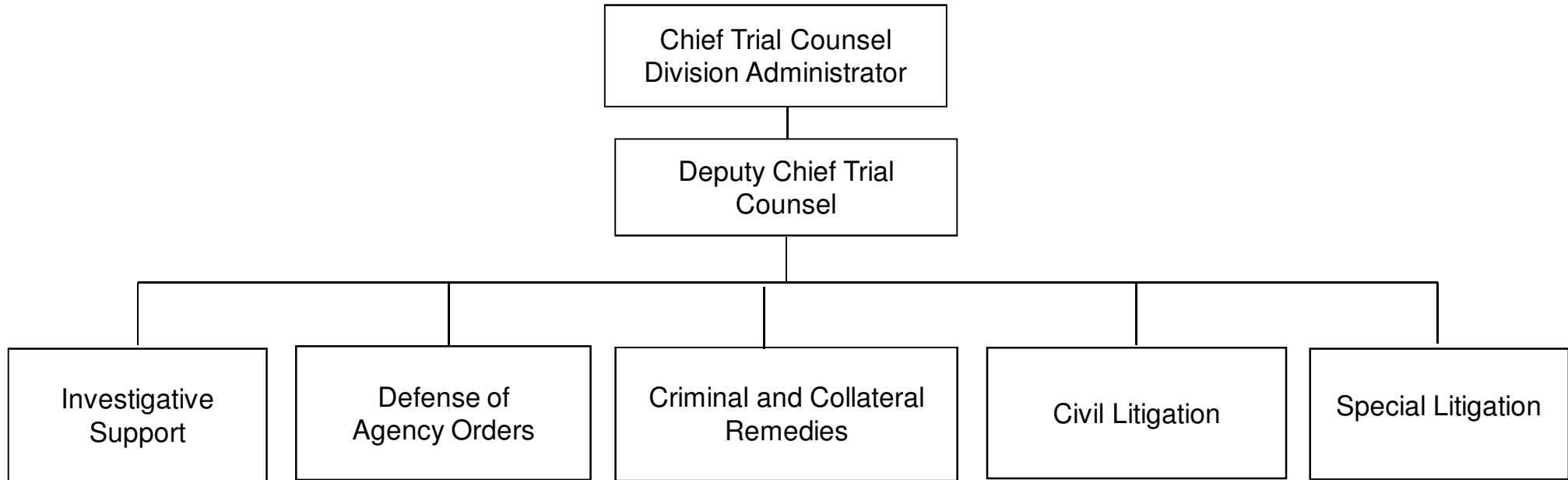
Program Summary

- Provide legal representation and defense when state agencies or officials are sued
- Defend criminal convictions secured by county prosecutors
- Defend laws passed by Legislature or adopted by voters
- Defend state programs and policies
- Work with state agencies to reduce exposure to, and costs of, claims and lawsuits



Organization

(January 2013)



2013-15 Governor's Balanced Budget	
Positions	96
FTE	95.72



Work Areas

Litigation Covers A Broad Range of Cases

- Prison inmate civil rights claims
- Constitutional challenges to state laws
- Challenges to environmental laws and policies
- Tort and Employment claims
- Condemnation actions for state road projects
- Contract enforcement and defense
- Defense of state agency decisions



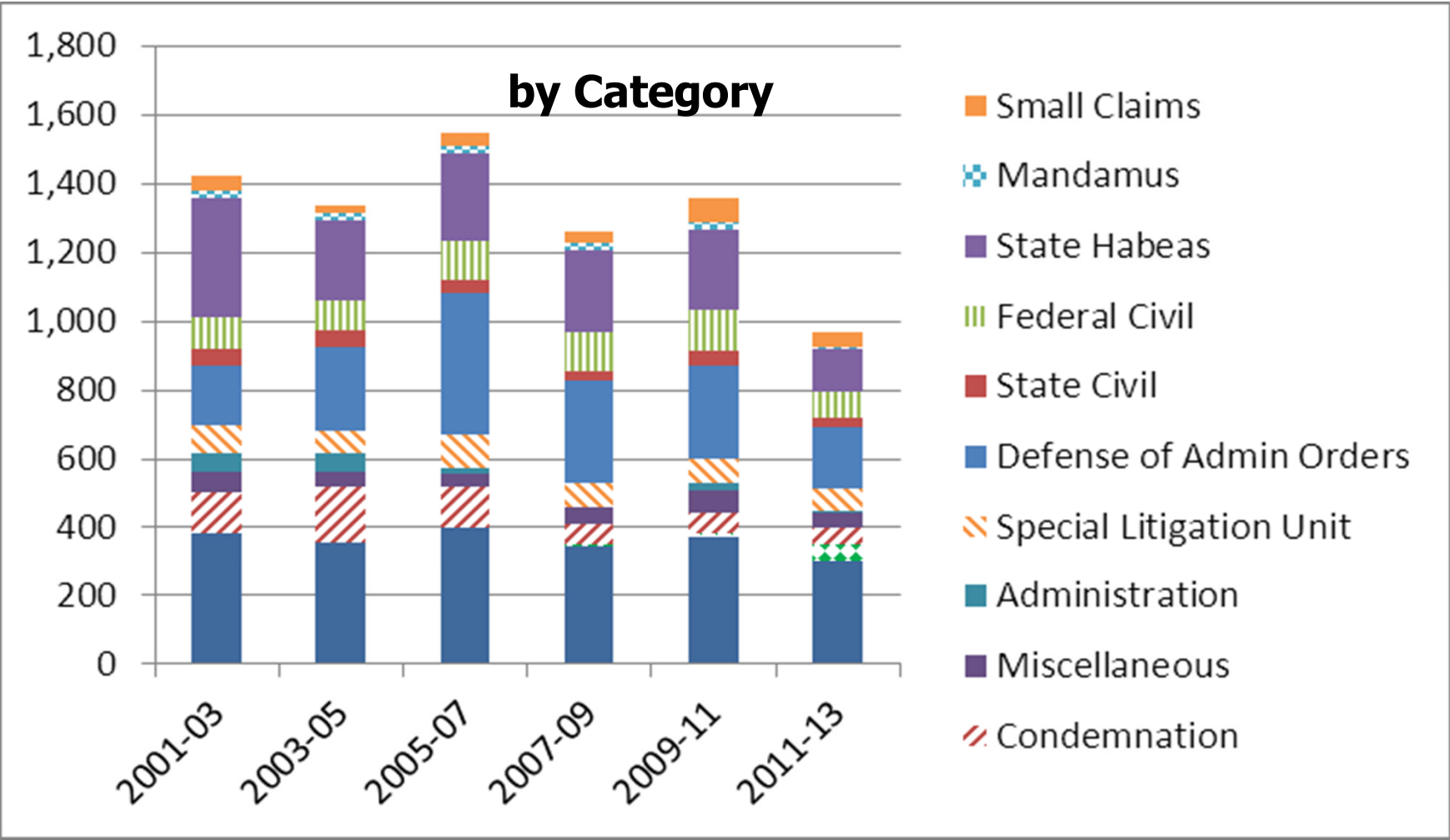
Work Areas

Litigation Support for other Divisions

- Work in teams with General Counsel, Civil Enforcement, Appellate Division lawyers
- Provide trial expertise in preparing and filing civil actions to enforce environmental, election, state consumer protection laws



New Cases



* 2011-2013 through January 2013

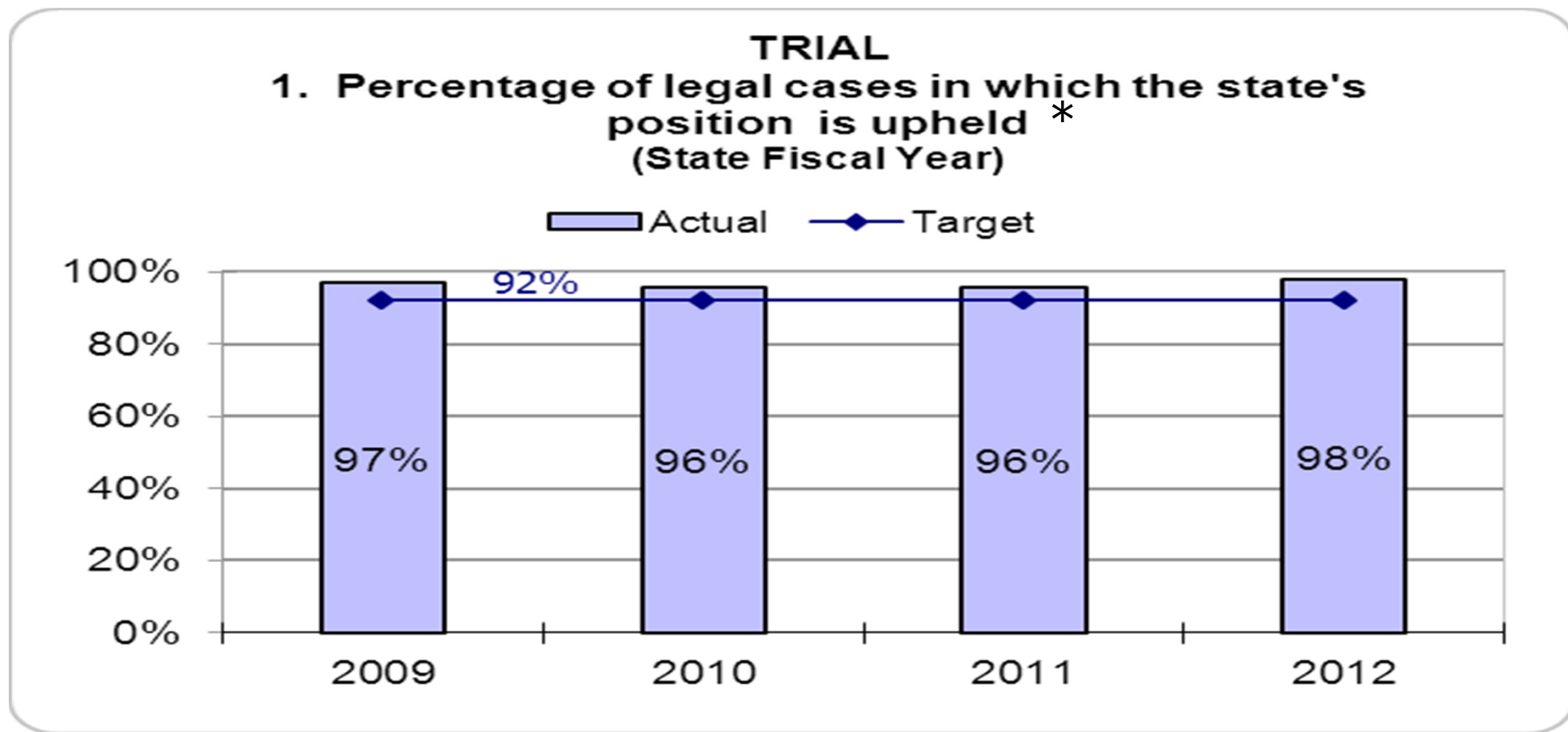


Efficiencies

- Reorganized to maximize expertise and experience
- Focus on electronic case records and management
- Develop in-house expertise to reduce reliance on outside resources
- Improved digital discovery and business practices
- Partner with DAS/Risk and state agencies to reduce amount and costs of litigation



Key Performance Measures (KPM) Results



* Includes Defense of Criminal Convictions cases



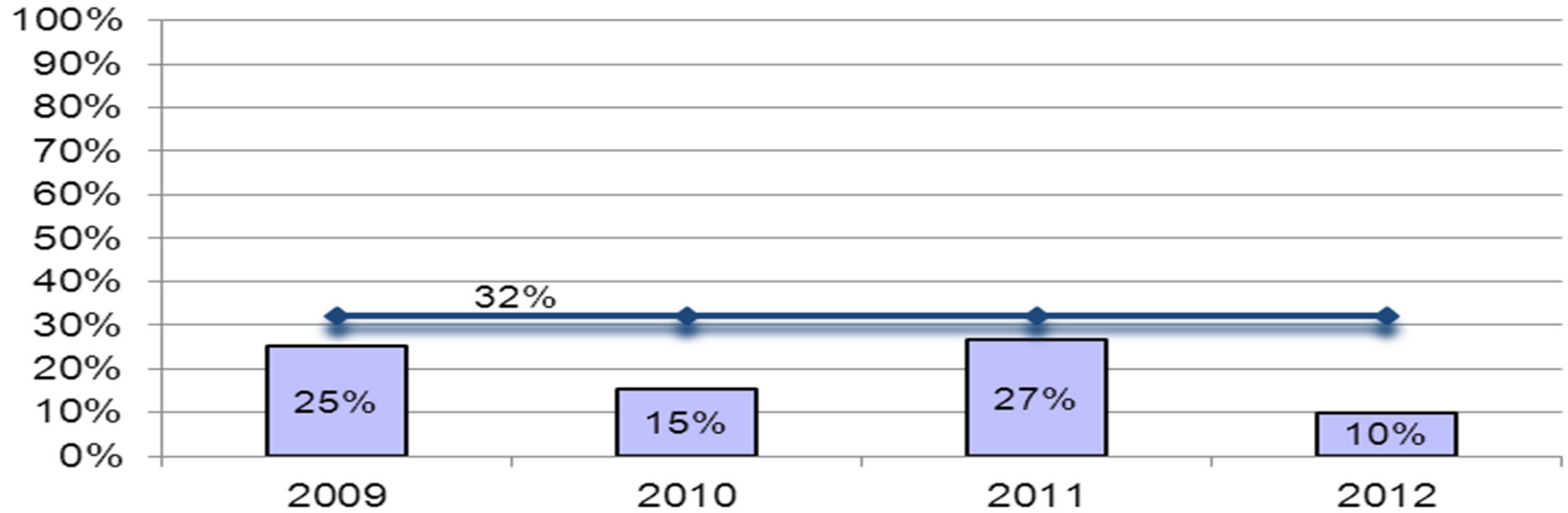
Department of Justice – Trial Division

KPM

Results

2. Percentage of appropriate litigation resolved through settlement * (State Fiscal Year)

Actual Target



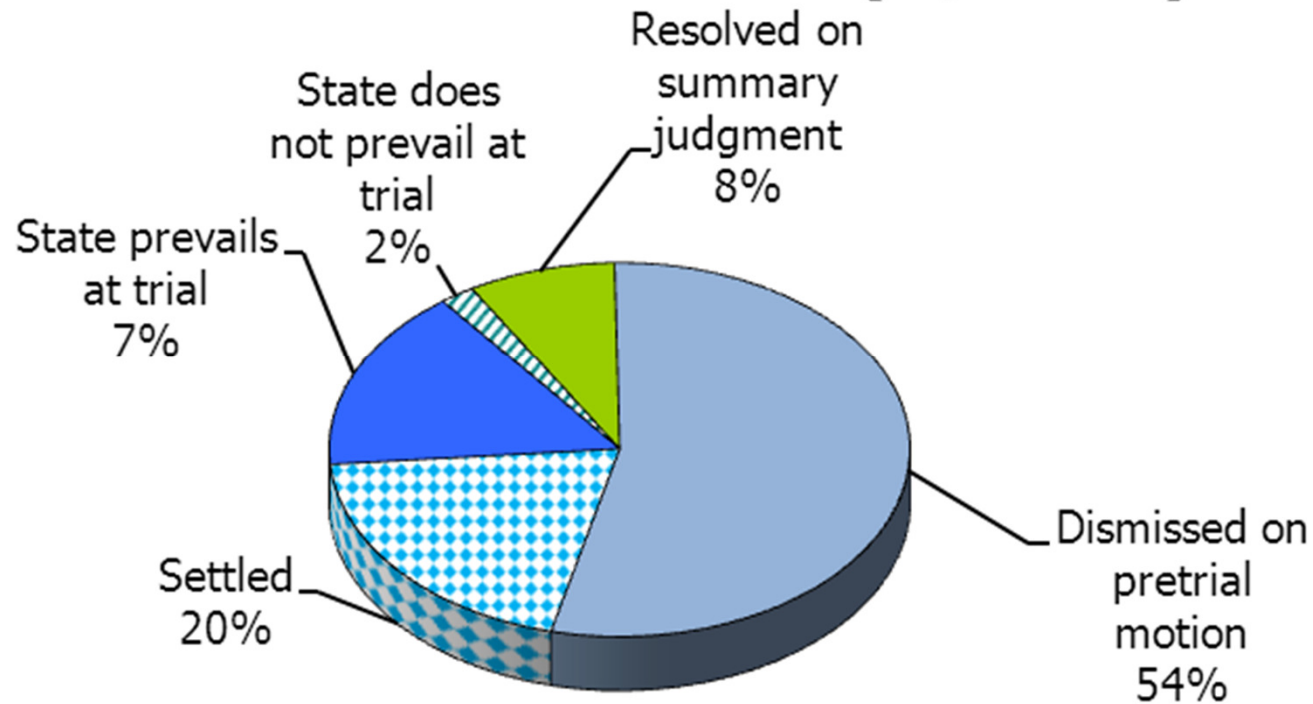
* Includes Defense of Criminal Convictions cases for state fiscal year 2012 only

Department of Justice – Trial Division



Case Dispositions

Fiscal Year 2011-12 (w/o DCC)



Trial Division

Questions?





Department of Justice

General Counsel Division

Mission Statement

To deliver accurate, timely, cost-effective legal service that meets the needs and advances the objectives of Oregon's state government.



Program Summary

- Provides a broad range of legal services to over 100 state agencies, boards and commissions
- Legal services ordinarily provided only at agency request
- Contact counsel assigned to each agency
- Emphasis on preventative law and client education



General Counsel Services

- Day-to-day legal advice
- Representation in contested case hearings
- Drafting and reviewing contracts
- Letters of Advice and published Attorney General Opinions.



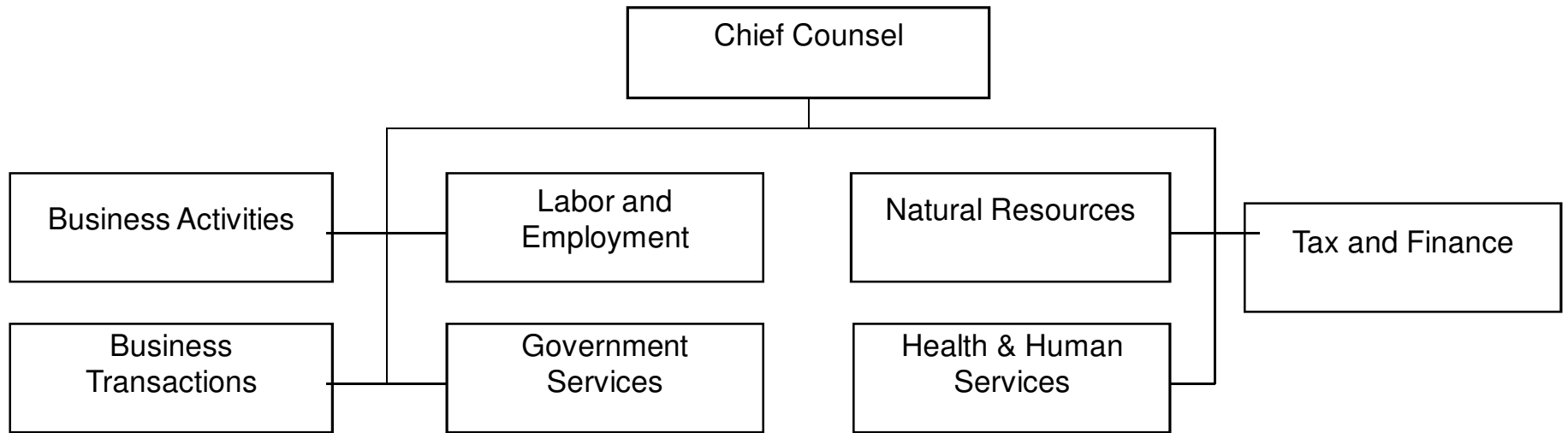
Significant Matters

- Portland Harbor environmental clean-up issues
- Columbia River Crossing Project
- Oregon Health Insurance Exchange



Organization

General Counsel Organization Chart

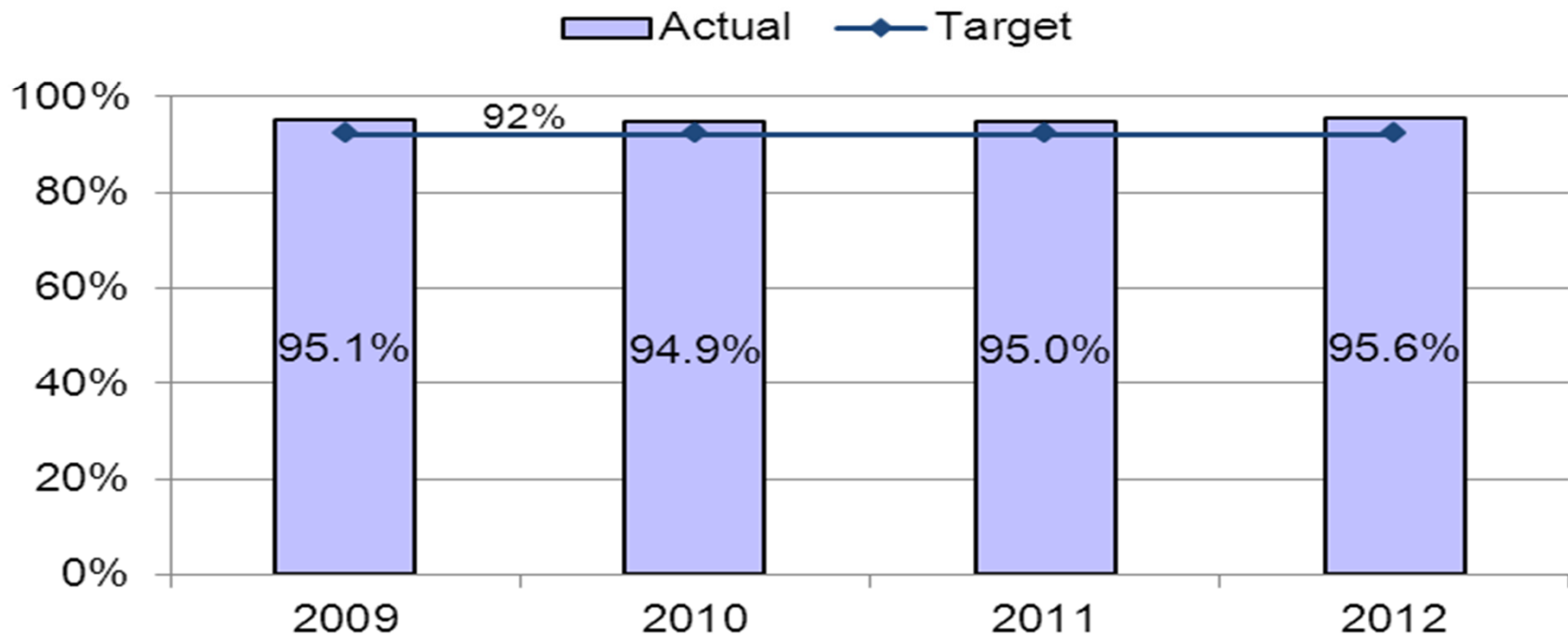


2013-15 Governor's Balanced Budget	
Positions	142
FTE	141.00



Key Performance Measure (KPM) Results

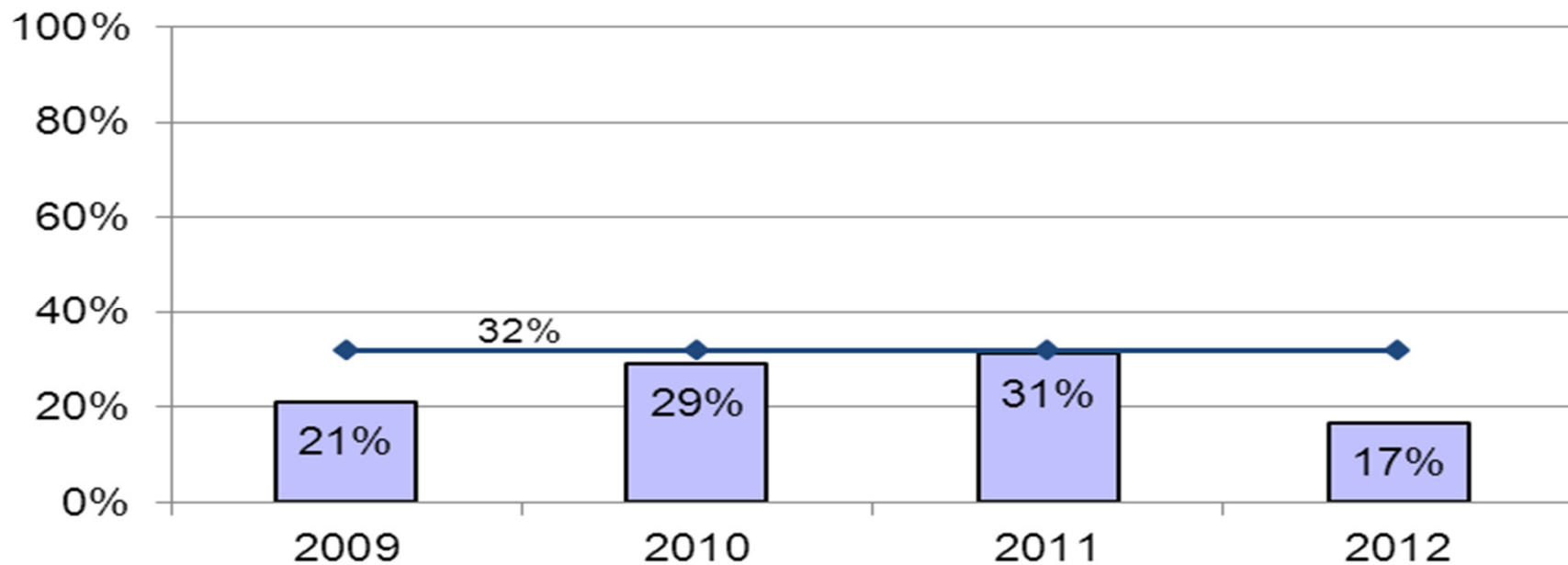
1. Percentage of legal cases in which the state's position is upheld
(State Fiscal Year)



Key Performance Measure (KPM) Results

2. Percentage of appropriate litigation resolved through settlement (State Fiscal Year)

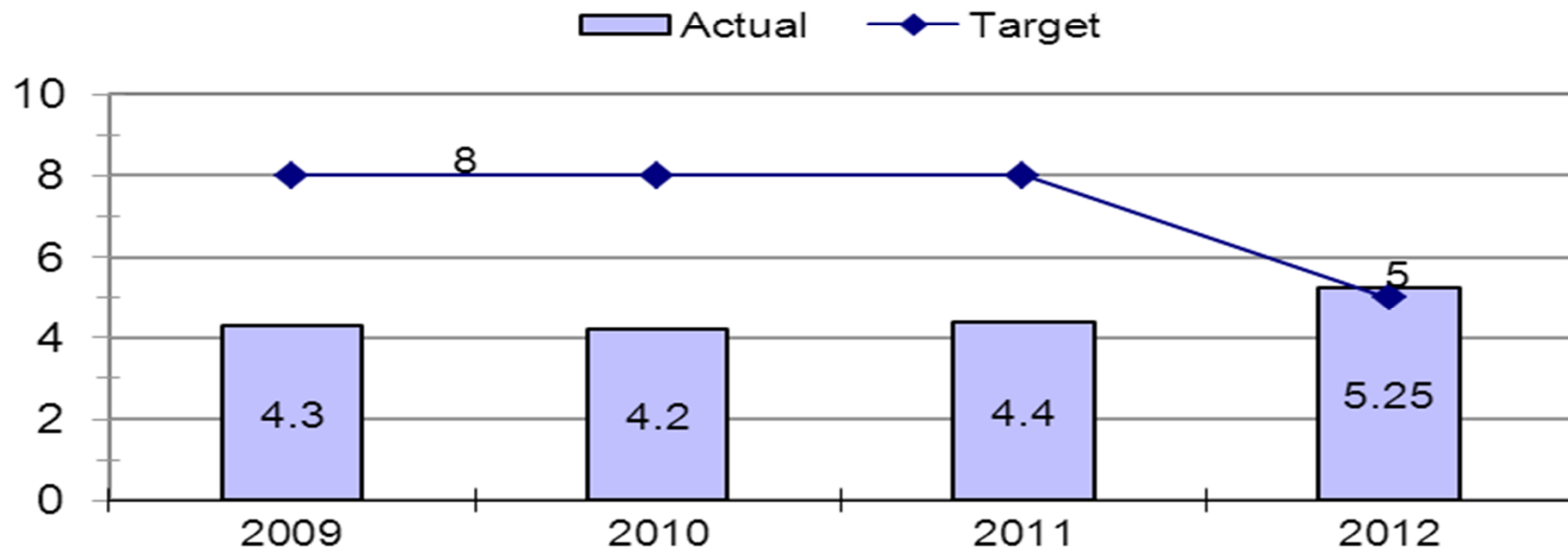
Actual Target



KPM Results

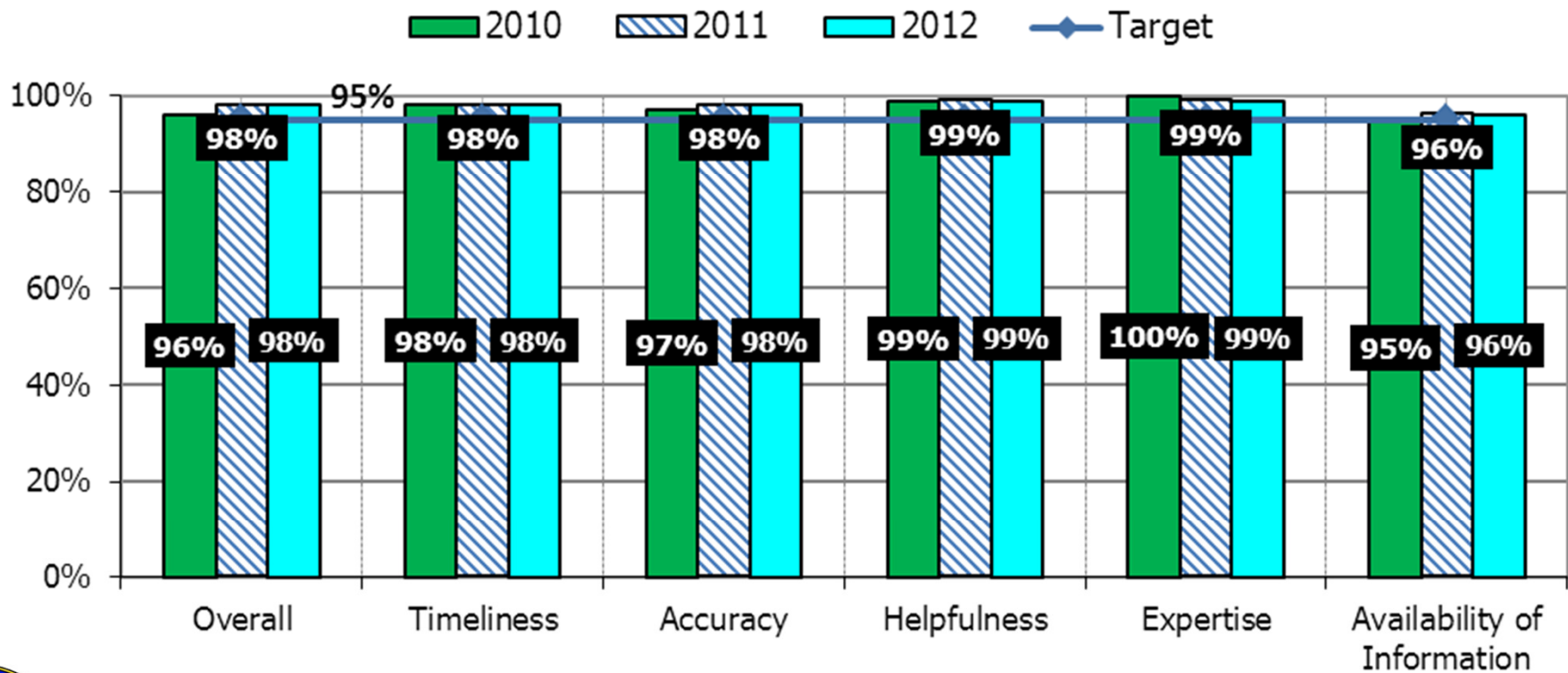
GENERAL COUNSEL

4. Average time (work days) from receipt of contracting document to first substantive response to agency
(State Fiscal Year)



KPM Results

7. Percentage of customers (state agencies) rating their satisfaction with the agency's customer service as "good" or "excellent" (Calendar Year)



Proactivity Initiatives

- Pilot “flat-rate” billing methods for some state agencies
- Providing training publications including Public Records Manual/Administrative Law Manual, Public Contract Manual
- Active training program for state agencies on many legal subjects (Public Law Conference, Employment Law Conference, ADR training and many others)



General Counsel

Questions?



Department of Justice – General Counsel Division



Department of Justice

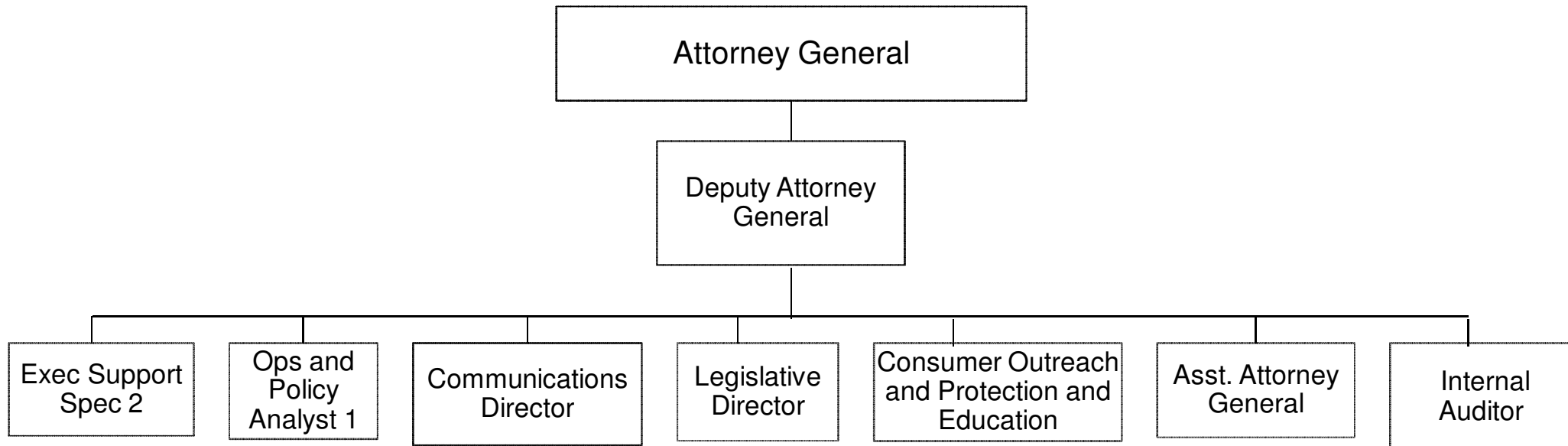
Office of the Attorney General

Office of the Attorney General

- Oversees the operations of the Department of Justice
- Establishes the State's legal policy
- Manages all legislative, media and constituent activities
- Oversees consumer education and outreach to all Oregonians



Office of the Attorney General



2013-15 Governor's
Balanced Budget

Positions	24
FTE	23.19





Department of Justice Administrative Services Division

Administrative Services Division

Mission

To support the Department of Justice mission through the efficient and innovative delivery of administrative services.



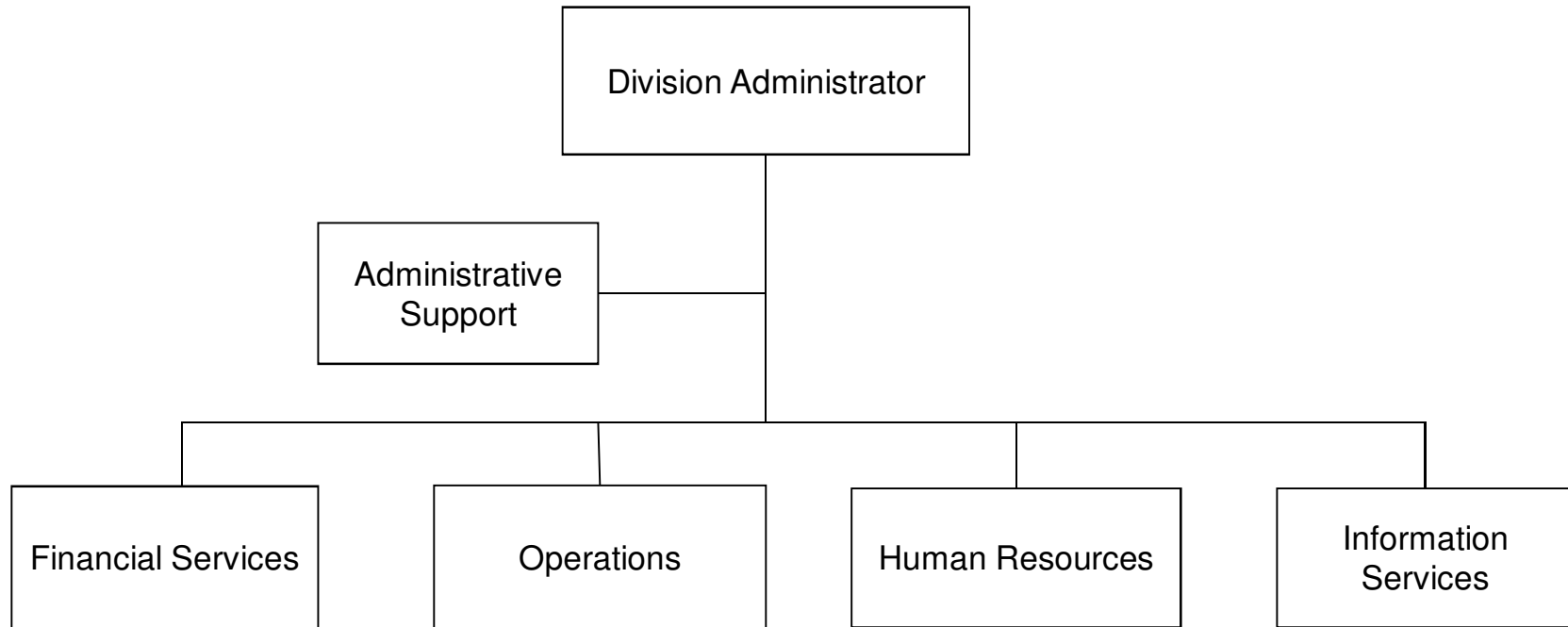
Primary Responsibilities:

Provide administrative support functions:

- Accounting, Payroll, and Budgeting
- Facilities
- Technology
- Employee Services



Organization



2013-15 Governor's Balanced Budget	
Positions	89
FTE	88.50



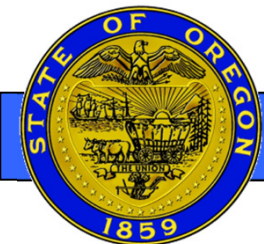
Operations

- Facilities and Contract management
- Purchasing
- Supplies/mail services
- Library services
- Continuing Legal Education



Financial Services

- Accounting and Budget services
- Payroll and benefits
- Legal billing



Legal Rate Billing/Revenue

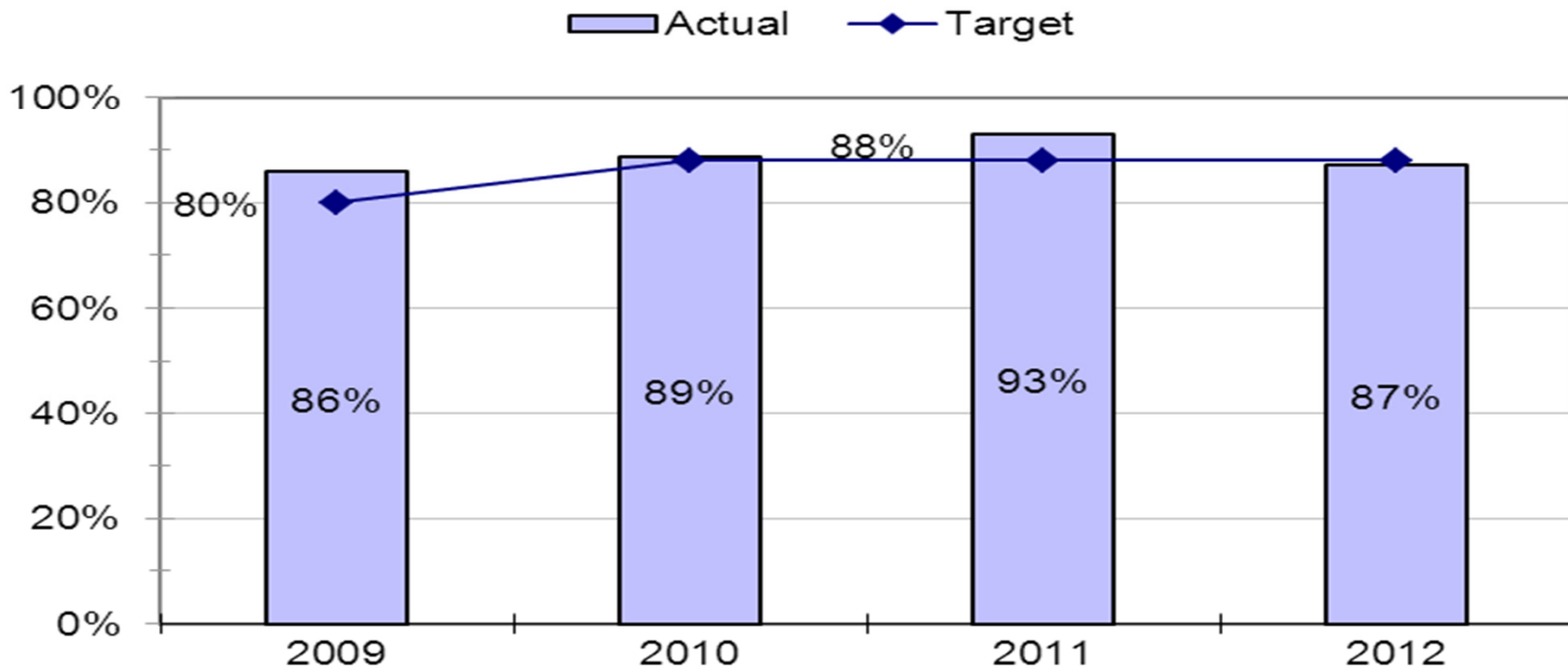
Rate is set such that billing revenue equals legal services expenses

- Expenses:
 - Personal Services costs of billing employees
 - Facilities, supplies, witnesses, etc.
 - Management and support staff
- Revenue:
 - Number of billers
 - Billed hours expectations
 - Reimbursement for other expenses



Key Performance Measure Result

5. Percentage of legal billings receivables collected within 30 days.
(State Fiscal Year)



Human Resources

- Employee recruitment and classification
- Employee and labor relations
- Safety and workers' compensation
- Leave administration
- Leadership training



Information Services

- Provides operational support for the Department's technology
- Delivers centralized network management and security
- Maintains and supports all business software applications



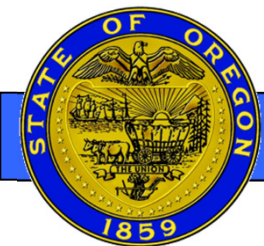
Major Budget Drivers

- DOJ Program needs and priorities, and associated funding availability
- Rapid rate of technology change and prerequisite security needs
- The cost and availability of both current and future staff



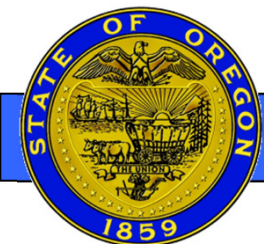
Major Changes

- ASD staffing has been consistently shrinking - needs and expectations continue to grow.
 - Reduced nine positions in 2011-2013
 - Number of Grants nearly tripled in past five years
 - Department size increased 30% in last 10 years
 - Reinvented numerous processes to enable delivery
- Increasingly mobile DOJ workforce



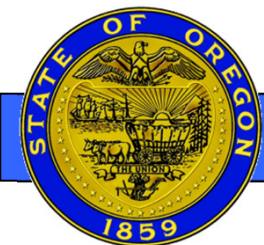
Program Efficiencies

- Updated and renegotiated software and hardware maintenance contracts, wherever possible.
- Moved and eliminated data communications lines.
- Extended network hardware replacement lifecycle.
- Implemented new technology and process improvement where possible.
- Reduced management by combining two senior positions into one, and restructuring two others.



Administrative Services Division

Questions?



Department of Justice – Administrative Services Division

JUSTICE, DEPARTMENT of
Annual Performance Progress Report (APPR) for Fiscal Year 2012

Original Submission Date: 2012

Finalize Date: 1/25/2013

2011-2012 KPM #	2011-2012 Approved Key Performance Measures (KPMs)
1	Percentage of legal cases in which the state's position is upheld
2	Percentage of appropriate litigation resolved through settlement
3	Amount of monies recovered for the state divided by the cost of recovery
4	Average time from receipt of contracting document to first substantive response to agency
5	Percentage of legal billings receivables collected within 30 days
6	Percentage of timely and complete charities' reports submitted relative to total charities registered
7	Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information
8	Percentage of Criminal Justice Division cases resolved successfully
9	Percentage of crime victims' compensation orders issued within 90 days of claim receipt
10	Percentage of support collected by the Child Support Program (CSP), which is distributed to families (Federal Fiscal Year)
11	Percentage of current child support collected relative to total child support owed
12	Percentage of Child Support Program (CSP) cases paying towards arrears relative to total CSP cases with arrears due
13	Percentage of CSP cases with support orders relative to total CSP cases
14	Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more

2011-2012 KPM #	2011-2012 Approved Key Performance Measures (KPMs)
15	Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)

New Delete	Proposed Key Performance Measures (KPM's) for Biennium 2013-2015
NEW	<p>Title: Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days.</p> <p>Rationale: In the area of Defense of Criminal Convictions (DCC), this measure complements what both the Office of Public Defense Services and the Court of Appeals measure. Having a performance measure that is consistent with the other two parts of the system helps reduce the total amount of delay in criminal and post-conviction cases. This measure also helps assess internally whether the division's attorneys are briefing the cases in an efficient and timely manner. This measure will capture for the Appellate division how efficiently its attorneys are briefing and in particular the proportion of cases briefed at or below the target number of days (210). The counting of days begins from the date the notice of appeal is filed when the state is the appellant and from the date the opening brief is received when the state is the respondent.</p>

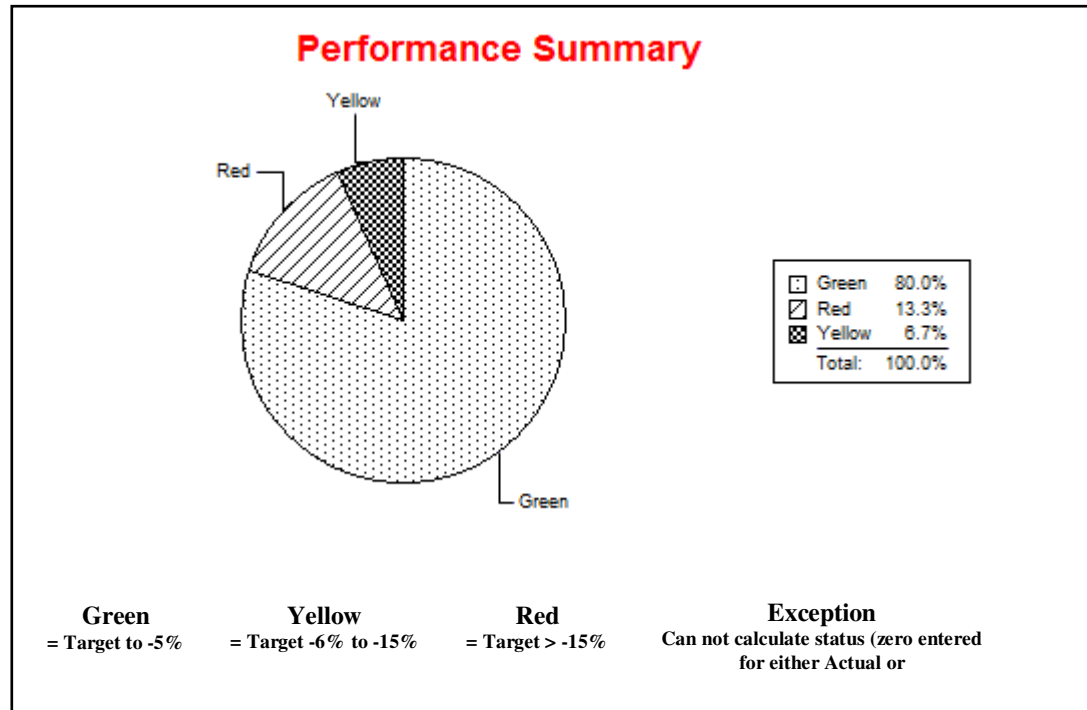
Agency Mission: The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

Contact: Mary Williams

Contact Phone: 503-378-6002

Alternate: Mitchell Nauta

Alternate Phone: 503-378-5421



1. SCOPE OF REPORT

DOJ is comprised of seven operating divisions and one administrative support division. Of the operating divisions, the Division of Child Support (DCS) comprises approximately thirty-five percent of the Departments all-funds expenditure-limitation authority. Public safety operations in the Criminal Justice Division (CJ) and Crime Victims Services Division (CVSD) comprise approximately twenty-one percent. Legal and support services represent the remaining

approximately forty-four percent. The diversity of DOJ's work and client base is unique in state government. The majority of DOJ's legal resources are directed to our work for client agencies, representing all state agencies in a wide array of legal matters. Additionally, many direct services are provided to Oregonians through the Child Support Program (CSP), CVSD and the Financial Fraud/Consumer Protection Section. CJ is responsible, in conjunction with state, federal, and local law enforcement authorities, for investigation and prosecution of organized crime and public corruption cases. Additionally, CJ operates several high profile statewide programs such as the Criminal Intelligence Unit, the High Intensity Drug Trafficking Area, the Oregon and the Western States Information Network, the Terrorism Intelligence and Threat Assessment Network and Internet Crimes Against Children Task Force. Each division contributes data to at least one key performance measure. Several measures apply to more than one division.

2. THE OREGON CONTEXT

The Legislative Assembly has established by law the context within which the Department works. It created the Department in 1891 and provided that the Department be headed by the Attorney General. The office of Attorney General is a four-year elected position. From the beginning, the Attorney General has been the chief legal officer of the State, advising and representing all state agencies and officers. In the years since, the Legislative Assembly has assigned a wide variety of missions and responsibilities to the Department. The KPM's in this report reflect the Department's performance as to those missions and responsibilities.

3. PERFORMANCE SUMMARY

DOJ's performance measures are grouped under a set of goals that facilitate achieving the agency's mission. A summary of the goals and the measures that support them immediately follows. Goal one: Efficiently provide highest quality legal services to the state. This goal is reflected in six key performance measures relating to the Department's Appellate, Civil Enforcement, General Counsel and Trial Divisions. CJ's contributions to delivery of high-quality legal services are reflected in goal three, below. The measures are: 1) percentage of legal cases in which the state's position is upheld (KPM 1); 2) percentage of appropriate litigation resolved through settlement (KPM 2); 3) amount of monies recovered for the state divided by the cost of recovery (KPM 3); 4) average time (work days) from receipt of contracting document to first substantive response to agency (KPM 4); 5) percentage of legal billing receivables collected within 30 days (KPM 5); and 6) percentage of timely and complete charities' reports submitted relative to total charities registered (KPM 6). Goal two: Client satisfaction. Annually, DOJ solicits feedback from agencies to whom legal services have been provided. The Department of Administrative Services (DAS) requires all agencies to ask five specific questions in customer satisfaction surveys. KPM 7 includes the mandated questions and additional questions tailored to DOJ's services. This measure includes the statewide client satisfaction scoring system. Goal three: Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime. The measures used to assess this goal include: 1) the percentage of CJ cases resolved successfully (KPM 8); 2) the percentage of crime victim's compensation orders issued within 90 days of claim receipt (KPM 9); 3) the percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more (KPM 14); and 4) the percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) (KPM 15). Goal four: Improve the effectiveness of efforts to increase support distributed to households with children. Four measures contribute to this goal. They are: 1) percentage of support collected by the CSP, which is distributed to families (KPM 10); 2) percentage of current child support collected relative to total child support owed (KPM 11); 3) percentage of CSP cases paying towards

arrears relative to total CSP cases with arrears due (KPM 12); and 4) percentage of CSP cases with support orders relative to total CSP cases (KPM 13).
Performance Results: As the performance summary graph illustrates on page 6, DOJ is generally exceeding its targets, or, within 5 % of the target. The agency is working towards meeting or exceeding its targets for all its measures. Although the results of two of the measures (KPM # 9, # 15) for fiscal year 2012 are below target by more than 15 %, the results are improving and getting closer to their current targets. The performance graph is a summary of the most recent fiscal year data that is available. Four out of the fifteen DOJ measures report results on a Federal Fiscal Year (FFY) basis and the latest FFY ended September 30, 2012. As of November 30, 2012, all the Fiscal Year 2012 results were in and contained within the performance summary graph.

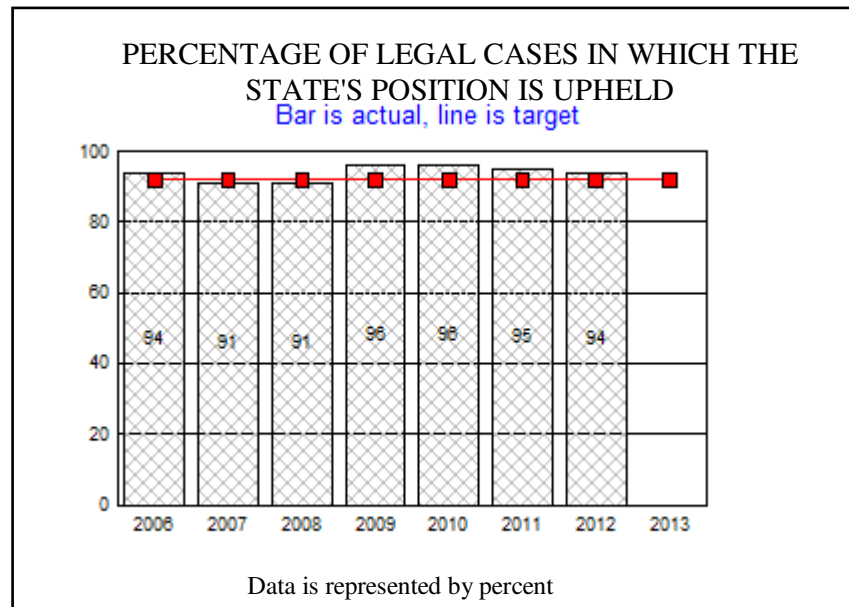
4. CHALLENGES

Performance measurements confront the Department with multiple challenges. First, DOJ has faced challenges in collecting data from different divisions about performance measurements applicable to multiple divisions. These challenges are rooted in the reality that the work of the Divisions takes place in many different forums and the data may vary depending on the forum and nature of work. For example, KPM 2 reflects the work of four different divisions and matters handled as administrative proceedings before agencies, litigation in state and federal trial courts, and litigation in state and federal appellate courts. Because of the variation, the data for the KPM must be reviewed and collected largely by hand instead of through a report generated by our various case-management systems. A second challenge is that many of our measures depend primarily on the work of individuals outside of the Department and we do not directly supervise or control their performance.

5. RESOURCES AND EFFICIENCY

Resources: The Legislative Assembly authorized DOJ to expend funds from many sources in service of the Department's missions. For 2011-13, the total (all funds) in the Legislatively Adopted Budget is \$413,491,336. Efficiency: The Department takes efficiency to mean a comparison of the investment of resources with the outcomes produced. Comparisons between dollars invested and dollars returned directly measure efficiency. KPM 3, for example, compares the dollars invested in collecting moneys owed the state to the dollars recovered for the state from debtors. Other measurements, such as KPM 9 (Percentage of crime victim's compensation orders issued within 90 days of receipt), indirectly reflect DOJ's efficiency by expressing the time within which specified outcomes are obtained given the available resources. Please refer to the narratives for individual measurements for more detail.

KPM #1	Percentage of legal cases in which the state's position is upheld	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Matter Management System Report and Division Administrator reviews	
Owner	Legal Divisions (except Criminal Justice Division) Contacts: Mary Williams (503) 378-6002, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Efficiently provide the highest quality of legal services to the state by monitoring and assessing the percentage of legal cases in which the states' position is upheld.

2. ABOUT THE TARGETS

A ruling supporting the states' position tends to reflect positively on the quality of legal advice provided by DOJ. The current target is 92 %.

3. HOW WE ARE DOING

Actual performance is above the target level.

4. HOW WE COMPARE

Private sector caseloads are not analogous to DOJ's work. DOJ sought in 2005 and again in 2007, through the National Association of Attorneys General (NAAG), to determine whether any other state attorney general has established a similar performance measurement; to date, no such state has been identified.

5. FACTORS AFFECTING RESULTS

The definition of what "state's position upheld" means varies between the divisions due to the diversity of the Department's legal work and because DOJ seeks just results, not merely to prevail in a particular case. For example, the Trial Division defends civil lawsuits filed against the State, its agencies, and its officials in a variety of contexts. The state's position in a civil lawsuit is upheld when the trial court dismisses the lawsuit without awarding monetary damages or other forms of relief against the state, or, when the state prevails at trial. But the state's legal position may also be upheld in a case in which the DOJ determines that justice requires some form of settlement with the opposing party; in those situations, the state's position can be upheld when the state reaches agreement with the opposing party and damages are limited to those required by law.

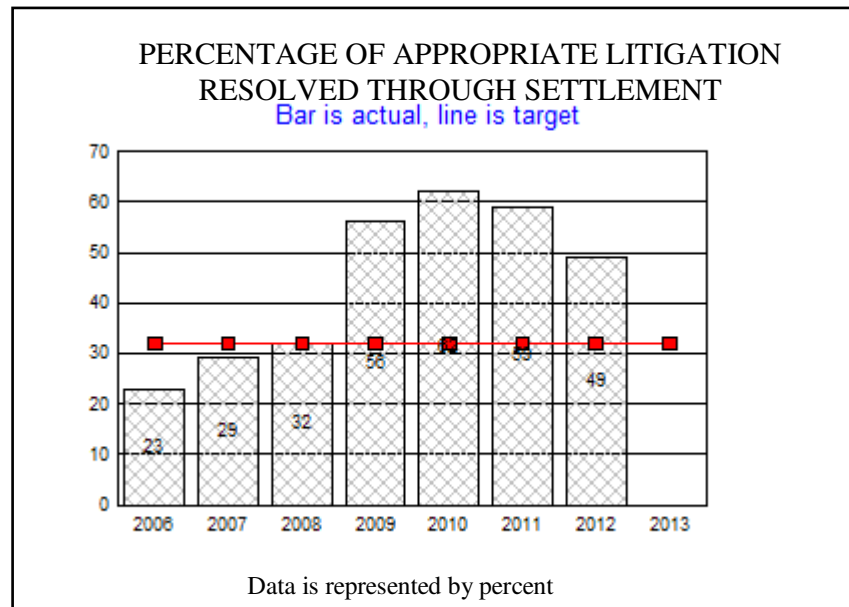
6. WHAT NEEDS TO BE DONE

Ongoing analysis and monitoring.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

KPM #2	Percentage of appropriate litigation resolved through settlement	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Automated Matter Management System Report and Division Administrator Review	
Owner	Legal Divisions (except Criminal Justice Division) Contacts: Mary Williams (503) 378-6002, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percentage of appropriate litigation resolved through settlement.

2. ABOUT THE TARGETS

Resolving a litigation matter that is subject to negotiation by reaching settlement often provides an effective and efficient method for resolving disputes involving the state. The current target is 32 %.

3. HOW WE ARE DOING

Actual performance is above the target level.

4. HOW WE COMPARE

Private sector caseloads are not analogous to DOJ's work. DOJ sought in 2005 and again in 2007, through NAAG, to determine whether any other state Attorney General has established a similar performance measurement; to date, no such state has been identified.

5. FACTORS AFFECTING RESULTS

The determination of which cases are appropriate for negotiation and settlement varies between the divisions due to the diversity of caseloads. Not all cases are appropriate for settlement. Many factors contribute to rendering a case inappropriate for settlement. In many instances, opportunity for settlement by the DOJ is limited by the fact that the agency represented in the litigation had attempted to settle the case before referring the case to DOJ. Some litigation may arise only after many other opportunities to vindicate the state's interests have been tried and failed. For example, lawsuits seeking the termination of parental rights are filed after social service agencies have exhausted other interventions intended to protect children. Other cases may be rendered inappropriate for compromise simply by the nature of the state's interest. Settlement may not be possible because of far-reaching policy implications or because federal law precludes settlement. For example, unemployment-benefit cases cannot be settled due to federal restrictions.

6. WHAT NEEDS TO BE DONE

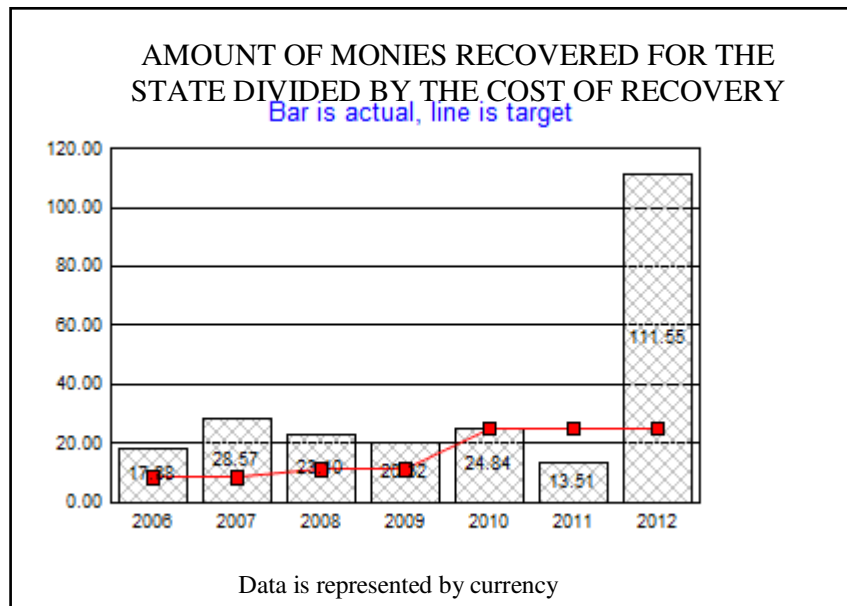
The Department needs to consistently collect data about cases suitable for settlement.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. The diversity of the overall caseload in the department continues to require case-by-case analysis in order to

count not only those cases considered appropriate for negotiation and settlement but to also determine when a case is won. For example, the data included in this report does not include all of our cases in the Defense of Criminal Convictions program. Excluded cases are not suited to settlement due to the way the petitioners are choosing to litigate them and the fact that there appears to be little in the way of meaningful terms to negotiate about. The state is generally interested in sustaining criminal convictions in direct appeals from criminal convictions, in state post-conviction relief cases, and in federal habeas corpus cases; the opportunity for negotiation between the convicted criminal and the state generally occurred at the time of the original circuit court trial and before DOJ became involved in the litigation.

KPM #3	Amount of monies recovered for the state divided by the cost of recovery	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Elite System (internal software) and Civil Enforcement Division Collections Log	
Owner	Civil Enforcement Division, Civil Recovery Section Contacts: Fred Boss (503) 934-4400, Angie Emmert (503) 934-4400, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the amount of monies recovered for the state divided by the cost of recovery.

2. ABOUT THE TARGETS

The ratio of recoveries to the cost of the recovery demonstrates the efficient use of resources to provide high quality legal services to the state. The 2009 Legislature increased the target from \$11.00 in recoveries per dollar spent to \$25.00, beginning in 2010.

3. HOW WE ARE DOING

Actual performance exceeded our target. The ratio is extraordinarily high this fiscal year due to a \$ 56 million recovery in the Williams v. Philip Morris matter. We anticipate returning to a rate closer to our target in the current fiscal year.

4. HOW WE COMPARE

DOJ believes its caseload is unique.

5. FACTORS AFFECTING RESULTS

Very large claims can skew results. For example, in 2006, DOJ helped recover \$25 million from parties responsible for leaving the New Carissas' rusting hulk on a south coast beach; some of the recovery actually accrued to the state in 2007. And, as mentioned above, a \$ 56 million recovery in a single case significantly skewed the results for FY 2012.

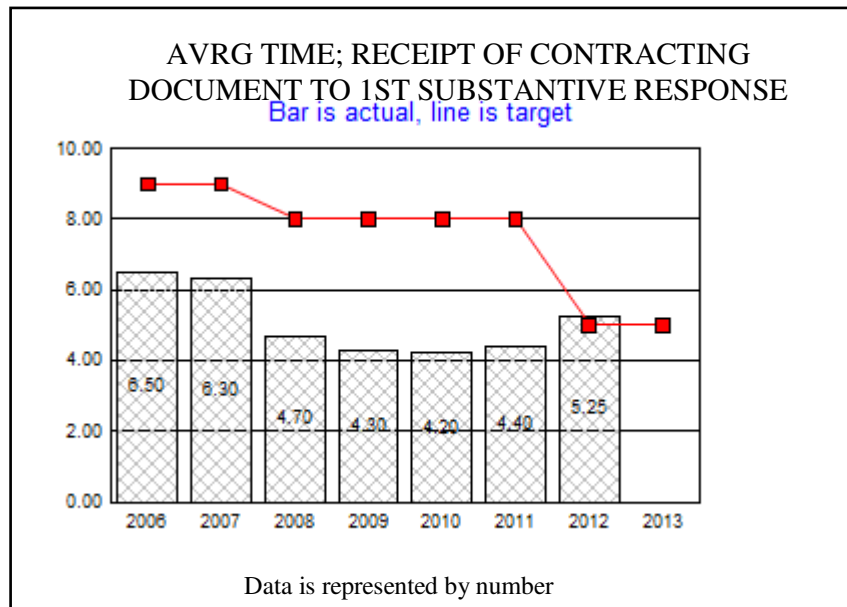
6. WHAT NEEDS TO BE DONE

Continue to use legal remedies available and evaluate outcomes for possible improvements in effectiveness and efficiency of DOJ's collections. The Department will continue active participation in the statewide Accounts Receivable Core Committee (ARCC).

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. The cases included in this measure involve any money recovered as a result of the sections legal actions. DOJ only counts those funds recovered that are a result of an action taken by the Department.

KPM #4	Average time from receipt of contracting document to first substantive response to agency	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Automated Matter Management System	
Owner	General Counsel Division Contacts: Steve Wolf (503) 947-4342, Mandy Collingham (503) 947-4342, Mitchell Nauta (503)	



1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the average time from receipt of contracting documents to first substantive response to agency.

2. ABOUT THE TARGETS

The speed with which DOJ prepares contracts can be of significance to the requesting agency. This measure helps assess DOJ's performance in relation to that demand. The current target is 5 working days.

3. HOW WE ARE DOING

Actual performance did not quite meet our target. This resulted from a combination of two factors: first, departures out of our Business Transactions Section, which created a period of understaffing in areas requiring particular subject matter expertise; and second, we are seeing an increase in the complexity of contracts that we are seeing for review and advice.

4. HOW WE COMPARE

DOJ believes its contract review function is unique.

5. FACTORS AFFECTING RESULTS

DOJ continues to exempt categories of contracts from legal sufficiency review. As this process continues, the remaining assignments become increasingly complex. The General Counsel Division continues to monitor work on the remaining types of contracts for additional efficiencies. Other factors to be considered include the variance in state agency resources devoted to the contract process. Some agencies have contract units and contract officers some of whom have a legal/contract background and some of whom received agency-level training. Other agencies do not have this resource available and are more dependent on the involvement of DOJ.

6. WHAT NEEDS TO BE DONE

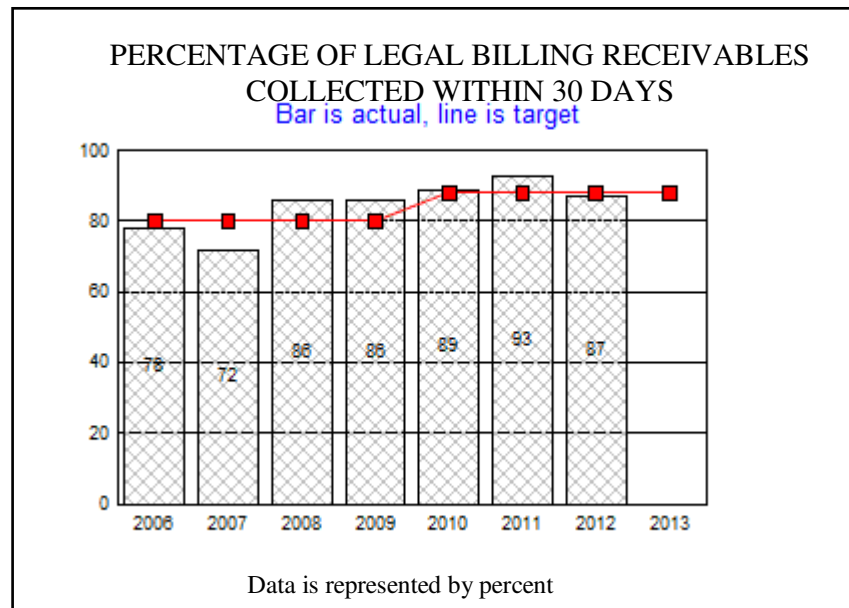
Ongoing analysis and monitoring at the division level. Continued feedback from client agencies. Restore staffing to adequate levels, and identify additional means of introducing efficiencies to the legal sufficiency review process.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. The vast majority of state contracts are processed through DOJ's Business Transactions Section of the General

Counsel Division. This ensures as much consistency of process and uniformity of review as possible. There are many types of contracts considered in this process including personal service contracts, intergovernmental agreements, construction contracts, contracts for goods and services, information technology and intellectual property contracts, among others. **Please note that for this KPM, actual performance below the target line reflects that the agency is exceeding expectations**

KPM #5	Percentage of legal billings receivables collected within 30 days	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Elite System (internal software) and R*STARS (statewide automated accounting system)	
Owner	Administrative Services Division, Financial Services Section Contacts: Marc Williams (503) 378-5705, Rose Mattix (503) 378-4622, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percent of legal billing receivables collected within 30 days.

2. ABOUT THE TARGETS

Collecting receivables timely ensures appropriate cash flow and allows the department to provide high quality legal services to state agencies, boards and commissions at the lowest possible cost. State clients pay for legal services only as they use them, following a business model of operation. The current target is 88 % which was established by the 2009 legislature.

3. HOW WE ARE DOING

Actual performance was slightly below the target. Two delayed payments in the first quarter contributed to the actual performance not quite meeting the target level.

4. HOW WE COMPARE

DOJ has not yet identified any point of comparison.

5. FACTORS AFFECTING RESULTS

Some agencies are heavy consumers of DOJ's legal services. If even one of those agencies fails to timely pay a DOJ invoice, DOJ's performance on this KPM can slip below the target mark.

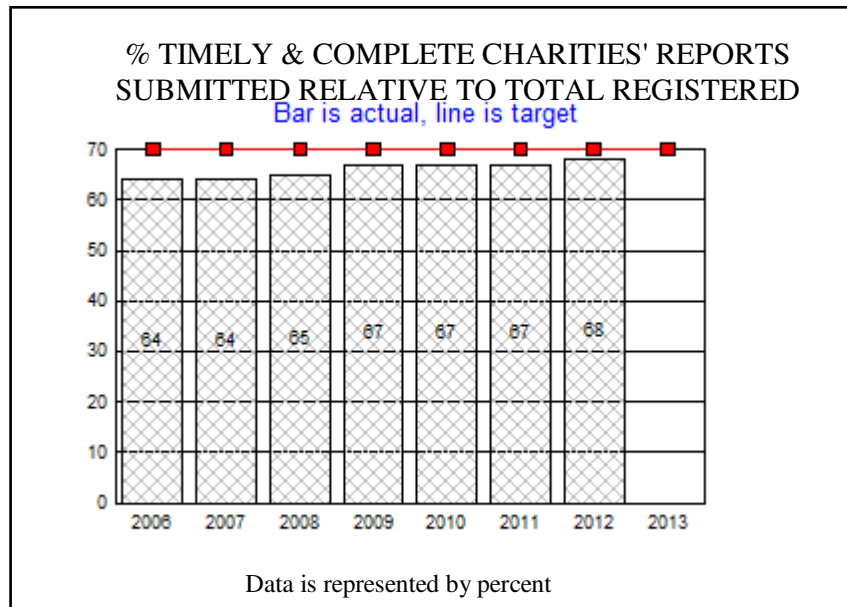
6. WHAT NEEDS TO BE DONE

Ongoing monitoring and communications with client agencies.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. All attorneys and other legal services personnel routinely enter data into the automated system on billable hours worked. All billing and receivable processing is done centrally through DOJ's Administrative Services Division. Policies are in place to ensure accuracy and appropriateness of billings resulting from the time capture system for legal services personnel. Additionally, monthly reports are shared with Executive Staff on billing trends and any client agency payment or collection issues to allow for timely corrections.

KPM #6	Percentage of timely and complete charities' reports submitted relative to total charities registered	2004
Goal	Efficiently provide highest quality legal services to the state	
Oregon Context	Mission	
Data Source	Charitable Activities Section Database	
Owner	Civil Enforcement Division, Charitable Activities Section Contacts: Fred Boss (503) 934-4400, Elizabeth Grant (971) 673-1880, Mitchell Nauta (503) 378-5482	



1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percentage of timely and complete charities reports.

2. ABOUT THE TARGETS

Reports that are timely and complete demonstrate the effectiveness of education and communication with reporting charities. The current target is 70 %.

3. HOW WE ARE DOING

We have not yet reached our target.

4. HOW WE COMPARE

At this time we are not aware of any comparable data in public or private sector.

5. FACTORS AFFECTING RESULTS

The legislature reduced the target of this KPM to 70% for the 2005-07 biennium. The measure requires timely and complete reports. DOJ believes the target was established to measure performance on only one element; the timeliness of reports submitted by charities to DOJ. Additionally, for this reporting period the number of charitable organizations in Oregon continued to increase and as of 06/30/12 there were 16,907 charities required to file reports. DOJ tries to make compliance as easy as possible by publishing reporting forms, training the personnel of charitable organizations, and answering technical assistance questions.

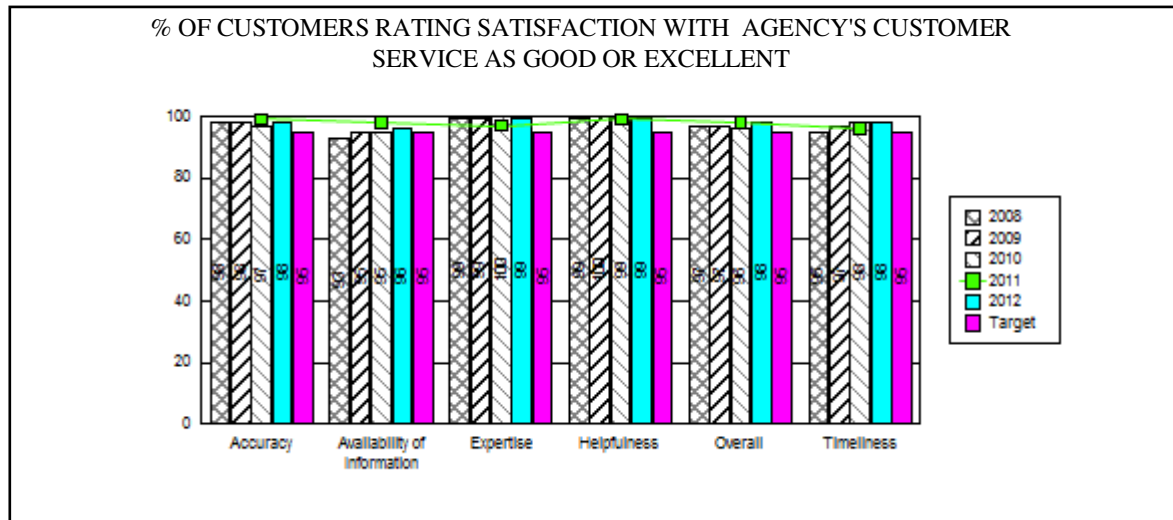
6. WHAT NEEDS TO BE DONE

Ongoing analysis and monitoring at the division level.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

KPM #7	Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	2004
Goal	Client Satisfaction	
Oregon Context	Mission	
Data Source	Customer survey using DAS models/standards and facilitated through "SurveyMonkey" software	
Owner	Attorney General Contacts: Steve Wolf (503) 947-4342, Mandy Collingham (503) 947-4342, Mitchell Nauta (503) 378-5421. Current survey of legal service customers facilitated by General Counsel Division.	



1. OUR STRATEGY

We ask agencies how we can improve; we follow up on those requests and then survey again the following year.

2. ABOUT THE TARGETS

Asking client agencies annually about their satisfaction with the legal services provided to them is a direct measure of client satisfaction of a key customer base. This is a performance measure that the Department put in place prior to the implementation of customer service measures on a statewide level. The current target is 95 %.

3. HOW WE ARE DOING

On target overall.

4. HOW WE COMPARE

While DOJ has found some private sector statistics on legal services surveys, other caseloads are often not similar overall to the states' work. At this time data from other states Attorneys General are not readily available.

5. FACTORS AFFECTING RESULTS

Many things may affect results on KPM 7. These factors include resources appropriated to DOJ by the Assembly and the complexity of the work in comparison to the length of time allowed to prepare legal advice about the issue.

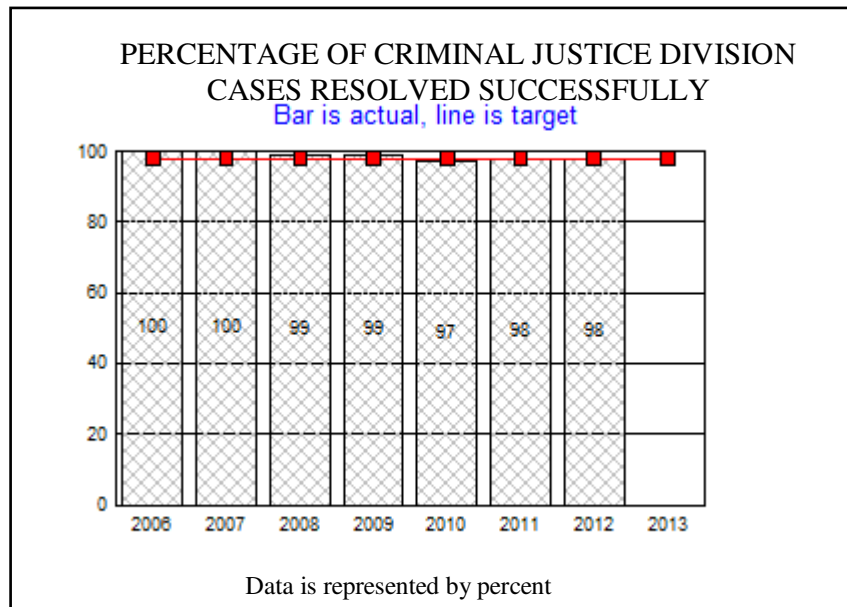
6. WHAT NEEDS TO BE DONE

DOJ's senior managers discuss concerns identified in client surveys with managing attorneys and with affected client agencies, and formulate corrective measures where feasible and appropriate.

7. ABOUT THE DATA

DOJ conducts one annual survey of our legal customers/client agencies. The survey contains the standardized questions and uses the calendar year approved standard scoring system.

KPM #8	Percentage of Criminal Justice Division cases resolved successfully	2004
Goal	Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime	
Oregon Context	OBM #61 Overall Crime	
Data Source	Automated Matter Management System	
Owner	Criminal Justice Division Contacts: Darin Tweedt, (503) 378-6347, Mistie Slason (503) 378-6347, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by evaluating the percentage of CJ cases resolved successfully.

2. ABOUT THE TARGETS

The target encompasses a wide array of cases, from the mundane to the profoundly consequential, such as death penalty prosecutions. The current target is 98 %.

3. HOW WE ARE DOING

The actual performance is meeting our target.

4. HOW WE COMPARE

The Division is responsible for the investigation and prosecution of a very wide range of cases. DOJ is not aware of any other local, state, or federal agency that has a comparable combination of responsibilities.

5. FACTORS AFFECTING RESULTS

Because the number of cases resolved in any given year is small (223 in 2012), the outcome in a very small number of cases will be reflected on a percentage basis as an improvement or degradation in performance.

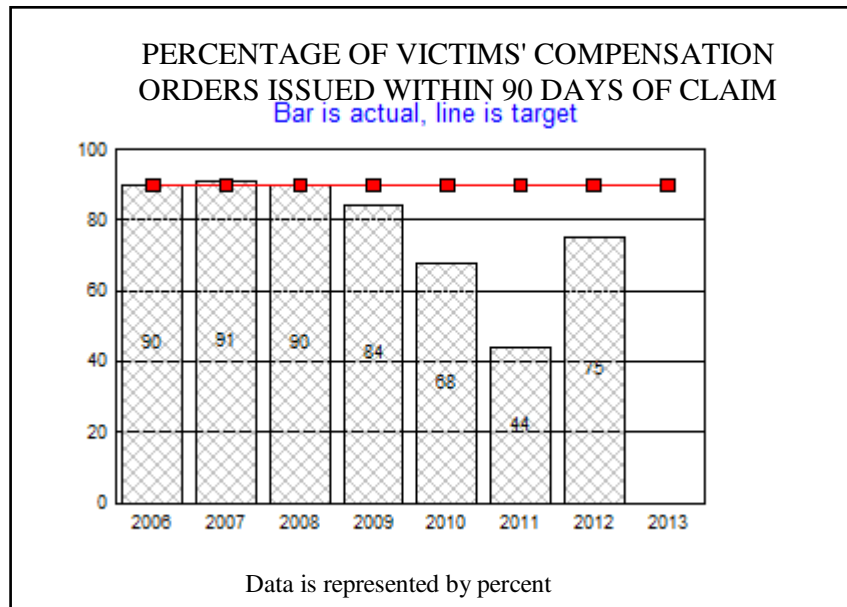
6. WHAT NEEDS TO BE DONE

Continue monitoring.

7. ABOUT THE DATA

The measure is reported using the Oregon fiscal year. DOJ counts as closed cases that are concluded, final action has been taken and the CJ has taken the formal administrative action of closing the case in the automated matter management system. Cases included in this measure include all criminal matters investigated or prosecuted by division staff. These include cases such as organized crime, internet crimes as well as assistance on cases referred to us by county District Attorneys. A case is counted as unsuccessful if a person who has been charged with a crime is acquitted. A case is resolved successfully if a criminal charge is filed and a court judgment is subsequently entered, finding the suspect guilty; or, after conducting an investigation, it is determined that in the interests of justice a criminal charge should not be filed, or should be dismissed, because the charge is not supported by admissible evidence.

KPM #9	Percentage of crime victims' compensation orders issued within 90 days of claim receipt	2004
Goal	Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime	
Oregon Context	Mission	
Data Source	Automated Matter Management System	
Owner	Crime Victims Services Division Contacts: Shannon Sivell (503) 378-5308, Joe McCarty (503) 378-4301, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Monitor the percentage of crime victims' compensation orders issued within 90 days of claim receipt.

2. ABOUT THE TARGETS

Victims cannot receive benefits until an order issues. KPM 9 therefore reflects on DOJ's efficiency in timely meeting the needs of the victims of crime. The current target is 90 %.

3. HOW WE ARE DOING

For the fiscal year beginning July 2011 and ending June 2012, an average of 75 % of the claims received were worked within the 90-day window. A backlog of cases had developed and the backlog was increasing our response time. Last fall, a new program was put into effect. The result, after six months, is an increase in performance such that at present, 91.8 % of all claims are evaluated within 90 days of receipt. 74.9 % are evaluated within 45 days.

4. HOW WE COMPARE

DOJ is not aware of any private sector caseloads and services that are similar overall to DOJ's work. Likewise other government services to victims of crime are either tied to our state program, or are not similar in nature. We will continue to monitor the work of others in this area to see if relevant data becomes available.

5. FACTORS AFFECTING RESULTS

The number of incoming claims has steadily grown while there has been no increase in personnel and some turnover of experienced employees requiring some period of training. To increase our responsiveness, CVSD asked current personnel to work out-of-class for several months to eliminate a backlog that has accumulated over the last 12-18 months.

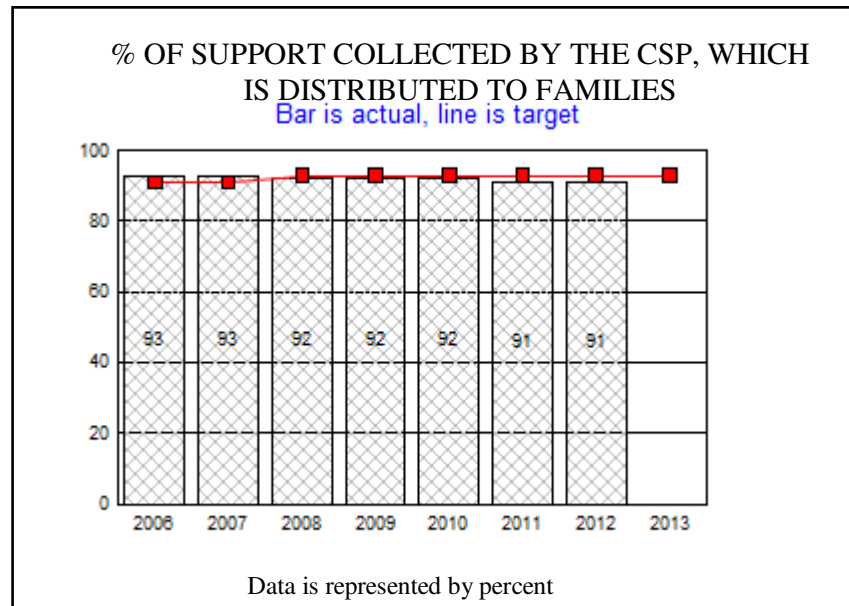
6. WHAT NEEDS TO BE DONE

Ongoing analysis and monitoring.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

KPM #10	Percentage of support collected by the Child Support Program (CSP), which is distributed to families (Federal Fiscal Year)	2003
Goal	Improve the effectiveness of efforts to increase support distributed to households with children	
Oregon Context	Mission	
Data Source	Data is retrieved through the Child Support Enforcement Automated System and reported on the OCSE34A federal report. (Federal Fiscal Year).	
Owner	Division of Child Support Contacts: Kate Richardson (503) 947-4357, Laura Snodgrass (503) 947-4360, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by monitoring the percentage of support distributed to families

compared to monies retained by the state. Collecting and distributing support to families is a direct measure of the CSP's effectiveness.

2. ABOUT THE TARGETS

The current target is 93%.

3. HOW WE ARE DOING

Data for federal fiscal year ending September 30, 2012 is now available. The CSP's current performance is 91 %.

4. HOW WE COMPARE

This is a state level measurement. There is no corresponding federal measurement.

5. FACTORS AFFECTING RESULTS

Federal law establishes priorities for the distribution of collected funds. For example, federal law requires that collected funds be distributed first to current ongoing support amounts due to families before any is distributed to reimburse the state for the costs of previously-provided public assistance. Effective October 1, 2007 new legislation enabled the DOJ to provide a portion of child support payments to be made directly to families receiving public assistance (more commonly known as Pass-through). Effective October 1, 2009 new federal requirements were implemented which reduced the amount of child support assigned to the state and increased the amounts due to families.

6. WHAT NEEDS TO BE DONE

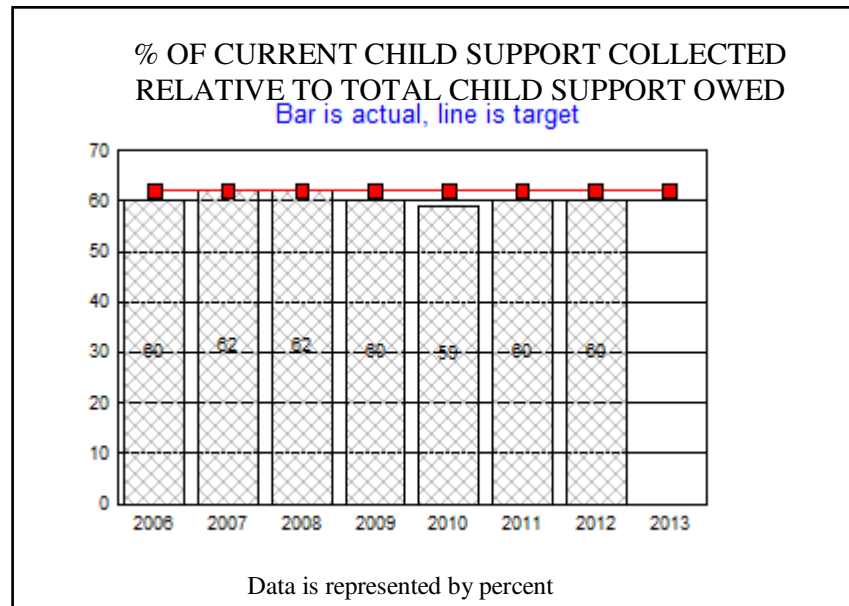
Continue to monitor performance. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are presently not possible. The Program will pursue replacement of the system in the 2013 Legislative session.

7. ABOUT THE DATA

The reporting cycle is the Federal Fiscal Year (October 1 - September 30). The data in this measure is the percentage of the total support collected by the

CSP (both DCS and DA offices) that is sent to families in Oregon and not kept by the state to reimburse Temporary Assistance to Needy Families (TANF), Health Assistance Programs, Child Welfare (CW) or Oregon Youth Authority (OYA). CW and OYA cases are those in which a child is or has been in qualified state care or custody.

KPM #11	Percentage of current child support collected relative to total child support owed	2003
Goal	Improve the effectiveness of efforts to increase support distributed to households with children	
Oregon Context	Federal Child Support Program Performance Measure	
Data Source	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE157 federal report. (Federal Fiscal Year).	
Owner	Division of Child Support Contacts: Kate Richardson (503) 947-4357, Laura Snodgrass (503) 947-4360, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Improve effectiveness to collect and distribute support to households with children by monitoring the percentage of current child support that is distributed in

the same month it is due. Collecting and distributing support to families is a direct measure of the Program's effectiveness.

2. ABOUT THE TARGETS

The current target is 62% and is higher than the floor set by the federal government (40%).

3. HOW WE ARE DOING

Data for federal fiscal year ending September 30, 2012 is now available. The CSP's current performance is 59.6 %.

4. HOW WE COMPARE

The published 2010 national average for all states is 62%. The federal government has set 40% as the minimum requirement to qualify for federal incentives.

5. FACTORS AFFECTING RESULTS

The amount collected depends in part on the effectiveness and efficiency of the tools available to DOJ under state and federal law for non-custodial parents who are able but unwilling to meet their obligations. Oregon is generally well-equipped with the tools required to persuade obligors to fulfill their obligations and to compel them to do so when necessary. The results for KPM 11 are also affected by the reality that a few obligors are willing but unable to pay and the size of this group increases as job losses increase and the economy struggles. DOJ's effectiveness in collecting funds from obligors who have the ability to pay depends to a great extent on the resources invested to carry out collection activities. Timing of payments is also a factor. Payments received even one week into the following month do not count as a current support payment.

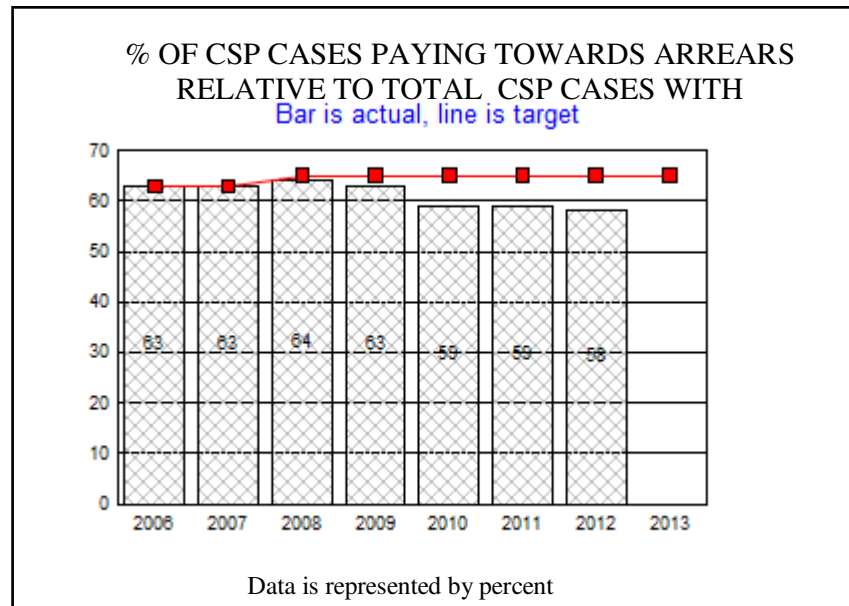
6. WHAT NEEDS TO BE DONE

Continue to refine Employer New Hire Data. Continue to work with employers for compliance with the mandatory reporting. Continue to act on new data and promptly issue income withholding orders. Implementation of the Employer Portal, which will allow employers to perform web-based transactions with the CSP will contribute positively to performance in this KPM. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are not presently possible. The Program will pursue replacement of the system in the 2013 Legislative session.

7. ABOUT THE DATA

The reporting cycle is the federal fiscal year (October 1 - September 30). The data in this measure includes only the percentage of the total monthly ongoing child support ordered (under a court or administrative final judgment) that is actually paid and distributed in the month it is due. Payments to past-due support are not counted in this measure. This total is for both DCS and DA offices.

KPM #12	Percentage of Child Support Program (CSP) cases paying towards arrears relative to total CSP cases with arrears due		2003
Goal	Improve the effectiveness of efforts to increase support distributed to households with children		
Oregon Context	Federal Child Support Program Performance Measure		
Data Source	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE3157 Federal Report. (Federal Fiscal Year).		
Owner	Division of Child Support 378-5421	Contacts: Kate Richardson (503) 947-4357, Laura Snodgrass (503) 947-4360, Mitchell Nauta (503)	



1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by monitoring the percentage of CSP cases paying towards

arrears relative to total CSP cases with arrears due. Prompt enforcement of current support also improves performance by preventing the accrual of arrears.

2. ABOUT THE TARGETS

The current target is 65% and is higher than the 2010 national average (62%) and much higher than the minimum (40%) required by the federal government to qualify for federal incentives.

3. HOW WE ARE DOING

Data for federal fiscal year ending September 30, 2012 is now available. The CSP's current performance is 57.5 %.

4. HOW WE COMPARE

The published 2010 national average for all states is 62%.

5. FACTORS AFFECTING RESULTS

Results for KPM 12 are affected by the same factors that affect KPM 11. The number of cases that carry arrears will continue to climb as the economic struggles in Oregon continue. The number of parents who cannot pay all or part of the support due will climb as the economy fails. This equates to additional work needed just to maintain current percentages.

6. WHAT NEEDS TO BE DONE

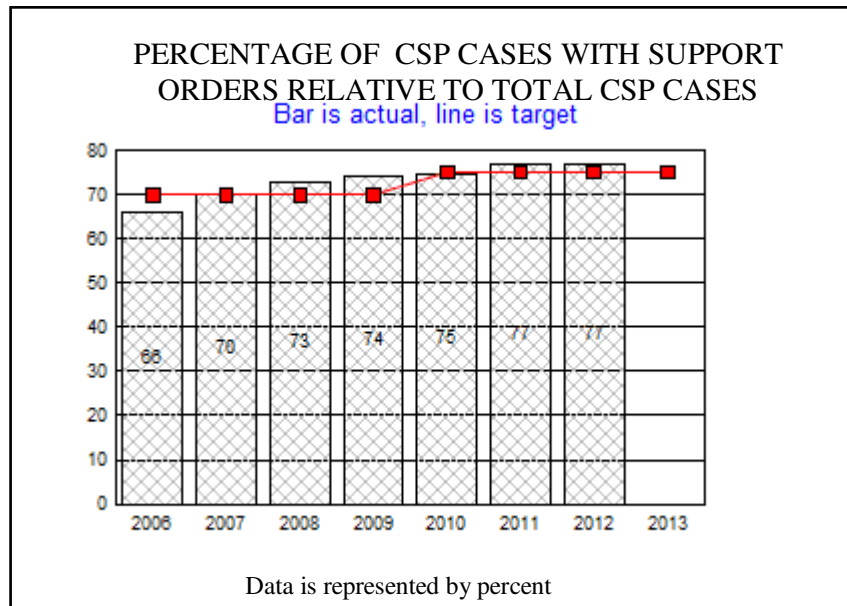
Continue to monitor performance. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are presently not possible. The Program will pursue replacement of the system in the 2013 Legislative session.

7. ABOUT THE DATA

The reporting cycle is the federal fiscal year (October 1-September 30). The data in this measure includes the percentage of child support cases where the CSP received a payment (in any amount) toward past-due support. For cases with both ongoing child support and past-due support, the obligor's payment

toward ongoing support is made before any money is applied toward the past-due support. This total is for both DCS and DA offices.

KPM #13	Percentage of CSP cases with support orders relative to total CSP cases	2003
Goal	Improve the effectiveness of efforts to increase support distributed to households with children	
Oregon Context	Federal Child Support Program Performance Measure	
Data Source	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE157 federal report. (Federal Fiscal Year).	
Owner	Division of Child Support Contacts: Kate Richardson (503) 947-4357, Laura Snodgrass (503) 947-4360, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by increasing the percentage of CSP cases with enforceable

support orders relative to total CSP cases.

2. ABOUT THE TARGETS

The current target is 75% and is lower than the 2010 national average (80%) but much higher than the minimum (50%) required by the federal government to qualify for federal incentives. The target for the 2009-11 biennium was set at 75% by the legislature and that target has remained.

3. HOW WE ARE DOING

Data for federal fiscal year ending September 30, 2012 is now available. The CSP's current performance is 76.6 %.

4. HOW WE COMPARE

The published 2010 national average for all states is 80%.

5. FACTORS AFFECTING RESULTS

Efforts to enhance and streamline the order establishment process will have a positive impact on this measure. Working more closely with customers to establish fair and equitable orders in a collaborative effort will assist as well. The CSP continues to close cases in which no services are required. All of these factors will affect future results on KPM 13.

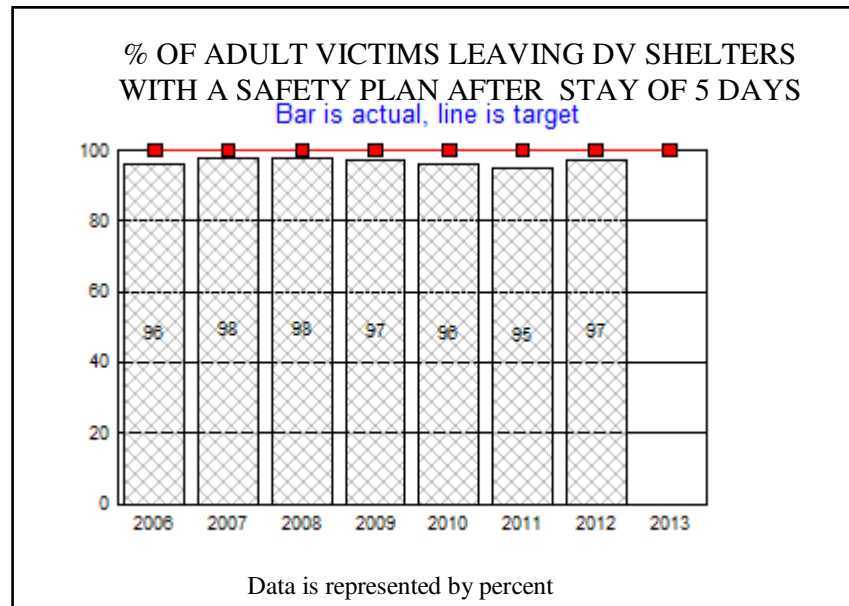
6. WHAT NEEDS TO BE DONE

Continue to monitor performance. Continue the review and implementation of administrative process innovations. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are not presently possible. The Program will pursue replacement of the system in the 2013 Legislative session.

7. ABOUT THE DATA

The reporting cycle is the federal fiscal year (October 1-September 30). The data in this measure looks at the total CSP caseload (both DCS and DA offices) and takes the percentage of child support cases in which there is an order addressing support and/or medical provisions.

KPM #14	Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more	2006
Goal	Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime	
Oregon Context	Mission	
Data Source	The Oregon Department of Human Services collects data monthly through domestic violence grant reports which are submitted semi-annually to DOJ.	
Owner	Crime Victims Services Division Contacts: Shannon Sivell (503) 378-4301, Karen Heywood (503) 378-4301, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by monitoring the percentage of adult

victims leaving domestic violence shelters with a safety plan after a stay of five days or more.

2. ABOUT THE TARGETS

Private non-profit agencies provide direct shelter services to domestic violence victims in Oregon. The current target is 100% and was established after examination of data from 2006.

3. HOW WE ARE DOING

The actual performance of 97.28 % was slightly below the target.

4. HOW WE COMPARE

DOJ has not yet identified any point of comparison for KPM 14.

5. FACTORS AFFECTING RESULTS

DOJ makes grants to support domestic violence shelters. The shelters are operated by private non-profit agencies, not DOJ personnel. The result measured by KPM 14 is, therefore, affected directly by personnel who do not serve under the Attorney General's direction or control. DOJ does influence the results indirectly through grant funding agreements establishing DOJ's expectations of the grantees.

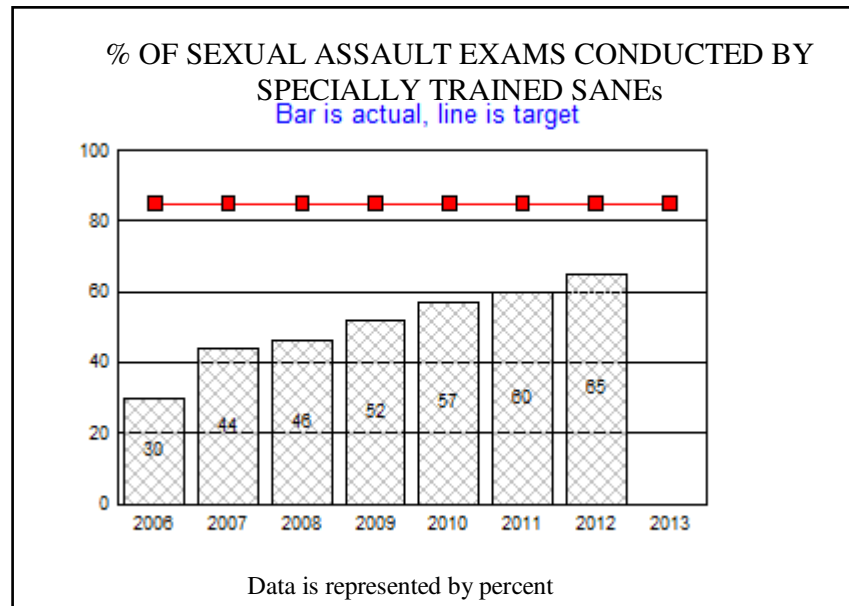
6. WHAT NEEDS TO BE DONE

Data collection, analysis, and monitoring and collaboration with DHS, advocacy groups, shelters and the Attorney General's Sexual Assault Task Force.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

KPM #15	Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)	2006
Goal	Enhance public safety by identifying, investigating, and prosecuting criminal activity and support the victims of crime	
Oregon Context	Mission	
Data Source	Data is based on the number of payment requests submitted to the Sexual Assault Victims Emergency Medical Response Fund for rape kits; further data is collected from the Oregon State Police Crime Labs where rape kits are processed.	
Owner	Crime Victims Services Division. CONTACTS: Shannon Sivell, (503) 378-5308, Rebecca Shaw (503) 378-4301, Mitchell Nauta (503) 378-5421	



1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by monitoring the percent of sexual

assault exams conducted by specially trained SANEs.

2. ABOUT THE TARGETS

SANEs are specially trained to conduct examinations of victims of sexual assault. The current target is 85 %.

3. HOW WE ARE DOING

The state has not met this target.

4. HOW WE COMPARE

DOJ has not yet identified any point of comparison for KPM 15.

5. FACTORS AFFECTING RESULTS

DOJ administers the states' Sexual Assault Victims Emergency Medical Response Fund (Fund). The Fund helps offset costs arising from SANE training and from the examination of victims of sexual assault by trained SANEs. The SANEs are employed by health care providers; they are not DOJ personnel. The result measured by KPM 15 is, therefore, affected directly by personnel who do not serve under the Attorney General's direction or control. The availability of SANEs is still an issue in some areas of the state, due to both geographic challenges and lack of funding for 24-hour coverage. The ongoing training provided by the Attorney General's Sexual Assault Task Force to certify more SANEs is a critical element contributing to this measure. There are currently 125 trained SANEs in Oregon. There will always be a need for ongoing training as SANE certifications expire after 3 years. From the inception of the SANE program, DOJ has known that it would take several years to build up the necessary resources statewide to reach this target level.

6. WHAT NEEDS TO BE DONE

In order to increase the number of sexual assault examinations administered by a SANE trained nurse, the state needs to increase funding for the program so that more county medical personnel have access to the training to certify a nurse. The SAVE fund is funded by punitive damages and a federal "match" grant.

7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

Agency Mission: The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

Contact: Mary Williams

Contact Phone: 503-378-6002

Alternate: Mitchell Nauta

Alternate Phone: 503-378-5421

The following questions indicate how performance measures and data are used for management and accountability purposes.

1. INCLUSIVITY

*** Staff :** When developing the original key performance measures (KPMs), Division Administrators and an internal committee solicited information and feedback from within individual sections as well as across division lines. Each division reviewed its own measurements with staff and DOJ's Executive Staff approved the KPMs. Currently a position within DOJ has responsibility to coordinate the KPM process for the department. Key personnel within the divisions, often Management Assistants, play an integral role in compiling and reviewing the KPM data. Administrators take an active role in reviewing the Annual Performance Progress Report (APPR) and actively review their division's performance results and share those results with their staff. The Deputy Attorney General reviews and approves the APPR before it is declared final. The approved APPR is posted on DOJ's intranet for staff viewing.

*** Elected Officials:** The Attorney General approved the original KPMs and these were proposed to the Oregon State Legislature during the 2003 legislative session. The Legislature adopted the proposed KPMs during the 2003 session. During the 2005 legislative session two new KPMs were added related to victims' services. The Legislative Assembly established the targets for all the measures. The Assembly adjusted targets during the 2007 legislative session and made one more adjustment during the 2011 session. The Legislative Fiscal Office (LFO) periodically reviews the targets to ensure that they are still at reasonable levels, and, makes recommendations to change (adjust) the targets when warranted. During each budgetary cycle legislators are apprised of the KPMs and their results.

*** Stakeholders:** Stakeholders from partner agencies participated in the development of relevant key performance measures. The most recent APPR is posted on the DOJ website for stakeholders to see.

*** Citizens:** The most recent APPR is posted on DOJ's website for interested citizens to see.

<p>2 MANAGING FOR RESULTS</p>	<p>KPMs help DOJ Management recognize strengths and focus attention on areas needing improvement. They help assess the effects of budget decisions and workload changes. KPM targets in particular help hold DOJ Management accountable. The Child Support Program (CSP) measures help satisfy federal mandates that must be met if federal funding of the CSP is to be continued. In the last year of the 2005-07 biennium, DOJ completed collection of baseline data for certain measures and refined its internal systems for collecting KPM data. Division Administrators use performance results to assess the quality of their division's services, how efficient those services are, and how effective. Client satisfaction is an example of a quality measure. Turnaround time for contracts and how efficient the legal divisions are with regards to providing high quality legal services are examples of efficiency measures. Determining the effectiveness of efforts to increase support distributed to households with children is an example of an effectiveness measure.</p>
<p>3 STAFF TRAINING</p>	<p>Managers advise staff of the KPMs and in many divisions staff members are directly involved in the data collection or direct daily implementation of the measures. DOJ Management has made a commitment to process improvements and to finding more efficient ways to do things. Expectations in those areas have been shared with employees and managers encourage their employees to bring forth ideas on how to do things more efficiently. Staff are encouraged to attend trainings and participate in developmental opportunities that will be beneficial to the department as it continually looks for ways to improve the quality of its services and to do things more efficiently and effectively.</p>
<p>4 COMMUNICATING RESULTS</p>	<ul style="list-style-type: none"> * Staff : The Department communicates results through several forums. Some divisions provide regular reports at staff meetings while other divisions rely on the reports posted on DOJ's intranet and/or distributed through Executive Staff. * Elected Officials: KPM results are communicated primarily to the Legislature through the budgetary process. * Stakeholders: KPM results are communicated to public and private stakeholders upon request and through posting the most current APPR on DOJ's website. Additionally, members of DOJ work with and communicate results of KPMs with members of DAS and the LFO. * Citizens: KPM results are communicated to citizens upon request and through posting the most current APPR on DOJ's website.

Department of Justice
2011-13 Reclasses

Division	Action	Bargaining	HB 4131	Position Number	To:		From:		Change in Salary
					Repr, Class No. & Pay/Rg Opts	Class Title	Repr, Class No. & Pay/Rg Opts	Class Title	
Appellate	Reclass up	X		7012004	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 68
Civil Enforcement	Reclass up	X		9993026	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 136
Civil Enforcement	Reclass up	X		7012003	AJ U7505 AA	Sr Asst Attorney General	MESN Z7012 AA*	Principal Exec Mgr G	\$ 126
Civil Enforcement	Reclass up	X		7012005	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 74
Civil Enforcement	Reclass up	X		7505043	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 74
Civil Enforcement	Reclass up	X		9994029	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 652
Civil Enforcement	Reclass up	X		9994004	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7014 AA*	Principal Exec Mgr H	\$ 116
Civil Enforcement	Reclass up	X		9993056	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 136
General Counsel	Reclass up	X		9993067	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 74
General Counsel	Reclass up	X		1000282	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ -
General Counsel	Reclass up	X		7505004	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ 116
General Counsel	Reclass up	X		9994025	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7012 AA*	Principal Exec Mgr G	\$ -
Administrative Services	Reclass down		X	1321003	MMN X1322 AA	Human Resources Analyst 3	MMS X7006 AA	Principal Executive Manager D	\$ -
Criminal Justice	Reclass up		X	1032002	IJ C5234 AA	Criminal Investigator	MMS X5224 AA	Asst. Chief Criminal Investigator	\$ -
General Counsel	Reclass down		X	1524039	MMC X0110 AA	Legal Secretary	MMS X0112 AA	Support Services Supervisor 1	\$ -
Trial	Reclass down		X	7014008	AJ U7505 AA	Sr Asst Attorney General	MNSN Z7014 AA	Principal Exec Mgr H	\$ -
Administrative Services	Reclass up			0013014	OA C0212 AA	Acct Tech 3	OA C0211 AA	Acct Tech 2	\$ 368
Criminal Justice	Reclass up			0033002	MMS X5225 AA	Chief Criminal Investigator	MMS X5224 AA	Asst. Chief Criminal Investigator	\$ 610
Division of Child Support	Reclass down			0281002	MMS X7000 AA	Principal Executive Manager A	MMS X7002 AA	Principal Executive Manager B	\$ -
Division of Child Support	Reclass up			0107006	OA C1483 IA	Information Systems Spec 3	OA C0108 AA	Admin Spec 2	
Division of Child Support	Abolish			0103160	OA C0103 AA	Office Specialist 1			\$ (2,280) ***
Trial	Reclass up			0272021	MMS X0113 AA	Support Services Supv 2	MMS X0112 AA	Support Services Supv 1	\$ 177
Trial	Reclass up			7220010	OA C0103 AA	Office Specialist 1	OA C0100 AA	Student Worker	\$ -
Trial	Reclass down			9991005	MMC X0119 AA	Executive Support Spec 2	AJ U7504 AA	Assistant Attorney General	\$ (2,015) **

* Compression issue: The attorney manager pay scale is lower than that of attorneys.

** 1st Step vs salary of employee (least savings)

*** 1st Step (least savings)

Appointment dates between 7/1/11 and 12/31/12

Class Code	Classification	Position Num	Pay Step	
C0100	Student Worker	7022001	01	
C0100		7022001	01	
C0100		7220009	01	
C0100		7220009	01	
C0103	Office Specialist 1	0007001	01	
C0103		0007007	01	
C0103		0007007	00, 03	Lateral Transfer - no change in step
C0103		0007047	02	
C0103		0008022	01	
C0103		0008022	01	
C0103		0008027	09	Voluntary Demotion - reduction in pay
C0103		0008027	02	
C0103		0008033	09	Lateral Transfer - no change in step
C0103		0008034	01	
C0103		0008052	01	
C0103		0008053	09	Voluntary Demotion - no step increase
C0103		0008055	02	
C0103		0008055	01	
C0103		0008066	01	
C0103		0008073	02	
C0103		0008073	01	
C0103		0008076	01	
C0103		0008079	02	
C0103		0009002	02	
C0103		0013051	02	
C0103		0013062	02	
C0103		0103030	02	
C0103		0103044	02	
C0103		0103044	02	
C0103		0103063	04	Compensation commensurate w/ experience
C0103		0103064	01	
C0103		0103067	04	Compensation commensurate w/ experience
C0103		0103118	01	
C0103		0103118	03	Return from Promotional Trial Service - no step increase
C0103		0103121	09	Lateral Transfer - no change in step
C0103		0103122	02	
C0103		0103122	01	
C0103		0103124	09	Lateral Transfer - no change in step
C0103		0103125	04	Lateral Transfer - no change in step
C0103		0103126	03	Lateral Transfer - no change in step
C0103		0103128	02	
C0103		0103128	01	
C0103		0103129	01	
C0103		0103132	01	
C0103		0103132	01	
C0103		0103140	00, 02	
C0103		0103156	05	Former employee - no step increase
C0103		8888019	02	
C0103		8888021	03	Lateral Transfer - no change in step
C0103		8888061	01	
C0103		8888061	01	
C0103		8888062	02	
C0103		8888079	01	
C0103		8888088	01	
C0103		8888093	02	
C0103		8888093	02	
C0103		8888094	02	
C0104	Office Specialist 2	0007030	01	
C0104		0007030	08	Lateral Transfer - no change in step
C0104		0008013	01	
C0104		0008014	02	
C0104		0008023	01	Promotion - one step increase
C0104		0008023	01	
C0104		0008036	05	Return from layoff - no step increase
C0104		0008047	02	
C0104		0009019	01	
C0104		0013060	02	

Class Code	Classification	Position Num	Pay Step	
C0104		0013060	06	Return from layoff -- no step increase
C0104		0014007	01	
C0104		0103031	01	
C0104		0103031	01	
C0104		0104017	07	Promotion - one step increase
C0104		0104049	01	
C0104		0104049	01	
C0104		0104052	01	
C0104		0104053	01	
C0104		0104059	01	
C0104		0104079	02	
C0104		0104087	02	
C0104		0851004	09	New Hire - compensation commensurate with experience.
C0104		0851004	09	Promotion - minor adj to step
C0104		1482009	03	Lateral Transfer - no change in step
C0107	Admin Spec 1	8888014	00, 04	Return from layoff -- no step increase
C0107		8888015	01	
C0107		8888016	01	
C0108	Admin Spec 2	0107006	00	
C0108		0108012	01	
C0108		8888046	02	
C0110	Legal Secretary	0010021	01	
C0110		0010021	04	New Hire - compensation commensurate with experience.
C0110		0010023	02	
C0110		0010023	01	
C0110		0010023	02	
C0110		0010025	02	
C0110		0010067	02	
C0110		0010069	04	Promotion - one step increase
C0110		0010075	01	
C0110		0010100	01	
C0110		0013034	02	
C0110		0013034	02	
C0110		0013043	06	Promotion -- one step increase
C0110		0104009	01	
C0110		0104020	01	
C0110		0104040	02	
C0110		0104041	02	
C0110		0110009	07	Compensation commensurate w/ experience-PDX
C0110		0110029	09	Reassignment - management to represented - reduction in pay
X0110		0013027	08	Promotion - one step increase
C0211	Accounting Tech 2	8888007	01	
C0211		8888010	01	
C0211		8888010	02	
C0211		8888010	09	Former employee -- no step increase
C0211		8888010	00	
C0211		8888070	04	Voluntary Demotion - no step increase
C0212	Accounting Tech 3	0013014	04	Promotion - one step increase
C0322	Public Service Rep 2	0008001	09	Compensation commensurate w/ experience
C0322		0008001	02	
C0322		0008024	02	
C0323	Public Service Rep 3	0007039	03	New Hire - compensation commensurate with experience.
C0323		0007039	01	
C0405	Mail Services Asst	7220004	06	Reemployment - no change in step
T0001		TY40017	02	
C0531	Word Processing Tech 2	0531005	09	New Hire - compensation commensurate with experience.
C0531		0531007	01	
C0861		0817002	09	Reemployment - no change in step
C0861	Program Analyst 2	0817003	05	Reemployment - no change in step
C0862	Program Analyst 3	0862001	00	Reassignment - management to represented - no change in step
C0870	Operations & Policy Analyst 1	0014009	02	
C0870		0812007	09	Promotion - one step increase
C0870		8888076	09	Promotion - one step increase
C0871	Operations & Policy Analyst 2	0813004	02	
C0871		0813006	05	Promotion - one step increase
C1117	Research Analyst 3	1116001	01	
C1117		1117030	04	Promotion - one step increase
C1216	Accountant 2	1216003	01	
C1244	Fiscal Analyst 2	1207001	02	

Class Code	Classification	Position Num	Pay Step	
C1338	Training & Dev. Spec 1	8888049	03	Promotion - one step increase
C1483	Info Systems Spec 3	1407003	00	
C1483		1452005	05	Promotion - one step increase
C1483		1482007	01	
C1484	Info Systems Spec 4	0107003	04	Promotion - one step increase
C1484		1407004	05	Lateral Transfer - no change in step
C1484		1407004	07	Promotion - one step increase
C1484		1407006	09	Transfer in from another agency -- adjust to new pay scale
C1485	Info Systems Spec 5	0033004	04	Promotion - one step increase
C1485		0033004	02	
C1485		1407005	08	Compensation commensurate w/ experience
C1485		1452002	01	
C1485		1452009	01	
C1485		1453003	03	Promotion - one step increase
C1485		8888038	01	
C1485		8888038	01	
C1486	Info Systems Spec 6	1406001	03	Promotion - one step increase
C1486		1408002	07	Transfer in from another agency -- adjust to new pay scale
C1486		1421007	01	
C1486		1421007	05	Compensation commensurate w/ experience
C1486		1421007	01	
C1486		1486005	01	
C1487	Info Systems Spec 7	1423001	04	Promotion - one step increase
C1487		1486006	04	New Hire - compensation commensurate with experience.
C1524	Paralegal	0028002	02	
C1524		0107018	02	
C1524		1524015	02	
C1524		1524056	02	
C1524		1525002	02	
C1524		1525002	07	Compensation commensurate w/ experience-PDX
C4014	Facility Operations Spec 1	0021005	01	
T0001		TY40014	07	Retiree training replacement during transition of duties
C5110	Revenue Agent 1	3401004	08	Lateral Transfer - no change in step
C5110		3401004	04	Promotion - one step increase
C5111	Revenue Agent 2	5111005	05	Revenue Agent compensation commensurate with experience
C5111		5111010	03	Revenue Agent compensation commensurate with experience
C5111		5111010	06	Reemployment - no change in step
C5111		5112001	04	Revenue Agent compensation commensurate with experience
C5111		5112001	03	Revenue Agent compensation commensurate with experience
C5128	Child Support Case Manager - Entry	0004005	01	
C5128		0010013	01	
C5128		0010019	01	
C5128		0010088	01	
C5128		0010088	01	
C5128		0010092	02	
C5128		0022004	02	
C5128		0271003	01	
C5128		0271003	01	
C5128		0271003	01	
C5128		0271003	01	
C5128		0271007	01	
C5128		0271007	01	
C5128		0271010	01	
C5128		0272016	01	
C5128		0272018	01	
C5128		0272033	01	
C5128		0281004	01	
C5128		0281006	01	
C5128		5129003	01	
C5128		5129030	01	
C5128		5129035	02	
C5128		5129036	01	
C5128		5129037	01	
C5128		5129038	01	
C5128		5129043	01	
C5128		5129043	01	
C5128		5130017	01	
C5128		5130017	00, 01	
C5128		5130019	02	

Class Code	Classification	Position Num	Pay Step	
C5128		5130036	01	
C5128		5130043	01	
C5128		5130043	01	
C5128		5130052	01	
C5128		5130065	01	
C5128		5130065	02	
C5128		5130073	02	
C5128		5130125	01	
C5128		5130127	01	
C5128		5130131	01	
C5128		5130136	01	
C5128		5130139	01	
C5128		5130143	01	
C5128		5130143	01	
C5128		5130151	05	Promotion - one step increase
C5128		5130155	05, 06	Promotion - one step increase
C5128		5130161	01	
C5128		5130163	02	
C5128		5130170	07	Lateral Transfer - no change in step
C5128		5130178	01	
C5128		5130186	01	
C5128		5130193	01, 02	
C5128		5130203	01	
C5128		5130203	01	
C5128		5130203	01	
C5128		5130216	01	
C5128		5130218	01	
C5128		5130244	01	
C5128		5130270	01	
C5128		8888005	01	
C5128		8888036	01	
C5128		8888042	01	
C5128		8888106	06	Promotion - one step increase
C5128		8888109	01	
C5128		8888110	01	
C5128		8888112	01	
C5128		8888115	01	
C5128		8888116	01	
C5129	Child Support Case Manager	0004008	01	
C5129		0007042	02	
C5129		0010082	01	
C5129		0010086	09	Lateral Transfer - no change in step
C5129		0010092	01	
C5129		0271002	01	
C5129		0272015	02	
C5129		0272027	09	Voluntary Demotion - no step increase
C5129		0281001	09	Lateral Transfer - no change in step
C5129		5129036	04	Lateral Transfer - no change in step
C5129		5130010	09	Lateral Transfer - no change in step
C5129		5130011	01	
C5129		5130019	01	
C5129		5130031	02	
C5129		5130053	02	
C5129		5130053	01, 02	
C5129		5130063	04	Promotion - one step increase
C5129		5130077	09	Voluntary Demotion - no step increase
C5129		5130125	01	
C5129		5130131	00	
C5129		5130133	01	
C5129		5130142	04	Lateral Transfer - no change in step
C5129		5130154	05	Promotion - one step increase
C5129		5130154	05	Promotion - one step increase
C5129		5130155	01	
C5129		5130194	09	Former employee - no step increase
C5129		5130198	00, 06	Voluntary Demotion - no step increase
C5129		8888108	02	
C5132	Child Support Specialist	0816018	08	Promotion - one step increase
C5233	Investigator 3	5233009	02	
C5233		5233009	02	

Class Code	Classification	Position Num	Pay Step	
C5233		5233010	01	
C5233		5233014	05	Investigator compensation commensurate with experience
C5233		5233019	01	
C5648	Governmental Auditor 3	9401400	07	Promotion - one step increase
T0001	Temp - Law Clerk	LC01068	03	Former employee - no step increase
T0001		LC01102	03	Returning Law Clerk
T0001		LC01176	02	
T0001		LC01177	01	
T0001		LC01177	02	
T0001		LC01178	02	
T0001		LC01178	01	
T0001		LC01179	02	
T0001		LC01180	02	
T0001		LC01181	02	
T0001		LC01182	02	
T0001		LC01183	02	
T0001		LC01184	02	
T0001		LC01185	02	
T0001		LC01186	02	
T0001		LC01187	02	
T0001		LC01188	02	
T0001		LC01189	02	
T0001		LC01190	02	
T0001		LC01191	02	
T0001		LC01192	02	
T0001		LC01193	02	
T0001		LC01194	02	
T0001		LC01195	02	
T0001		LC01196	02	
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T0001		LC01198	02	
T0001		LC01199	02	
T0001		LC01200	02	
T0001		LC01201	02	
T0001		LC01202	02	
T0001		LC01203	02	
T0001		LC01204	02	
T0001		LC01205	02	
T0001		LC01207	02	
T0001		LC01208	02	
T0001		LC01209	02	
T0001		LC01210	02	
T0001		LC01211	02	
T0001		LC01212	02	
T0001		LC01213	02	
T0001		LC01214	02	
T0001		LC01215	02	
T0001		LC01216	02	
T0001		LC01216	02	
T0001		LC01217	02	
T0001		LC01218	02	
T0001		LC01219	02	
T0001		LC01220	02	
T0001		LC01221	02	
T0001		LC01222	02	
T0001		LC01223	02	
T0001		LC01224	02	
T0001		LC01225	02	
T0001		LC01226	02	
T0001		LC01227	02	
T0001		LC01228	02	
T0001		LC01229	02	
T0001		LC01230	02	
T0001		LC01231	02	
T0001		LC01232	02	
T0001		LC01233	01	
T0001		LC01234	01	
T0001		LC01235	01	
T0001		LC01236	01	

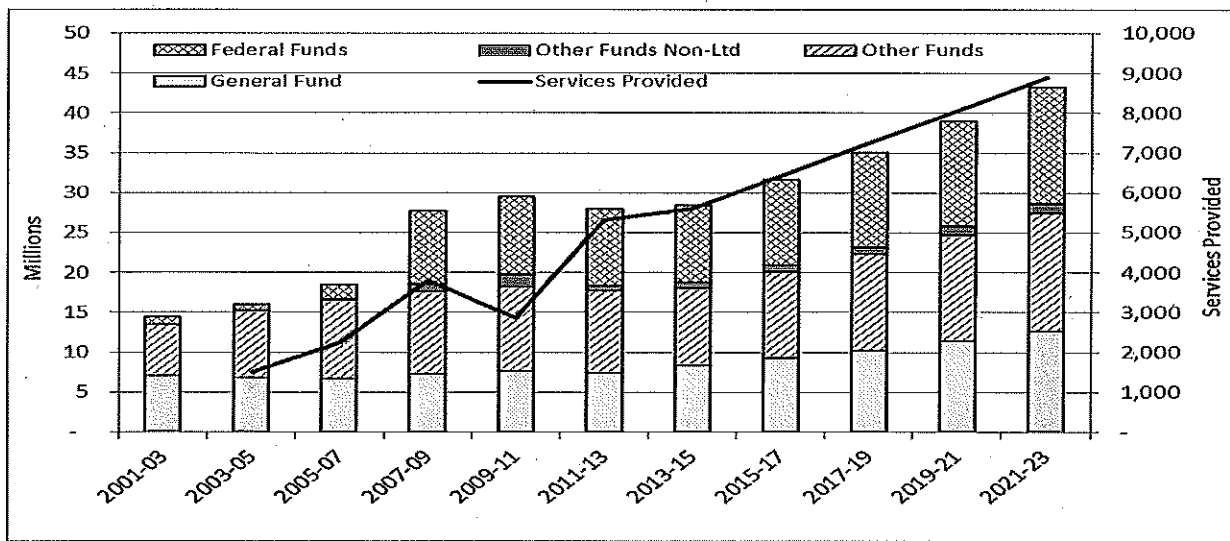
Class Code	Classification	Position Num	Pay Step	
T0001		TY40016	05	Returning Law Clerk
T0001	Temp	0013041	07	Reemployment as a temp for 2 weeks
T0001		0213001	07	Retiree temporarily covering for employee on job rotation
T0001		7505038	08	Reemployment - no change in step
T0001		TY40002	00, 01	
T0001		TY40006	0	
T0001		TY40012	01	
T0001		TY40013	00, 01	
T0001		TY40014	03	Compensation commensurate w/ experience
T0001		TY40015	01	
T0001		TY40017	02	
T0001		TY40017	09	Former employee - no step increase
T0001		TY40017	05	Former employee - no step increase
T0001		TY40018	01	
T0001		TY40018	09	Former employee - no step increase
U7504	Asst Atty General	1000282	06	Attorney compensation commensurate with experience
U7504		1116005	03	Lateral Transfer - no change in step
U7504		7012004	07	Reclass per bargaining agreement - management to AAG
U7504		7012005	06	Reclass per bargaining agreement - management to AAG
U7504		7504005	02	
U7504		7504013	07	Attorney compensation commensurate with experience
U7504		7504018	01	
U7504		7504030	07	Attorney compensation commensurate with experience
U7504		7504033	02	
U7504		7504033	03	Lateral Transfer - no change in step
U7504		7504035	02	
U7504		7504037	01	
U7504		7504037	03	Lateral Transfer - no change in step
U7504		7504040	01	
U7504		7504050	01	
U7504		7504059	02	
U7504		7504060	02	
U7504		7504060	02	
U7504		7504061	02	
U7504		7504062	02	
U7504		7504063	01	
U7504		7504068	01	
U7504		7504080	01	
U7504		7504081	01	
U7504		7504081	01	
U7504		7504081	01	
U7504		7504082	02	
U7504		7504085	04	Attorney compensation commensurate with experience
U7504		7505013	02	
U7504		7505023	01	
U7504		7505023	02	
U7504		7505088	01	
U7504		7505095	02	
U7504		7505112	06	Attorney compensation commensurate with experience
U7504		7505112	06	Attorney compensation commensurate with experience
U7504		7505113	01	
U7504		7505113	01	
U7504		7505113	03	Lateral Transfer - no change in step
U7504		7505113	01	
U7504		7505131	02	
U7504		7505156	02	
U7504		7505169	01	
U7504		7505169	01	
U7504		7505180	01	
U7504		9991001	01	
U7504		9991002	01	
U7504		9991003	02	
U7504		9991011	02	
U7504		9991012	01	
U7504		9992026	05	Lateral Transfer - no change in step
U7504		9993011	03	Honor's attorney - permanent appointment no change in step
U7504		9993041	05	Attorney compensation commensurate with experience
U7504		9993046	06	Attorney compensation commensurate with experience
U7504		9993050	07	Attorney compensation commensurate with experience

Class Code	Classification	Position Num	Pay Step	
U7504		9994001	03	Attorney compensation commensurate with experience
U7504		9995008	02	
Z7504		7504039	02	
Z7504		9993008	02	
Z7505	Senior Asst Atty General	7505038	08	Attorney compensation commensurate with experience
Z7505		7505048	08	Attorney compensation commensurate with experience
U7505		0035001	05	Lateral Transfer - no change in step
U7505		1000302	02	
U7505		1524061	06	Attorney compensation commensurate with experience
U7505		7014008	00, 08	Reassignment - management to Sr AAG/position
U7505		7054090	08	Attorney compensation commensurate with experience
U7505		7504083	03	Transfer in from another agency - lateral
U7505		7505010	02	
U7505		7505047	08	Attorney compensation commensurate with experience
U7505		7505168	08	Reassignment - management to Sr AAG/position - minor adj to step
U7505		7505187	02	
U7505		9992007	02	
U7505		9992010	07	Attorney compensation commensurate with experience
U7505		9992026	05	Attorney compensation commensurate with experience
U7505		9993041	05	Lateral Transfer - no change in step
U7505		9993041	01	
U7505		9993053	07	Attorney compensation commensurate with experience
U7505		9993056	05	Reclass per bargaining agreement - management to AAG
U7505		9993062	08	Attorney compensation commensurate with experience
U7505		9994004	03	Reclass per bargaining agreement - management to AAG
U7505		9994009	08	Attorney compensation commensurate with experience
U7505		9994017	03	Attorney compensation commensurate with experience
U7505		9994025	00	
U7505		9994032	08	Attorney compensation commensurate with experience
U7505		9995017	00	Reassignment - management to represented - no change in step
X0112	Support Serv Supv 1	0107029	05	Compensation commensurate w/ experience-PDX
X0119	Exec Support Spec 2	9991005	06	Promotional transfer in from another agency
Z0119	Exec Support Spec 2	0014004	08	Promotional transfer in from another agency
Z0119		0014004	03	Professional staff personally hired by Attorney General
X1320	Human Resources Analyst 1	0010017	01	
X1322	Human Resources Analyst 3	0016001	08	Promotional transfer in from another agency
X1322		1321003	08	Promotional transfer in from another agency
X5225	Chief Criminal Investigator	0033002	07, 08	Promotion - increase in steps - commensurate with experience
X7000	Prin Exec Mgr A	0012002	04	Promotion - one step increase
X7000		0014063	03	Promotion - one step increase
X7000		0022011	01	
X7000		0031006	03	Promotion - one step increase
X7000		0108010	02	
X7000		0213001	04	Promotion - two steps commensurate with experience
X7000		5135001	01	
X7000		7044009	02	
X7000		8888006	01	
X7000		8888006	01	
X7002	Prin Exec Mgr B	7002013	01	
X7002		7002017	01	
X7002		8888127	01	
X7002		8888127	05	Promotion - one step increase
X7006	Prin Exec Mgr D	0031003	04	Promotion - three step Increase - commensurate with experience
X7006		0032001	05	New Hire - compensation commensurate with experience.
X7006		1321003	03	Promotion - one step increase
X7006		5227001	07	Promotion - one step Increase
X7006		7000001	01	
X7008	Prin Exec Mgr E	0031007	09	Return from layoff -- no step increase
Z7008		7008002	09	Professional staff personally hired by Attorney General
Z7008		7008002	09	Professional staff personally hired by Attorney General
X7010	Prin Exec Mgr F	0035002	04	Promotion - three step increase - commensurate with experience
X7010		7010003	07	Promotional transfer in from another agency
X7010		9993051	00	Transfer in from another agency
Z7010		0028001	07	Professional staff personally hired by Attorney General
T0001		TY40018	01	
Z7012	Prin Exec Mgr G	9993005	05	Attorney compensation commensurate with experience
Z7012		9994004	05	Lateral Transfer - no change in step
Z7014	Prin Exec Mgr H	7014003	07	Promotion to Deputy Chief Counsel
Z7014		7014009	04, 07	Promotion to Deputy

Class Code	Classification	Position Num	Pay Step	
Z7014		7014010	00	Promotion - one step increase
Z7014		7044005	07	Promotion to Division Administrator
Z7014		7044005	02	
Z7014		7505005	08	Reassignment AIC to Deputy Chief Counsel
Z7014		7505005	04	Reassignment to Deputy Chief Counsel
Z7014		7505005	08	Reassignment to Deputy Chief Counsel
Z7014		9993014	03	Promotion - one step increase
Z7014		9993015	02	
Z7014		9993018	01	
Z7014		9993032	08	Transfer within agency - reduction in pay
Z7014		9995001	09	Promotion to Division Administrator
Z7014		9995008	08	Reemployment - no change in step
Z7014		9995016	08, 09	Promotion to Division Administrator
Y1370	Attorney General	1370001	00	Salary set by statute

Department of Justice: Criminal Justice Division

Primary Outcome Area: Public Safety
Secondary Outcome Area: Improving Government
Program Contact: Darin Tweedt, (503) 378-6347



Executive Summary

The Criminal Justice Division conducts specialized criminal investigations and prosecutions and provides highly trained and experienced special agents, prosecutors and analysts to fight crime across Oregon. The Division's performance can be measured by the volume of services provided, which have dramatically increased this biennium. *See graph.*¹ The Division is the only agency in Oregon that has the unique ability to combine the resources of criminal investigators, prosecutors, and analysts in a single agency to comprehensively address crime in our communities. The Division also provides outreach and training to communities, victim service providers, and members of the law enforcement community to help ensure that Oregonians receive the highest level of service from the criminal justice system.

Performance through 2021:

The projection for services provided through 2021 is in excess of 8000 services provided, excluding training and analytical assistance.

Program Description

The Criminal Justice Division is divided into two units: the Criminal Investigations and Prosecutions Unit and the Criminal Intelligence Unit. Members of these units perform a variety of investigation, prosecution and analytical roles, some of which are detailed below.

¹ Services provided includes service assists, investigations, prosecution and cybertips. It does not include training hours, students trained or analytical assistance provided.

- The High Intensity Drug Trafficking Area (HITDA) Investigation Service Center, which provides intelligence and analytical services to HIDTA-funded groups throughout Oregon;
- Coordination with the Western States Information Network (WSIN), a criminal intelligence system for the five Western states;
- Deconfliction² services for law enforcement agencies, which is critical for the safety of officers and the integrity of investigations.

Program Justification and Link to 10-Year Outcome

The Criminal Justice Division primarily supports the Public Safety Outcome Area by working every day to keep Oregonians safe from criminal activity. The Division's team of highly experienced and trained special agents, prosecutors and analysts work to prevent and reduce crime in Oregon and ensure the safety of people by, among other things:

- Disrupting and dismantling organized criminal operations.
- Stepping in when other investigative and/or prosecution resources are unavailable.
- Coordinating multi-agency and multi-county investigations and prosecutions.
- Facilitating the exchange of criminal information among law enforcement agencies.
- Addressing specialty crimes, such as child exploitation, mortgage and tax fraud, and environmental crimes.

Of great importance, we improve citizen access to the criminal justice system by addressing the needs of vulnerable populations. Some examples include:

- The Internet Crimes Against Children (ICAC) Task Force, working to protect children
- Civil rights crimes, giving victims of civil rights violations access to the criminal justice system
- Tax preparer cases: We recognize that minorities are particularly vulnerable to fraudulent tax preparers – our work helps these victims receive justice.
- Human trafficking: We are increasing our expertise and involvement in the area of human trafficking, especially victims exploited for labor. These victims represent some of the poorest and most at risk among us.
- Domestic violence resource prosecutor, working to protect vulnerable women and families.

The Division's work is not limited to fighting crime after it occurs. We actively engage in measures to prevent crime from happening. For example, our ICAC agents go into local communities and teach children, families, educators, and other community members how to prevent the exploitation of children on the internet. This investment in our communities helps protect our most vulnerable Oregonians. In addition, our special agents, prosecutors and analysts are involved with identifying criminal trends and attacking new problem areas before they have statewide consequences.

The Division also performs work in a second outcome area: Improving Government. We provide training and service to other parts of the government, including district attorneys, law enforcement agencies, and other state agencies. In addition, our investigations of criminal allegations involving public officials and government bodies often results in suggestions for improvements even when no crime occurred.

Program Performance

² Deconfliction is a process designed to ensure that multiple agencies are not inadvertently targeting the same event, individual, or organization; deconfliction reduces the risks of harm to the officer and exposure of the investigation.

The Criminal Justice Division is supported by the General Fund as well as various Federal Funds, Grant Resources, and Other Funds.

Significant Proposed Program Changes from 2011-13

None funded in the Governor's Balanced Budget.

Department of Justice
Criminal Justice Division

Program Budget	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
General Fund	7,054,183	6,803,088	6,746,882	7,314,834	7,719,495	7,460,744	8,381,595	9,303,570	10,326,963	11,462,929	12,723,851
Other Funds	6,459,580	8,491,786	9,850,122	10,373,702	10,468,549	10,266,522	9,755,529	10,828,637	12,019,787	13,341,964	14,809,580
Other Funds - Nonlimited	41	500	143,535	850,957	1,591,919	649,710	728,469	808,601	897,547	996,277	1,105,867
Federal Funds	983,762	665,600	1,709,413	9,191,380	9,702,769	9,600,055	9,603,222	10,659,576	11,832,130	13,133,664	14,578,367
Total Funds	14,497,566	15,960,974	18,449,952	27,730,873	29,482,732	27,977,031	28,468,815	31,600,385	35,076,427	38,934,834	43,217,666
Positions	58	65	73	84	83	68	53				
FTE	55.47	62.82	71.36	75.99	76.22	57.51	51.53				

Program Performance

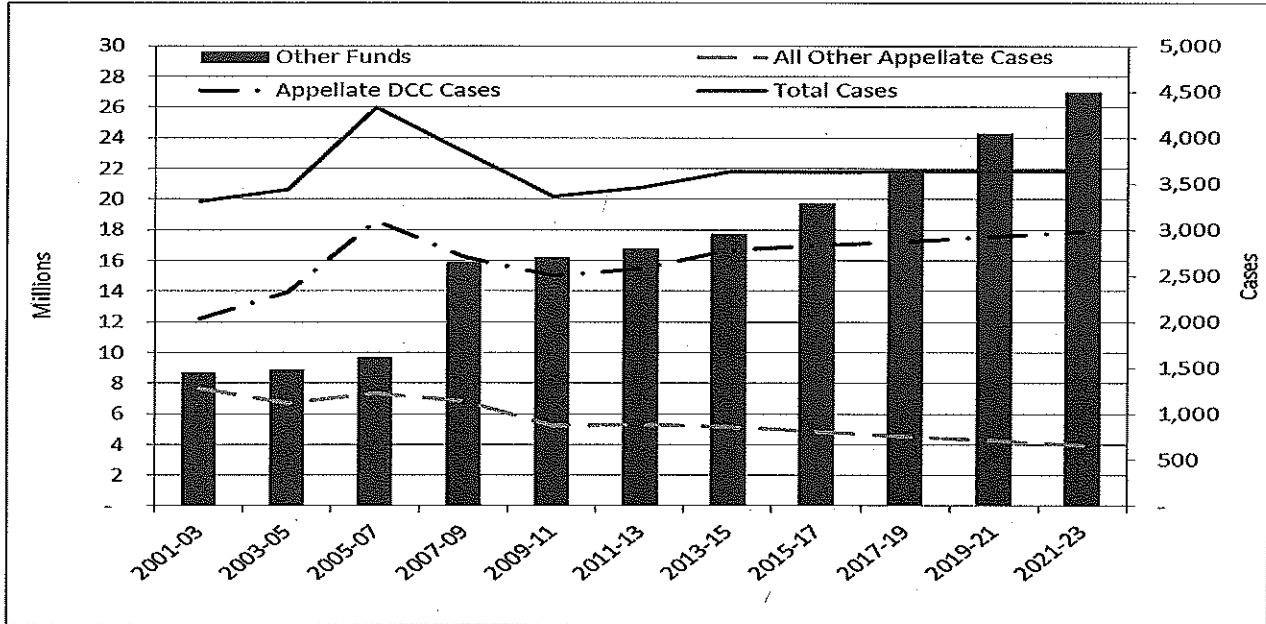
Quantity Metric

Number of Services Provided

	1,496	2,243	3,810	2,846	5,308	5,609	6,432	7,255	8,078	8,901
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Department of Justice: Appellate Division

Primary Outcome Area: Safety
 Secondary Outcome Area: Improving government
 Program Contact: Anna Joyce, 503.378.4402



Executive Summary

The Appellate Division (Division) represents the state in all cases that are appealed to state and federal appellate courts and in which the state is either a party or determines that it has a significant legal interest. In its work in the appellate courts, the Division strives not simply to advocate on the state's behalf in the individual case, but also to take advantage of the opportunity each case presents to influence the court's law-announcing function in ways that serve the state's long-term legal interests. Appellate Division lawyers are a key line of defense in criminal cases as well, as they defend against suits brought by prisoners and convicted criminals challenging their convictions and their sentences.

The forecast for 2013-15 is that the division will be required to handle more than 3800 appeals. In particular, as reflected in the chart below, funding at this level would fund 2,884 appeals from criminal convictions, and 953 appeals involving civil, administrative, and other matters. In those cases, the proposed funding would allow the Division to brief criminal cases without undue delay and to provide effective representation for client agencies. Looking beyond the 2013-15 biennium the Division anticipates a modest rise in the total number of appeals that we will need to handle, and increasing costs over that period.

decision by a state official or employee; they may involve state labor-relations issues, challenges to the constitutionality of a state statute, or claims that the state engaged in wrongful conduct for which the state can be liable under the Oregon Tort Claims Act. Cases that appeal termination of parental rights involving neglected or abused children are another area with a substantial and time-consuming caseload. Other cases include defense of mental-commitment orders, challenges to decisions of the Board of Parole and Post-Prison Supervision, ballot titles, and challenges to orders denying correctional inmates' claims that their conditions of confinement are unconstitutional (*e.g.*, state "habeas corpus").

Another significant role that the Division plays is advising other divisions in the department and client agencies. Because it is critical, for example, that an agency's general counsel attorney understand the implications of appellate court decisions, the Division's attorneys analyze these decisions and provide information to other attorneys in the department and client agencies about how these changes in the law will affect them.

In 95% of the cases handled by the Division, the state is responding to the appeal of another party. The costs of the program are therefore largely outside of the Division's control. For the past few years, the total number of appeals has remained fairly constant, averaging approximately 3800 cases per biennium in the Oregon Court of Appeals and the Ninth Circuit Court of Appeals. In 2011, the Appellate Division filed 1700 briefs and substantive motions.

Program Justification and Link to 10-Year Outcome

The Appellate Division directly supports one outcome goal: Improving citizen access to justice and the ability to exercise their rights. It does this by ensuring competent and timely representation for the state on appeal. On criminal cases, the Division also works closely with the courts and the public defenders to ensure that cases are resolved as quickly as possible and in the fairest manner possible.

The Appellate Division also supports a secondary outcome goal of improving government by being trustworthy and responsive. The Division's attorneys' roles are not to simply advocate for a position but rather to determine whether the agency has a defensible legal position. If not, the Division's attorneys can work with agencies, for instance, to withdraw an order and amend the legal error. The courts then determine the legally correct position, and typically explain those outcomes in public written opinions. Briefs that are filed with the court are available to the public, the oral arguments are open to the public, and the legal opinions that come out on a weekly basis are equally as available to the public. In short, the Division is one part of a legal system that is itself designed to be transparent and responsive.

Program Performance

With respect to the Division's work defending criminal convictions, the Division's performance can be measured by the amount of time it takes for the state to file its briefs in appeals. Due to budget cuts in past biennia, the average length of time that it took both the defendant and the

Department of Justice
Appellate Division

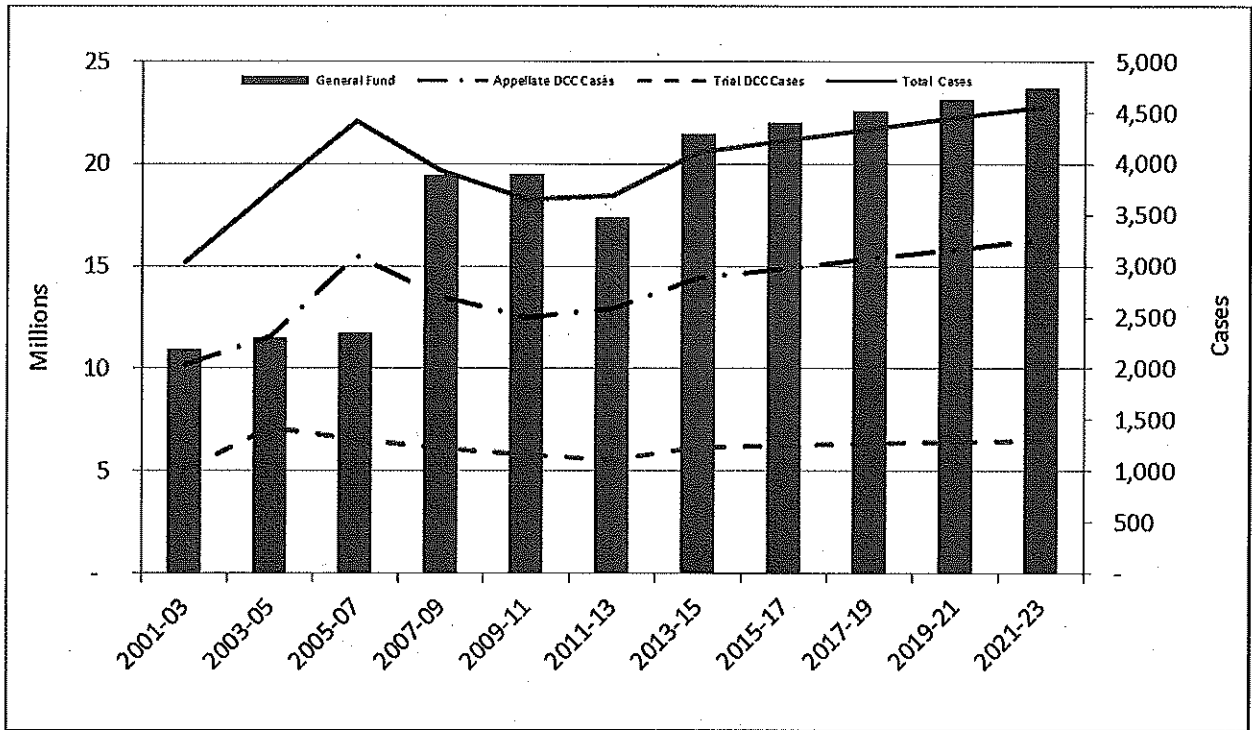
	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
Other Funds	8,665,691	8,867,971	9,707,138	15,867,826	16,196,381	16,796,727	17,774,237	19,729,403	21,899,637	24,308,598	26,982,543
Total Funds	8,665,691	8,867,971	9,707,138	15,867,826	16,196,381	16,796,727	17,774,237	19,729,403	21,899,637	24,308,598	26,982,543
Positions	49	49	47	67	69	58	59				
FTE	49.00	48.88	46.88	65.64	67.34	56.49	58.40				
<u>Program Performance</u>											
All Other Appellate Cases	1,274	1,120	1,225	1,137	868	954	953	928	904	881	859
Appellate DCC Cases	2,031	2,318	3,102	2,700	2,496	2,586	2,884	2,980	3,076	3,170	3,264

Timeliness Metric

Cost Per Unit Metric

Department of Justice: Defense of Criminal Convictions

Primary Outcome Area: Safety
Secondary Outcome Area: Improving Government
Program Contact: Anna Joyce, 503.378.4402



Executive Summary

The Defense of Criminal Convictions Program (DCC) covers work performed in the Appellate and Trial Divisions. The purpose of the program is to preserve convictions and sentences obtained by the state's prosecutors, as well as to appeal from adverse trial court decisions that place criminal prosecutions in jeopardy. Oregon centralizes criminal post-conviction and appellate work in the Department of Justice. The goal of this centralization is to achieve top quality legal work and consistency in the legal positions the state takes in cases statewide and in a way that most efficiently utilizes limited resources.

- weekly legal bulletins summarizing each Oregon appellate court case from the previous week;
- a Search and Seizure Manual, a several-hundred page, comprehensive guide to Oregon search and seizure law; and
- an Oregon Criminal Reporter (OCR), a detailed comprehensive guide to all other areas of Oregon criminal law.

Prosecutors use the resources to advise and train law-enforcement officers, review warrants, prepare for motions hearings, and decide whether to commence a prosecution. This advice and information also helps prosecutors negotiate pleas or secure convictions and makes convictions and sentences less susceptible to reversal on appeal.

Capital cases

DCC also handles appeals from death sentences. Of all the criminal cases, death penalty cases are the most complex and require the most resources. Unlike other criminal cases reviewed first in the Court of Appeals and only occasionally in the Oregon Supreme Court, direct appeals from convictions where the death penalty is imposed are first considered by the Supreme Court. Appeals in death penalty cases raise more numerous and more complex legal issues. A single direct review appeal in a death penalty case may take 700 hours of attorney time to defend the conviction. Death penalty cases also are unlike other cases in that defendants often have little incentive to accelerate consideration of challenges to their sentence. If the conviction is overturned, defendants are generally not released; instead they are entitled to a new trial. If the conviction is upheld, the sentence is another step closer to being carried out. Consequently, delay is often an effective strategy for a death penalty defendant.

In addition, after a capital case is upheld on direct review; the defendant may pursue collateral challenges through state post-conviction and federal habeas. Because of the specialized nature of death-penalty work and the goal of more efficiently handling these cases by assigning attorneys already familiar with the extensive records, Appellate Division attorneys handle the trial proceedings in those collateral challenges as well as any resulting appeals. At the federal-court level, the Federal Public Defenders are devoting significant resources to attacking the constitutionality of Oregon's death penalty laws, in part because the federal courts have not considered the validity of Oregon's laws since they were re-enacted in 1984. DCC attorneys are therefore confronted with many novel legal arguments that require additional time and resources to address.

Program Justification and Link to 10-Year Outcome

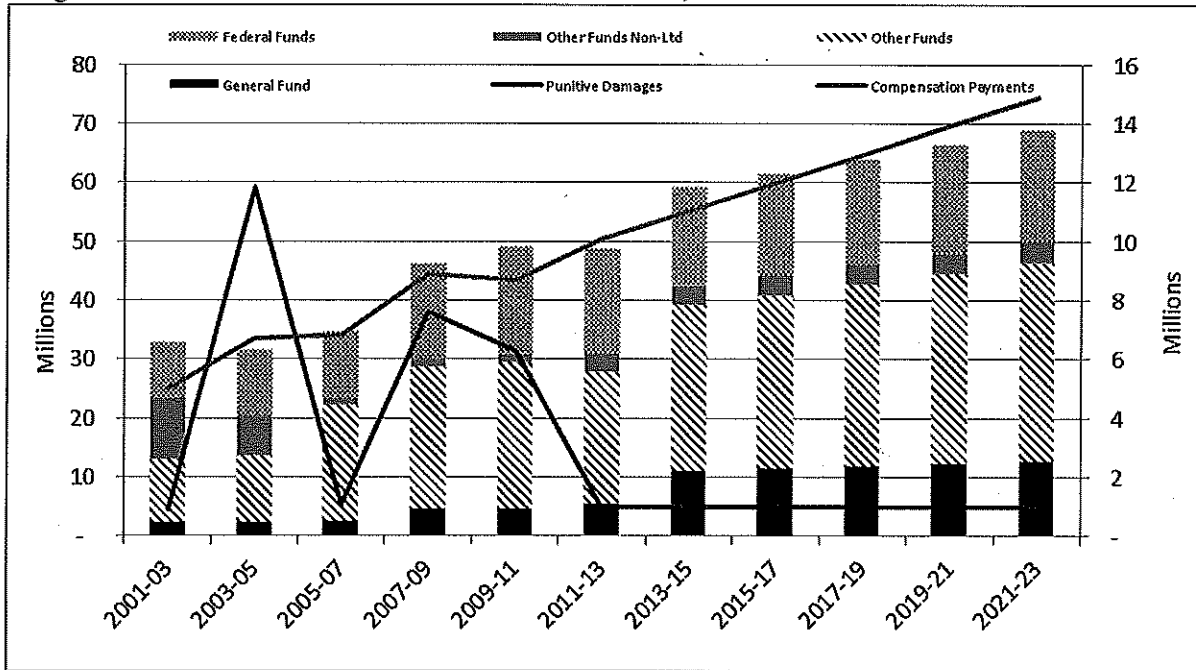
The DCC program supports one outcome goal: Improving citizen access to justice and the ability to exercise their rights. It does this by ensuring competent and timely representation for the state to defend criminal convictions. The program also works closely with the courts and the public defenders to ensure that cases are resolved as quickly as possible and in the fairest manner possible. The program's work is also critical to public safety—by providing defense of criminal convictions, the program helps ensure that the justice system has its intended deterrent and punitive effect.

Department of Justice
Defense of Criminal Convictions

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
General Fund	10,951,478	11,505,617	11,758,707	19,449,024	19,544,590	17,361,631	21,463,597	22,043,114	22,616,235	23,159,025	23,714,841
Total Funds	10,951,478	11,505,617	11,758,707	19,449,024	19,544,590	17,361,631	21,463,597	22,043,114	22,616,235	23,159,025	23,714,841
Positions	-	-	-	-	-	-	-	-	-	-	-
FTE	-	-	-	-	-	-	-	-	-	-	-
<u>Program Performance</u>											
Cases	3,043	3,736	4,417	3,927	3,660	3,659	3,926	3,966	4,002	4,038	4,073

Department of Justice: Crime Victims Service Division

Primary Outcome Area: Safety
 Secondary Outcome Area: Healthy People
 Program Contact: Shannon Sivell, 503.378.5738



Executive Summary

The Crime Victims Services Division (CVSD) delivers grant funding to direct service providers throughout the state; pays out compensation claims to victims of crime, and; collects restitution and judgments on behalf of crime victims and the state of Oregon. CVSD also provides direct advocacy services to victims of crime as mandated by the Oregon Constitution and Oregon revised statutes.

Program Description

Compensation Section - The Compensation Section provides financial assistance and direct support to crime victims. Victims of violent crime, or their surviving family members in the case of a homicide, are eligible for reimbursement of costs related to mental or physical injuries sustained as a result of the crime. CVSD may pay up to \$47,000 per claim to cover medical and mental health treatment, rehabilitation costs, funeral expenses, time loss, transportation for treatment and loss of support. CVSD often is the only option available to a victim when the financial cost of their injuries threatens to further jeopardize their health and wellbeing. The Compensation Section also provides financial assistance to victims through the Sexual Assault Victims' Emergency Medical Response (SAVE) Fund. The fund provides greater access to sexual assault examinations for victims of sexual assault. The fund also provides a source of funding for forensic evidence collection for law enforcement that is not dependent on General

of their own, by the actions of another. CVSD's services provide one of the only safety nets available to victims of crime when they have been placed at the mercy of another and then later, at the mercy of the judicial system. If the state fails to provide financial assistance to victims, or fails in its obligation to provide victim's with notice and the opportunity to be heard, no person or agency will fill that void.

The Compensation Section ensures that victims of violent crime have financial assistance so they can address their health and safety without having to sacrifice other essential needs. The advocacy services empower victims with knowledge and support as they move through the complicated appeals process. These programs are essential for the state to continue delivering on its commitment to victims, a commitment that is guaranteed by both the state Constitution and statutes.

The Oregon Constitution and statutes also guarantee victims a right to prompt restitution. At this time, the state of Oregon does not fully deliver on this promise even though the collection and distribution of court ordered restitution is a key component to helping victims rebuild their lives and move forward from trauma. Payment of restitution is also a key component in the rehabilitation of any offender. It is an acknowledgment of the consequences of their actions and a significant factor in reducing recidivism.

Currently, crime victims are owed over \$350,000,000 in uncollected restitution. The Restitution Pilot Program represents a major step towards ensuring that the criminal justice system does not re-victimize the very people it is charged with protecting. Resources at the DA and court levels are inadequate to assess and order restitution, as are the resources allocated for collecting on restitution obligations. The Restitution Pilot Program, and its eventual statewide expansion, is necessary to ensure victims receive the redress ordered by the court and demanded by justice.

Programs funded by the Victim Response Section provide direct services to crime victims at all stages of their trauma or loss. CVSD makes it possible for victims of sexual assault and child abuse to have medical exams. The Division additionally covers services including access to counseling, medical assistance, safety planning, housing and other advocacy. The grants also fund prevention efforts aimed at reducing the number of victims of violent crime.

The Victim Response Section additionally funds core child abuse investigatory resources mandated by state law (see CAMI Funding description included below) and essential to prosecuting those who victimize children. The Address Confidentiality Program offers victims yet another measure of protection from offenders.

Program Performance

Compensation Section - Applications for compensation have increased steadily each year. In 1999, the Program received 3291 requests for compensation. In 2011, it received 6728 applications, an increase of over 100%. Similarly, in 1999 the Program processed 4476 bills for crime related services. In 2011, 8389 were processed. Again, a nearly 100% increase in just over a decade.

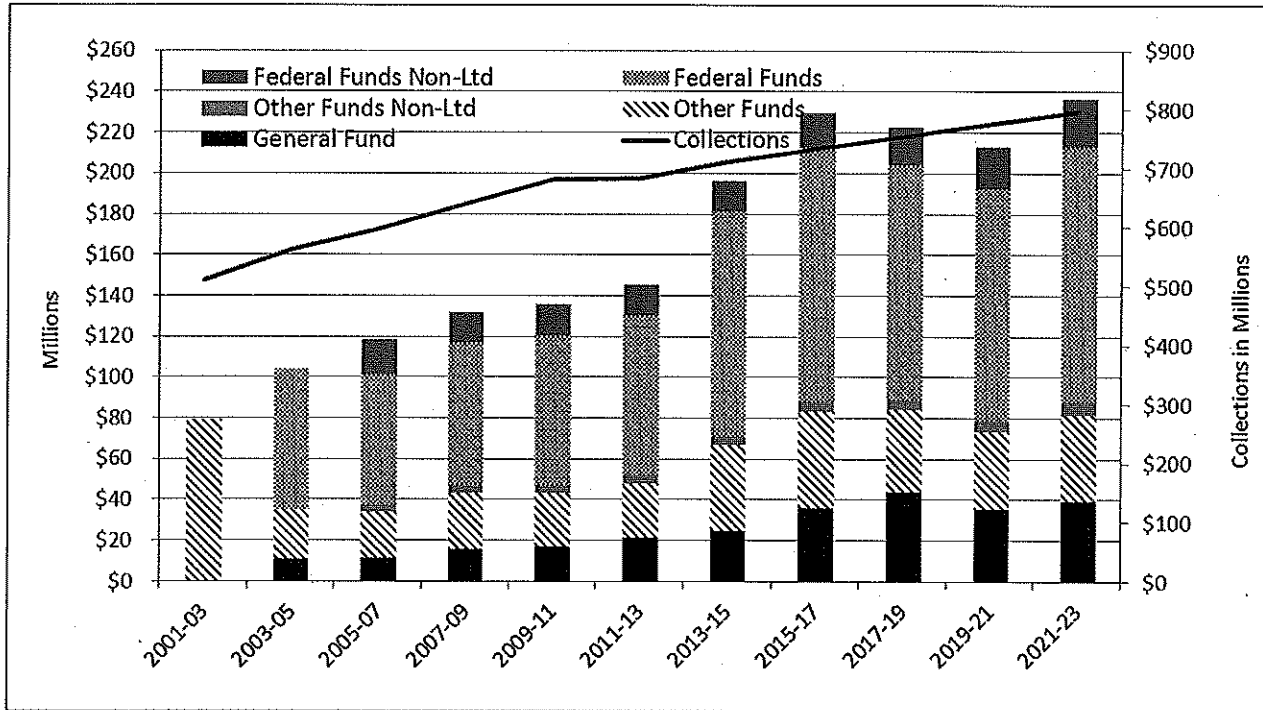
Period	Staff	Ave # Claims Rec'd Monthly	Average # of Payments Processed Monthly	Amount Paid
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Department of Justice
Crime Victims Services Division

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
General Fund	2,380,507	2,409,403	2,562,976	4,700,154	4,608,293	5,443,617	5,741,974	6,373,591	7,074,686	7,852,902	8,716,721
Other Funds	10,631,905	11,248,371	19,721,559	24,036,593	24,835,922	22,490,033	23,877,361	26,503,871	29,419,296	32,655,419	36,247,515
Other Funds - Nonlimited	10,439,176	7,024,300	1,245,701	1,483,647	1,548,383	3,230,978	3,308,521	3,672,458	4,076,429	4,524,836	5,022,568
Federal Funds	9,361,733	10,835,922	11,120,890	16,096,665	18,152,671	17,557,532	16,679,264	18,513,983	20,550,521	22,811,079	25,320,297
Total Funds	32,813,321	31,517,996	34,651,126	46,317,059	49,145,269	48,722,160	49,607,120	55,063,903	61,120,933	67,844,235	75,307,101
Positions	30	26	29	33	36	37	37	37			
FTE	28.11	25.92	27.53	29.87	33.98	35.65	36.00				
<u>Program Performance</u>											
Quantity Metric											
<i>Average number of Claims Received Monthly</i>	371	428	478	529	577	631	682	733	785	836	887
Quality Metric											
<i>Average Number of Payments Processed Monthly</i>	544	677	658	795	753	846	900	953	1,007	1,060	1,114
Quality Metric											
<i>Amount of Compensation Paid</i>	\$ 4,988,800	\$ 6,682,419	\$ 6,836,804	\$ 8,902,908	\$ 8,670,816	\$10,091,706	\$ 11,050,158	\$ 12,008,610	\$ 12,967,062	\$ 13,925,514	\$ 14,883,966
Quality Metric											
<i>Amount of Restitution and Subrogation Collected</i>	805,253	844,157	965,504	1,186,605	1,231,076	1,364,747	1,484,156	1,603,566	1,722,975	1,842,384	1,961,794
Timeliness Metric											
<i>Orders issued within 90 days</i>	NA	90%	90%	87%	56%	92%	>90%	>90%	>90%	>90%	>90%

Department of Justice: Division of Child Support

Primary Outcome Area: Healthy People
 Secondary Outcome Area: Safety
 Tertiary Outcome Area: Economy and Jobs
 Program Contact: Jean Fogarty, Director 503-947-4314
 Kate Cooper Richardson, Deputy Director 503-947-4357



Executive Summary

The Division of Child Support administers the Oregon Child Support Program through its 12 statewide offices and 26 county district attorney offices. The Program assures that millions of dollars in child support payments flow to Oregon's most vulnerable population – children. The Program also establishes and secures medical support for children in the form of additional cash support or by enforcing health insurance enrollment through parents' employers. The Program leverages federal dollars to fund the larger share of its total budget, receiving two federal dollars to match each General Fund dollar. The federal government measures, monitors, and audits the Program performance. In addition to the matched dollars, the federal government provides performance-based incentive funding each year to the Program.

Program Description

The Division of Child Support serves families who are currently or were formerly receiving Temporary Assistance for Needy Families (TANF) or Medicaid, as well as families who apply directly for child support services but have not ever received public assistance. Oregon families could not find or afford a private business offering the services provided by the Program, and the legal processes alone would be

may not be the complete answer to a family's needs, they do contribute to a successful outcome and move families toward self-sufficiency and improved quality of life.

- The Program can provide services for a family from cradle to college graduation.
- Oregonians will be safe where they live, work, and play.
 - The Program addresses domestic violence situations by providing options to parents that will keep their location and other information confidential.
- Oregon has a diverse and dynamic economy that provides jobs and prosperity for all Oregonians.
 - Self-sufficiency helps families attain equitable standing in their communities and diminishes the reliance on public assistance.

The outcomes achieved by the Program strengthen the Improved Government foundation by leveraging General Fund dollars to bring in more than two times the amount in federal dollars. The overwhelming societal problem of child poverty can be addressed significantly by the administration of an effective and fiscally responsible child support program. The Program's efforts with its federal partner to build a modern case management and accounting system move Oregon in this direction.

Program Performance

Distributed to families – Percentage of the total support collected by the Child Support Program that is sent to families and not kept by the State to reimburse Temporary Assistance to Needy Families (TANF), Child Welfare, or Oregon Youth Authority (OYA). Child Welfare and OYA cases are those where a child is or has been in the State's care or custody.

*Current support collection rate** – Percentage of the total ongoing child support owed that is paid. Payments on past-due support do not count.

*Collections on arrears** – Percentage of cases where a payment is received toward past-due support. For cases with both ongoing child support and past-due support, payment toward ongoing support is applied before any is applied to past-due support.

*Cases with child support orders** – Percentage of child support cases with an order addressing support and/or medical insurance.

*Total caseload numbers** – Snapshot in time of the total active child support cases of all types.

*Cost-effectiveness ratio** – Measures the total of all expenses for Program operation compared to the revenue generated.

* Data used to report Program performance, annually audited by the federal government and used to award states their share of federal incentive dollars. These incentive funds are in addition to the amount matched by the federal government to administer child support program services.

Enabling Legislation/Program Authorization

Title IV-D of the Social Security Act (42 USC 651 *et seq*) and ORS 180.345 provide authority to the Department of Justice to administer child support services in Oregon. Federally mandated requirements for operating and maintaining a child support program are in a State Plan required by 45 CFR 302. ORS Chapters 25 and 416 set out the processes for obtaining services, establishing and enforcing support orders, and the distribution of money. ORS 180.345 provides authority for promulgating administrative rules for child support guidelines (OAR 137-050-0700 *et seq*) and establishing a support obligation and rules for operation (OAR 137-055-1020 *et seq*).

in the level of due diligence and development that the federal government requires, the close side-by-side partnership that Oregon has fostered with its federal oversight agency at each step of the process, and the major funding commitment by the federal government at the conclusion of the due diligence process. The risks of delay are obvious with Oregon's increasingly brittle system, but delay also would bring increased capital costs, staleness of the feasibility study, and declining availability of experienced vendors as other states move forward with similar child support system modernization projects. It's time to do this, and the Program is committed to doing it now and doing it right.

After passage of the Agency budget, the Program will need to hire 15 limited duration positions (equal to 9.15 FTE) to augment existing staff and begin the initial work on this multi-year project.

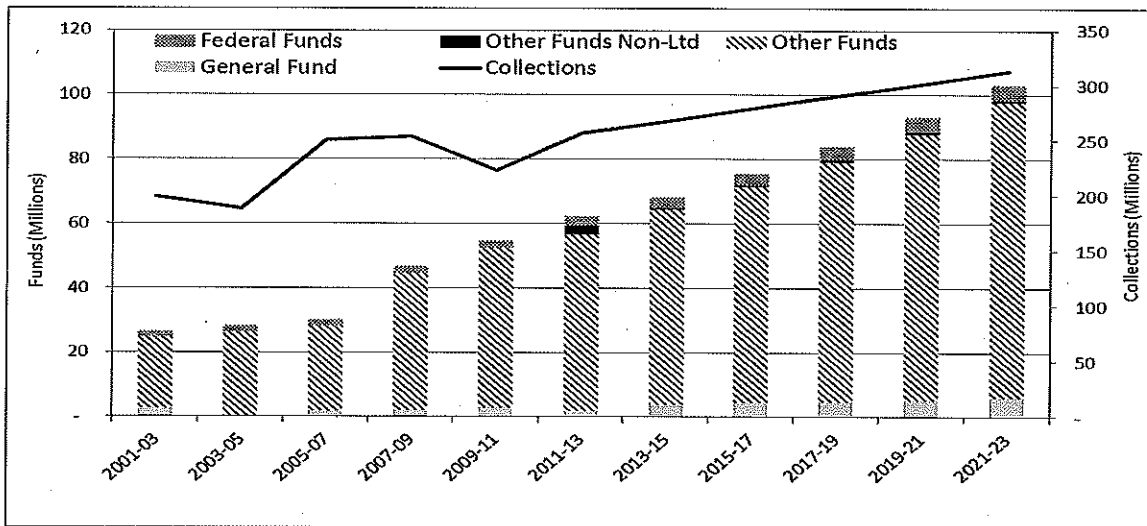
	2013-15	2015-17	2017-19	2019-21
General Fund (Debt Service)	\$ 1,601,856	\$ 9,926,008	\$15,582,983	\$11,652,545
Other Funds (Cap Constr)	14,410,000	16,869,937	6,463,933	
Federal Funds (Cap Constr)	27,447,707	32,144,470	12,316,566	
Total	\$43,489,563	\$58,940,415	\$34,363,482	\$11,652,545

Department of Justice
Division of Child Support

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
General Fund		10,488,678	11,469,761	15,599,323	16,977,832	21,548,273	24,954,192	35,847,101	43,589,924	35,450,490	39,350,044
Other Funds	78,808,437	24,379,460	22,420,756	27,856,151	26,354,380	26,222,915	41,741,092	47,196,787	40,352,539	37,748,481	41,900,814
Other Funds - Nonlimited			3,826,120	3,839,614	3,607,745	4,181,982	4,282,350	4,753,409	5,276,283	5,856,675	6,500,909
Federal Funds		68,912,698	63,150,602	69,174,303	73,005,091	77,927,760	110,100,434	124,863,073	114,526,221	113,038,432	125,472,659
Federal Funds - Nonlimited			17,144,814	15,083,540	15,714,157	15,285,103	15,281,798	16,962,796	18,828,703	20,899,861	23,198,845
Total Funds	78,808,437	103,780,836	118,012,053	131,552,931	135,659,205	145,166,033	196,359,866	229,623,165	222,573,670	212,993,938	236,423,272
Positions	586	593	562	596	596	578	578				
FTE	583.74	589.59	561.58	593.98	593.17	575.17	575.17				
<u>Program Performance</u>											
Quantity Metric											
<i>Total caseload numbers</i>	247,388	249,338	240,143	223,209	227,115	217,436					
Quality Metric											
<i>Distributed to families (KPM #10)</i>	91.9%	92.7%	92.9%	92.4%	91.9%	92.3%					
<i>Current support collection rate (KPM #11)</i>	60.1%	59.7%	61.2%	60.9%	58.2%	59.2%					
<i>Collections on arrears (KPM #12)</i>	61.3%	61.0%	63.0%	63.4%	59.0%	60.9%					
Timeliness Metric											
Cost Per Unit Metric											
<i>Cost-effectiveness ratio</i>	\$5.73	\$6.05	\$5.92	\$5.74	\$5.35	\$5.44					

Department of Justice: Civil Enforcement Division

Primary Outcome Area: Public Safety
Secondary Outcome Area: Healthy People
Tertiary Outcome Area: Improving Government
Program Contact: Chief Counsel Frederick M. Boss, (503) 934-4400
Deputy Chief Counsel Joanne Southey, (971) 673-1880



Executive Summary

The Civil Enforcement Division (Division) is generally the Department's plaintiff's civil litigation arm, but also enforces select criminal laws. The Division consists of five separate sections, each representing the state in seeking affirmative action or recovery of money. The Division provides essential services to the public, including: legal assistance to the Division of Child Support in the establishment and enforcement of child support orders; legal representation of the Department of Human Services Child Welfare Program to help protect abused and neglected children; prosecution of civil rights violations; regulation and oversight of all charities; enforcement of consumer protection laws; investigation and prosecution of Medicaid fraud; and taking legal action to recover or protect the state's interest in money, real or personal property.

Program Description

The Civil Enforcement Division (Division) is organized into five sections. Each works to provide legal assistance and protection to Oregon's citizens on a daily basis.

Child Advocacy Section. This Section helps protect abused, neglected and abandoned children throughout Oregon by providing vigorous court representation and comprehensive legal advice to the Department of Human Services' Child Welfare Program (DHS). Child Advocacy attorneys and staff are located in Department's offices in Portland, Salem, Eugene, Medford, and Pendleton. Section attorneys regularly appear in juvenile and circuit court hearings and trials in all 36 Oregon counties in order to achieve permanency for children. Section attorneys provide a wide range of legal advice and counsel to DHS child welfare workers, including legal review and staffing of all DHS dependency cases at two critical points in a twelve month period. If the return

Program Justification and Link to 10-Year Outcome

Each Section within the Civil Enforcement Division fits within several of the Governor's identified outcome areas.

The Child Advocacy Section (ChAS) ensures that Oregon's vulnerable children have the ability to grow up in a safe, stable, and healthy home. By providing legal assistance to achieve permanency for children, ChAS works for the best interest of the child, whether that is reunification with family, placement with relatives, adoption, or another permanent plan. Children have a right to live free from abuse and neglect and to just be children, growing up to be healthy and productive members of our communities. Also, by working closely with their DHS Child Welfare client and partner agency, ChAS safeguards that DHS continues to enhance their efforts to be transparent and accountable to the public in a financially sustainable way.

The Civil Recovery Section (CRS) works closely with their partner client, the Division of Child Support, to ensure that Oregon families receive the money to which they are entitled in order to have adequate food and housing. With this fiscal support, Oregon's children can grow up in a home where their needs are met and are not forced to rely on public assistance. Additionally, the Section protects the civil rights and liberties of all Oregonians, allowing each person to live, work and play without harm and free from fear of persecution. Also, CRS attorneys provide cost recovery efforts for state agencies in order to assist them in performing their essential functions.

The Financial Fraud/Consumer Protection Section (FF/CP) contributes by seeking to rid Oregon of the scam artists that prey on vulnerable Oregonians. FF/CP works to ensure the public can purchase quality goods and services, knowing that companies will be held accountable. The Section also levels the playing field for Oregon businesses by providing a fair marketplace. Additionally, FF/CP improves state government by working closely with other states, state agencies, and federal government to share and conserve resources in monitoring, investigating and taking action against unlicensed or fraudulent entities.

The Charitable Activities Section (CAS) polices charitable organizations to ensure all Oregonians can give money or support to those truly in need and will not be duped by fraudulent solicitations. Through visible enforcement efforts, CAS not only prevents the continuation of deceptive practices but also deters other entities from similarly soliciting in the state which greatly improves the quality of life for all. In addition, CAS educates those organizations and donors that are working diligently to better their communities.

The Medicaid Fraud Control Unit (MFU) improves the quality of life for elderly and disabled Oregonians by investigating and prosecuting financial abuse, physical abuse, sexual abuse, and neglect in state health care facilities like hospitals, nursing homes, and adult foster homes. This also affects all Oregonians as the state's elderly population continues to increase and more citizens will request Medicaid services. MFU works alongside local, state, and federal law-enforcement officials to ensure Medicaid payments are dispersed to responsible entities or individuals, assuring all citizens of Oregon continue to benefit from the receipt of those funds.

Significant Proposed Program Changes from 2011-13

- Defense Master Settlement Agreement
 - 1 Limited Duration Position
 - \$3,254,852 General Fund 13-15

- Package 302 Distressed County Pilot Project
 - 11 positions
 - Other Funds
 - 13-15 \$1,722,040
 - Several Oregon counties are suffering such dire financial circumstances that they are unable to attend the Jurisdictional and Pre-Jurisdictional hearings that are required when a child is placed into the custody of the State. This proposal would supply DOJ with the FTE to represent DHS in those hearings.

- Package 303 Civil Recovery Representation of the Division of Child Support
 - 4 positions
 - Other Funds
 - 13-15 \$ 676,823
 - DOJ has increased the amount of AAGs devoted to representing the Division of Child Support. Package 303 would add much needed support staff to this legal team in order to shift preparation of legal orders from DCS to the legal division.

- Package 304 Consumer Mortgage Banking Project
 - 4 positions
 - Other Funds
 - 13-15 \$ 730,020
 - This proposal adds FTE that allow the State to continue to monitor compliance with the national Mortgage Servicer Fraud Settlement and to prosecute mortgage fraud in Oregon.

When all is settled and done with the Mortgage Mediation Program, it should be moved to Civil Enforcement from General Counsel.

Department of Justice
Civil Enforcement Division

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
General Fund	2,465,575	404,089	1,924,806	2,026,521	2,976,371	1,888,518	3,886,714	4,314,253	4,788,820	5,315,591	5,900,306
Other Funds	22,368,298	26,030,768	26,221,981	42,436,350	49,413,547	54,882,643	60,404,071	67,048,519	74,423,856	82,610,480	91,697,633
Other Funds - Nonlimited					7,791	2,560,000	471,040	522,854	580,368	644,209	715,072
Federal Funds	1,380,209	1,844,670	1,929,090	2,292,657	2,265,177	2,883,383	3,243,682	3,600,487	3,996,541	4,436,160	4,924,138
Total Funds	26,214,082	28,279,527	30,075,877	46,755,528	54,662,886	62,214,544	68,005,507	75,486,113	83,789,585	93,006,440	103,237,148
Positions	136	131	134	173	187	190	213				
FTE	131.96	130.33	132.66	166.93	183.91	189.25	208.64				

Program Performance

Quantity Metric

*Financial Fraud/
Consumer Protection-
of written consumer
complaints responded
to*

	32,118	21,505	20,413	26,650	25,458
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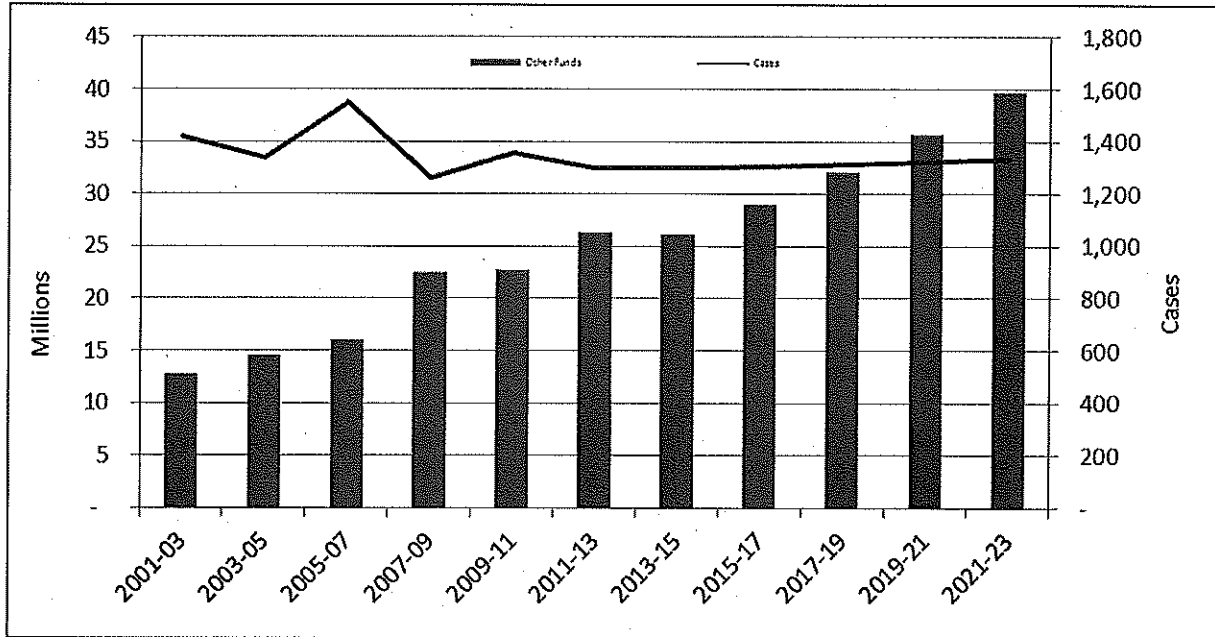
Cost Per Unit Metric

*Civil Recovery Section
-\$ recovered / cost*

		\$19.68	\$27.73	\$19.21
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Department of Justice: Trial Division

Primary Outcome Area: Improving Government
Secondary Outcome Area: Safety
Program Contact: Cheryl Pellegrini, Chief (503-947-4667)



Executive Summary

When the state is sued, the Trial Division defends it. The Division has represented the Governor, the Legislature, and state agencies, as well as thousands of individual state employees who were sued for their work on behalf of the state. And when an agency must file contract or commercial lawsuits to further its mission, the Trial Division represents that agency in court. This results in a broad range of litigation; Trial Division lawyers handle everything from prisoners' small-claims cases to broad constitutional challenges. As such, they are in a position to deflect challenges to the full range of every agency's work, so that the agencies may focus on their mission—and also to work with the agencies to ensure that the State is taking consistent positions in court, and to make improvements where litigation identifies a potential vulnerability in the way that the agency is carrying out its mission.

Program Description

The Trial Division defends all lawsuits brought against state agencies, and sometimes also files lawsuits on behalf of those agencies, in state and federal court. As a result, it serves every agency, as well as the State as a whole, and all state officials and employees—because, when suit is filed against any one of those, the Trial Division provides the defense. The Division has represented the legislature, the Judicial Department (and its judges when they are individually sued), the Governor, every state agency, and tens of thousands of individual state employees since 2001.

Elections Division is violating state or federal protections through its administration of elections. This work allows the Elections Division to maintain its work during a busy elections season, while ensuring that it is well advised and can adjust any practices that might come under a valid challenge.

6. Working together with the Risk Management Division of the Department of Administrative Services, the General Counsel Division, and state agencies to find ways to reduce the amount of and costs of litigation. For example:

- The number of employment claims (such as those alleging harassment, discrimination, improper discipline, or termination) has decreased in recent years. This follows a concentrated effort by the Trial Division's lawyers and Risk Management to work with agencies on the kinds of issues that used to result in litigation.

The cost of the Trial Division's work is primarily driven by two factors: (1) agencies' decisions and actions themselves, and (2) the reality that there will always be people who disagree with an agency's decisions, no matter what those decisions are. Agencies can affect the first factor. If an agency increases its enforcement actions, for example, the affected parties are more likely to bring suit. As another example, recordkeeping policies (whether the agency carefully maintains records needed for litigation, and whether it creates records that could hurt it in litigation) will affect the State's ability to defend the case. The Trial Division is in an ideal position to see how the State's actions are viewed by juries, and so it can recommend improvements that can decrease the number of lawsuits, and limit jury awards and settlements in those cases.

Program Justification and Link to 10-Year Outcome

Primary: The Trial Division's efforts improve government. Many of the lawsuits it defends are filed by citizens who believe that an agency has engaged in untrustworthy acts, has failed to carry out its mission, or has caused harm or economic injury to a person or group. The Trial Division is well positioned to assess the merits of such claims. It acts as a steward for public funds by defeating claims without merit and by negotiating reasonable settlements to compensate citizens who actually were injured by the acts or decisions of an agency. Using the lens of litigation, it helps agencies identify policies or practices that are not working and replace them with more efficient and effective ways of serving the public.

Additional: The Trial Division contributes to a second outcome area of Safety by defending cases filed by convicted criminals seeking to overturn their verdicts or sentences, be released from state custody, or to obtain discovery that could lead to sensitive information falling into dangerous hands. It represents the state in proceedings to decertify police and other public safety officers who engage in misconduct calling into doubt their ability to serve and protect the public. The Division serves a third outcome area, of Economy and Jobs, through its work for the state Department of Transportation in bringing condemnation actions for road and infrastructure improvement projects, and for other agencies by defending state contracts when challenged and in contract-breach lawsuits, so that the state is able to secure the services needed to conduct state business.

Program Performance

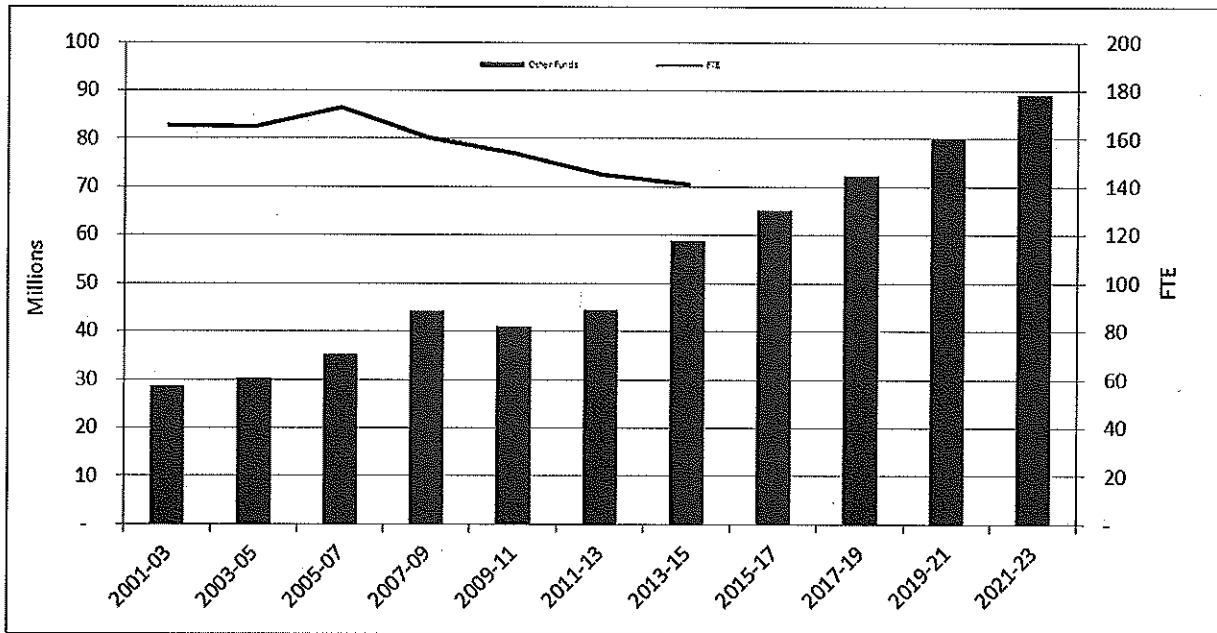
The Trial Division's efforts can contribute to improving government in two ways: (1) by defending or resolving cases after they have been filed, and (2) by working with state agencies to improve their practices, with an eye toward decreasing the number of future claims filed against an agency. In the first area, the Division can measure its performance by the number of cases it handles and resolves, and by

Department of Justice
Trial Division

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
Other Funds	12,769,993	14,572,977	15,993,136	22,564,471	22,729,012	26,349,208	26,113,149	28,985,595	32,174,011	35,713,152	39,641,599
Total Funds	12,769,993	14,572,977	15,993,136	22,564,471	22,729,012	26,349,208	26,113,149	28,985,595	32,174,011	35,713,152	39,641,599
Positions	77	81	91	98	101	102	96				
FTE	76.21	80.37	87.67	96.34	100.36	100.90	95.72				
<u>Program Performance</u>											
No of Cases	1,421.00	1,337.00	1,548.00	1,260.00	1,359.00	1,298.00	1,300.17	1,306.67	1,314.79	1,322.92	1,331.04

Department of Justice: General Counsel Division

Primary Outcome Area: Improving Government
Secondary Outcome Area:
Program Contact: Steven Wolf, Chief Counsel, 503.947.4528



Executive Summary

The General Counsel Division provides day-to-day legal services to state agencies and officers. These services include providing written and oral advice on application and interpretation of state and federal law, advice and representation in employment matters, representation in contested case hearings conducted under the Administrative Procedures Act, and drafting and performing legal sufficiency review of contracts, and assisting with development of administrative rules. The Division works to enhance the public's trust in government by ensuring consistent interpretation of law across all state agencies.

Program Description

The General Counsel Division provides a full spectrum of legal services to the officers and agencies of the State of Oregon. The Division works in partnership with client agencies to provide essential services that enable them both to perform their day-to-day functions and to address significant emergent issues. A small sample of the range of services the Division provides includes:

- Public contracts drafting assistance and advice for all state agencies;
- Advice on rulemaking procedures and on the substantive content of proposed rules;

only rarely. The Division works to ensure that its capacity is fully employed and that its assignment of resources aligns with the clients' individual needs.

Because the service being provided is the legal expertise of the Division's AAGs, the major cost driver is personnel costs. The principle means of managing costs is finding ways of enhancing the efficiency with which that expertise can be delivered and employed by the agency.

Program Justification and Link to 10-Year Outcome

The General Counsel Division advances the state's goal of Improving Government by providing legal advice and other legal services to state agency clients in a way that reinforces the clients' trustworthiness, enhances their responsiveness, and empowers clients with the legal tools and solutions needed to address problems in a financially sustainable way. The Division is ordinarily an agency's first – and frequently its last – point of contact with the Department with regard to any particular issue.

The Division is launching several initiatives to explore means of enhancing both efficiency in its delivery of services and the availability and utility of those services to client agencies. These initiatives include offering web-based trainings on issues that regularly arise across a broad range of agencies, and distributing regular newsletters to inform agency clients of new legal developments that might affect the agency.

With regard to the particular strategy of enhancing government transparency, the Division takes a lead role in implementing the Attorney General's Government Transparency Initiative through its preparation and publication of the Attorney General's Public Records and Meetings Manual, the work of the Chief Counsel Office's Government Transparency Counsel to ensure consistent application of the state's open government laws, and the day-to-day advice the Division's assistant attorneys general provide to client agencies. Under the Public Records Law, the AG is responsible for issuing orders on petitions submitted by individuals who have been denied records by state agencies and officers. The Transparency Counsel is responsible for coordinating and administering that function.

In addition to its own direct contributions to the goal of Improving Government, the Division partners with multiple agencies to enhance their efforts in that area. A few of the agencies that share the outcome area of Improving Government and to which the Division provides legal services include the Governor's Office, the Oregon Government Ethics Commission, the Oregon Liquor Control Commission, PERS, and the Department of Revenue. Through its Government Services Section, the Division provides legal services to the Secretary of State's Elections (including enforcement of campaign finance disclosure laws), Audits, and Archives Divisions. And apart from Improving Government, by providing legal services to essentially all state agencies and officers, the Division's work reinforces the efforts of client agencies whose missions span the full range of outcomes the Project anticipates.

Program Performance

Because of the character of the services the Division provides, perhaps the best indicator of quality and timeliness is the level of satisfaction reported by our clients in our annual client

head of this department and the chief law officer of the state and all its departments.” The General Counsel Division exists to fulfill the Attorney General’s statutory duty to “assign to each agency, department, board or commission an assistant who shall be the counsel responsible for ensuring the performance of legal services requested by the agency, department, board or commission.” ORS 180.060(8).

Funding Streams

Under ORS 180.060, funding for General Counsel operations comes from direct billing to agency clients for services rendered. These billings have traditionally – and continue to be predominately – based on a billed-hour model. The Division’s experience has been that while this mechanism is at least roughly effective in aligning its funding with the clients’ use of services, because the clients are operating on a pay-as-you-go basis the mechanism can discourage agencies from timely seeking needed services in situations where early intervention might meliorate or even prevent a later-developing (and more costly) problem. Consequently, the Division is currently piloting alternative billing mechanisms in the form of retainer and modified flat-rate models, and will continue to explore alternative means of service delivery and funding.

Significant Proposed Program Changes from 2011-13

The funding proposal is intended to maintain the program at the Current Service Level, with the exception that it is intended to fund the additional position requested and General Counsel services necessary to complete implementation and to administer the foreclosure avoidance mediation program authorized by SB 1552 (2012). This includes one half-time position to administer the program, legal support for the program, and the costs of contracting for mediation services.

- Policy Package 498 – Mortgage Mediation
- 1 position
- Other Funds
 - 13-15 \$14,180,843

When all is settled and done, this package should be moved to Civil Enforcement.

Department of Justice
General Counsel

	2001-03	2003-05	2005-07	2007-09	2009-11	2011-13	2013-15	2015-17	2017-19	2019-21	2021-23
<u>Program Budget</u>											
Other Funds	28,625,024	30,321,880	35,335,741	44,395,167	41,152,398	44,563,379	58,709,001	65,166,991	72,335,360	80,292,250	89,124,397
Total Funds	28,625,024	30,321,880	35,335,741	44,395,167	41,152,398	44,563,379	58,709,001	65,166,991	72,335,360	80,292,250	89,124,397
Positions	167	166	178	163	154	146	142				
FTE	165.36	164.82	172.75	160.29	153.95	145.39	141.00				

Program Performance

Quality Metric

Percentage of customers (state agencies) rating their satisfaction with the agency's customer service as "good" or "excellent" (Calendar Year)

	95.5%	95.0%	96.5%	97.0%
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Quantity Metric

Average time (work days) from receipt of contracting document to first substantive response to agency

	5.0	6.4	4.5	4.3
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