



Oregon

Office of Public Defense Services

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The Honorable Jeff Barker, Chair
House Judiciary Committee, Members

RE: House Bill 2561

The Office of Public Defense Services appreciates this committee hearing House Bill 2561 and recognizing the need for increased funding of our public defense system. The Public Defense Services Commission (PDSC) has long advocated for the compensation of public defense counsel at a rate equal to their district attorney colleagues.

House Bill 2561 requires the compensation of trial-level public defense counsel be commensurate with that of a deputy district attorney of similar experience in the same county. It also requires the compensation of staff for trial-level public defense providers be commensurate with staff in the district attorney's office.

The PDSC agency budget request includes a similar request. Funding of the PDSC policy option package 101 would provide pay parity for all trial-level public defense counsel – both contract and hourly attorneys. Because this package was developed during the interim, the agency has all the information necessary to appropriately distribute funds in the next contract cycle. If the legislature were to pass House Bill 2561, the agency would need additional time to connect information regarding staff salaries and responsibilities, and appropriate comparators at the local level.

The Office of Public Defense Services thanks this committee for continuing to develop the conversation about funding and resources for public defense services. A new attorney considering a legal career in public defense must weigh the low compensation against increasingly high student loan obligations. For those who decide to enter the field, they face high caseloads that far exceed the standards in most recent caseload studies. These challenges make it difficult to attract, and retain, qualified public defense counsel.

Public defense attorneys have a unique and important role in the larger public safety system. An increase in compensation for trial-level public defense counsel will help attract and retain qualified attorneys. And increased funding to reduce caseloads, provide innovative services, and ensure quality assurance, can improve outcomes in both juvenile and criminal cases.

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