

Youth, Rights & Justice

ATTORNEYS AT LAW

To: Chair Williamson and Members of the Committee
From: Youth, Rights & Justice
Re: HB 3145
Date: March 26, 2019

Dear Chair Williamson and Committee Members,

Youth, Rights & Justice (YRJ) is a non-profit law firm that advocates for youth and families in the courts, schools and community. It currently contracts with Oregon Public Defense Services (OPDS) to provide legal representation to some of our most vulnerable youth and families caught up in the courts and child welfare system in Oregon. The 35-team member office is composed of 17 attorneys. Few legal proceedings immediately affect an individual's rights more than a juvenile dependency case where children are removed from their parents and placed in out-of-home-care, an intervention with long-lasting effects on a child's well-being. Dependency cases as a whole make up nearly a third of the statewide OPDS caseload and much of YRJ's public defense work.

YRJ generally supports the -1 Amendments to HB 3145 as a partial response to the recommendations in the Sixth Amendment Center report on the *Right to Counsel in Oregon*. HB 3145 calls for fundamental changes in the way public defense services are provided and compensated in the State. To the extent that a new system may include both trial level public employees and contracts with non-OPDS staff, YRJ supports Section 3 (c) of the -1 Amendments to HB 3145 that ensures compensation parity between the OPDS employees and other contracting individuals and entities.

The current terms of the OPDS contract with Youth, Rights and Justice is described on page sixty-three of the Sixth Amendment Report. In a nutshell, YRJ currently contracts with OPDS for a total of 5,988 juvenile delinquency felony and misdemeanor cases, dependency petitions, review and permanency hearings, and appeals over a two-year period. In addition, these cases include juvenile psychiatric review board proceedings, termination of parental rights cases, probation violations, and for representation of children who are runaways from other jurisdictions. YRJ's clients have a constitutional right to adequate counsel in many of these life-altering proceedings, including those funded through OPDS.

YRJ has continued to provide legal services to some of our most vulnerable Oregonians despite crushing case loads and inadequate compensation. Efforts to move away from fixed fee contracts to workload models of adequate compensation such as the Parent Child Representation Program (PCRP) in the case of dependency representation, along with the shoring up of the public defense infrastructure to include foundational training, lays the groundwork for the repair of a broken system.

Leslie Kay
Interim Executive Director

Jeff Wihtol
YRJ Board Member