

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

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**To:** Public Safety Subcommittee

**From:** John Borden, Legislative Fiscal Office

**Date:** June 9, 2021

**Subject:** HB 5030 – Public Defense Services Commission  
Work Session Recommendations

<b>Public Defense Services Commission</b>				
	<b>2017-19 Actual</b>	<b>2019-21 Legislatively Approved *</b>	<b>2021-23 Current Service Level</b>	<b>2021-23 LFO Recommendation</b>
General Fund	309,088,199	342,078,348	396,803,692	321,374,582
Other Funds	4,700,093	13,586,941	4,449,667	18,449,667
<b>Total Funds</b>	<b>313,788,292</b>	<b>355,665,289</b>	<b>401,253,359</b>	<b>339,824,249</b>
Positions	76	90	79	108
FTE	75.80	86.47	78.80	104.72

\* Includes Emergency Board and administrative actions through January 2021

The Legislative Fiscal Office (LFO) recommendation for the Public Defense Services Commission is to fund the agency at \$321.4 million General Fund and \$18,449,667 Other Funds and 108 positions (104.72 FTE), which is a decrease in funding of 4.5% from the 2019-21 legislatively approved budget.

Of note, however, is that the 2021-23 LFO recommended budget, excluding the General Fund holdback discussed below, would represent a \$84.2 million, or 23.6%, increase from the 2019-21 legislatively approved budget. Aside from the General Fund holdback, the LFO recommendation represents a \$38.6 million increase to PDSC's 2021-23 current service level budget.

The recommendation includes: (1) re-structuring the agency's appropriation measure along cost centers to increase the transparency of budgeted activities and to impose a heightened level of financial discipline and accountability on the agency; (2) reorganizing the agency's budget structure along lines of business; (3) augmenting operational staffing in key areas of the agency, including agency leadership, financial management, and procurement; (4) adding compliance, audit, and Performance Management functionality to the agency; (5) in-sourcing base level information technology services; (6) directing an

independent financial and performance audit of the agency, including reviews of agency operations, procurement, human resources, information technology, accounting, budget, performance management, and auditing; (7) converting three existing permanent full-time positions to limited duration so as to assess the long-term need for the positions; and (8) provides General Fund to resolve material current service level deficits across the agency.

The following table is a comparison of PDSC’s former budget structure to the agency’s new budget structure. Of note, is that under PDSC’s former budget structure, over 90% of the agency’s budget was contained within the Professional Services Account.

<b>PDSC Re-Structuring/Re-Organization</b>	
<b>2019-21 Budget Structure</b>	<b>2021-23 Budget Structure</b>
Appellate Division	Executive Division
Professional Services Account	Compliance, Audit, and Performance Division
Contract and Business Services	Appellate Division
	Trial Criminal Division
	Non-Routine Expenses
	Court Mandated Expenses
	Juvenile Division
	Administrative Services Division

The recommendation also includes a holdback of funding in the amount of \$100 million General Fund, which is placed in a Special Purpose Appropriation appropriated to the Emergency Board for the Public Defense Services Commission. The holdback of General Fund is deemed necessary as the Commission is exempt by statute from allotment authorities (ORS 291.232) and therefore the Legislature is unable to request the unscheduling of funding for the agency. The release of the holdback is contingent upon the Commission’s satisfactory progress, as determined by the Legislature and/or the Legislative Emergency Board, in executing Legislative expectations regarding the restructuring, modernization, financial controls, quality management, performance metrics, and governance of the agency. The holdback also is reflective of an inordinately high degree of uncertainty related to the procurement costs.

The recommendation for HB 5030, but apart from the 2021-23 biennium recommendation included in the above table, also includes a 2019-21 biennium supplemental increase of \$3,782,000 General Fund for Non-Routine Expenses and Court-Mandated Expenses.

**Adjustments to Current Service Level**

See attached “Work Session Presentation Report.”

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

## **Performance Measures**

See attached “Legislatively Proposed 2021-23 Key Performance Measures.”

## **Budget Notes**

### **Budget Note #1 - Special Purpose Appropriation**

The Public Defense Services Commission is directed to report to the Joint Committee on Ways and Means during the Legislative Session in 2022, and quarterly thereafter to the Legislative Emergency Board, on the Commission’s restructuring and modernization efforts. The release of special purpose appropriation to the Commission is contingent upon the Commission’s satisfactory progress, as determined by the Legislature and/or the Legislative Emergency Board, in executing the Legislative direction in the HB 5030 budget report, and as related to Legislative expectations regarding the restructuring, modernization, financial controls, quality management, performance metrics, and governance of the agency. Reporting is to also include, but is not limited to, updated caseload and financial forecasts; procurement activities, including contract amendments and the alignment of contracting with the biennial budget process as well as the separation of adult criminal and juvenile trial-level contracts; and human resources activities, including the hiring of positions, staff turnover, unbudgeted position actions, compensation plan changes, and staff morale.

### **Budget Note #2 - External Audit**

The Public Defense Services Commission, under the direction and guidance of the Secretary of State Audits Division, and based upon the direction and guidance of the Joint Committee on Legislative Audits, is to contract for a comprehensive external financial and performance audit of the agency. The Commission is to submit the audits, and the agency’s responses to the audits, to the Interim Joint Committee on Legislative Audits no later than September 2022.

### **Budget Note #3 - Internal Audit**

The Public Defense Services Commission is directed to report to the Joint Committee on Legislative Audits during the Legislative Session in 2022 on the establishment of the Commission’s internal audit function. The report is to include the internal audit staff reporting structure to the Commission as well as internal audit plans for the 2021-23 biennium and the 2023-25 biennium. The Commission may consider the establishment of an Audit Committee comprised of a subset of Commissions members with quarterly reporting to the full Commission.

### **Budget Note #4 - Compliance, Audit, and Performance Management Division**

The Public Defense Services Commission is directed to develop a comprehensive program plan for the Compliance, Audit, and Performance Division, which is to include, but is not limited to: (a) the administration of the Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses, and Juvenile Divisions; (b) quality assurance/control plans for Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses and Juvenile Divisions, including the Parent Child Representation Program, and the Appellate Division; and (c) the development of Key Performance Indicators and Key Performance Measures for the agency. The Commission is directed to submit the plan to the Legislative Emergency Board

in September of 2022 and then Key Performance Indicators and Key Performance Measurements to the Legislature prior to the Legislative Session in 2023.

**Recommended Changes**

The -1 amendment includes the following changes to the 2019-21 and the 2021-23 biennia:

- For the 2021-23 biennium, LFO recommends a budget for the Public Defense Services Commission of \$321,374,582 General Fund \$18,449,667 Other Funds and 108 positions (104.72 FTE);
- For the 2021-23 biennium, LFO recommends that a \$100,000,000 special purpose appropriation be appropriated to the Emergency Board for the Public Defense Services Commission; and
- For the 2019-21 biennium, LFO recommends a supplemental budget increase of \$3,782,000 General Fund.

**Final Subcommittee Action**

LFO recommends that HB 5030 as amended by the -1 amendment, be moved to the Ways and Means Full Committee.

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_

LFO102 - Work Session Presentation Report  
2021-23 BienniumVersion: L - 01 - LFO Analyst Recommended  
Cross Reference: 40400-000-00-00-00000  
Public Defense Svcs Comm

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	<b>342,319,238</b>	-	<b>4,039,068</b>	-	-	-	<b>346,358,306</b>	<b>81</b>	<b>80.80</b>
2019-21 Ebds, SS & Admin Act	(240,890)	-	9,547,873	-	-	-	9,306,983	9	5.67
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	<b>342,078,348</b>	-	<b>13,586,941</b>	-	-	-	<b>355,665,289</b>	<b>90</b>	<b>86.47</b>
<b>2019-21 Leg Approved Budget (Base)</b>	<b>342,319,238</b>	-	<b>4,039,068</b>	-	-	-	<b>346,358,306</b>	<b>81</b>	<b>80.80</b>
Summary of Base Adjustments	5,322,552	-	17,118	-	-	-	5,339,670	(2)	(2.00)
<b>2021-23 Base Budget</b>	<b>347,641,790</b>	-	<b>4,056,186</b>	-	-	-	<b>351,697,976</b>	<b>79</b>	<b>78.80</b>
010: Non-PICS Pers Svc/Vacancy Factor	342,129	-	1,936	-	-	-	344,065	-	-
020: Phase In / Out Pgm & One-time Cost	11,665,643	-	391,545	-	-	-	12,057,188	-	-
030: Inflation & Price List Adjustments	18,317,485	-	-	-	-	-	18,317,485	-	-
040: Mandated Caseload	18,836,645	-	-	-	-	-	18,836,645	-	-
<b>2021-23 Current Service Level</b>	<b>396,803,692</b>	-	<b>4,449,667</b>	-	-	-	<b>401,253,359</b>	<b>79</b>	<b>78.80</b>
<b>Adjusted 2021-23 Current Service Level</b>	<b>396,803,692</b>	-	<b>4,449,667</b>	-	-	-	<b>401,253,359</b>	<b>79</b>	<b>78.80</b>
<b>Total LFO Recommended Packages</b>	<b>(75,429,110)</b>	-	<b>14,000,000</b>	-	-	-	<b>(61,429,110)</b>	<b>29</b>	<b>25.92</b>
<b>2021-23 Legislative Actions</b>	<b>321,374,582</b>	-	<b>18,449,667</b>	-	-	-	<b>339,824,249</b>	<b>108</b>	<b>104.72</b>
Net change from 2019-21 Leg Approved Budget	(20,703,766)	-	4,862,726	-	-	-	(15,841,040)	18	18.25
Percent change from 2019-21 Leg Approved Budget	(6.1%)	0.0%	35.8%	0.0%	0.0%	0.0%	(4.5%)	20.0%	21.1%
Net change from 2021-23 Adj Current Service Level	(75,429,110)	-	14,000,000	-	-	-	(61,429,110)	29	25.92
Percent change from 2021-23 Adj Current Service Level	(19.0%)	0.0%	314.6%	0.0%	0.0%	0.0%	(15.3%)	36.7%	32.9%

LFO102 - Work Session Presentation Report  
2021-23 Biennium

Version: L - 01 - LFO Analyst Recommended

Cross Reference: 40400-001-00-00-00000

Appellate Division

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	<b>22,553,674</b>	-	-	-	-	-	<b>22,553,674</b>	<b>57</b>	<b>56.80</b>
2019-21 Ebds, SS & Admin Act	(90,602)	-	-	-	-	-	(90,602)	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	<b>22,463,072</b>	-	-	-	-	-	<b>22,463,072</b>	<b>57</b>	<b>56.80</b>
<b>2019-21 Leg Approved Budget (Base)</b>	<b>22,553,674</b>	-	-	-	-	-	<b>22,553,674</b>	<b>57</b>	<b>56.80</b>
Summary of Base Adjustments	4,388,406	-	-	-	-	-	4,388,406	(1)	(1.00)
<b>2021-23 Base Budget</b>	<b>26,942,080</b>	-	-	-	-	-	<b>26,942,080</b>	<b>56</b>	<b>55.80</b>
010: Non-PICS Pers Svc/Vacancy Factor	257,050	-	-	-	-	-	257,050	-	-
020: Phase In / Out Pgm & One-time Cost	(603,237)	-	-	-	-	-	(603,237)	-	-
030: Inflation & Price List Adjustments	339,421	-	-	-	-	-	339,421	-	-
<b>2021-23 Current Service Level</b>	<b>26,935,314</b>	-	-	-	-	-	<b>26,935,314</b>	<b>56</b>	<b>55.80</b>
<b>Adjusted 2021-23 Current Service Level</b>	<b>26,935,314</b>	-	-	-	-	-	<b>26,935,314</b>	<b>56</b>	<b>55.80</b>
<b>Total LFO Recommended Packages</b>	<b>(26,935,314)</b>	-	-	-	-	-	<b>(26,935,314)</b>	<b>(56)</b>	<b>(55.80)</b>
<b>2021-23 Legislative Actions</b>	-	-	-	-	-	-	-	-	-
Net change from 2019-21 Leg Approved Budget	(22,463,072)	-	-	-	-	-	(22,463,072)	(57)	(56.80)
Percent change from 2019-21 Leg Approved Budget	(100.0%)	0.0%	0.0%	0.0%	0.0%	0.0%	(100.0%)	(100.0%)	(100.0%)
Net change from 2021-23 Adj Current Service Level	(26,935,314)	-	-	-	-	-	(26,935,314)	(56)	(55.80)
Percent change from 2021-23 Adj Current Service Level	(100.0%)	0.0%	0.0%	0.0%	0.0%	0.0%	(100.0%)	(100.0%)	(100.0%)

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Abolishes the Appellate Division by transferring \$26,935,314 of General Fund for the current service level and 56 legislatively-authorized positions (55.80 FTE) into new budgetary structures, including the re-establishment of the Appellate Division.

The purpose of this package is to reorganize the budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage the programs and activities of the agency and to provide for the oversight of the agency.

LFO Recommendation Approve the package.

LFO Analyst Notes

<b>LFO Recommended</b>	(26,935,314)	-	-	-	-	-	(26,935,314)	(56)	(55.80)
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	<b>312,520,622</b>	-	<b>3,200,000</b>	-	-	-	<b>315,720,622</b>	-	-
2019-21 Ebds, SS & Admin Act	(3,281,585)	-	9,382,671	-	-	-	6,101,086	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	<b>309,239,037</b>	-	<b>12,582,671</b>	-	-	-	<b>321,821,708</b>	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	<b>312,520,622</b>	-	<b>3,200,000</b>	-	-	-	<b>315,720,622</b>	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	<b>312,520,622</b>	-	<b>3,200,000</b>	-	-	-	<b>315,720,622</b>	-	-
020: Phase In / Out Pgm & One-time Cost	11,716,527	-	391,305	-	-	-	12,107,832	-	-
030: Inflation & Price List Adjustments	17,813,675	-	-	-	-	-	17,813,675	-	-
040: Mandated Caseload	18,836,645	-	-	-	-	-	18,836,645	-	-
<b>2021-23 Current Service Level</b>	<b>360,887,469</b>	-	<b>3,591,305</b>	-	-	-	<b>364,478,774</b>	-	-
<b>Adjusted 2021-23 Current Service Level</b>	<b>360,887,469</b>	-	<b>3,591,305</b>	-	-	-	<b>364,478,774</b>	-	-
<b>Total LFO Recommended Packages</b>	<b>(360,887,469)</b>	-	<b>(3,591,305)</b>	-	-	-	<b>(364,478,774)</b>	-	-
<b>2021-23 Legislative Actions</b>	-	-	-	-	-	-	-	-	-
Net change from 2019-21 Leg Approved Budget	(309,239,037)	-	(12,582,671)	-	-	-	(321,821,708)	-	-
Percent change from 2019-21 Leg Approved Budget	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	(360,887,469)	-	(3,591,305)	-	-	-	(364,478,774)	-	-
Percent change from 2021-23 Adj Current Service Level	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	0.0%	0.0%



	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Abolishes the Professional Services Account budgetary structure by transferring \$364,478,774 of General Fund and \$3,591,305 Other Funds (Application Contribution Account) for the current service level into new budgetary structures.

The purpose of this package is to reorganize the budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage the programs and activities of the agency and to provide for the oversight of the agency. The abolishment of this structure further clarifies that the PDSC is predominantly funded through the appropriation of General Fund rather than the Professional Services Account.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>(360,887,469)</b>	<b>-</b>	<b>(3,591,305)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(364,478,774)</b>	<b>-</b>	<b>-</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	<b>7,244,942</b>	-	<b>839,068</b>	-	-	-	<b>8,084,010</b>	<b>24</b>	<b>24.00</b>
2019-21 Ebds, SS & Admin Act	3,131,297	-	165,202	-	-	-	3,296,499	9	5.67
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	<b>10,376,239</b>	-	<b>1,004,270</b>	-	-	-	<b>11,380,509</b>	<b>33</b>	<b>29.67</b>
<b>2019-21 Leg Approved Budget (Base)</b>	<b>7,244,942</b>	-	<b>839,068</b>	-	-	-	<b>8,084,010</b>	<b>24</b>	<b>24.00</b>
Summary of Base Adjustments	934,146	-	17,118	-	-	-	951,264	(1)	(1.00)
<b>2021-23 Base Budget</b>	<b>8,179,088</b>	-	<b>856,186</b>	-	-	-	<b>9,035,274</b>	<b>23</b>	<b>23.00</b>
010: Non-PICS Pers Svc/Vacancy Factor	85,079	-	1,936	-	-	-	87,015	-	-
020: Phase In / Out Pgm & One-time Cost	552,353	-	240	-	-	-	552,593	-	-
030: Inflation & Price List Adjustments	164,389	-	-	-	-	-	164,389	-	-
<b>2021-23 Current Service Level</b>	<b>8,980,909</b>	-	<b>858,362</b>	-	-	-	<b>9,839,271</b>	<b>23</b>	<b>23.00</b>
<b>Adjusted 2021-23 Current Service Level</b>	<b>8,980,909</b>	-	<b>858,362</b>	-	-	-	<b>9,839,271</b>	<b>23</b>	<b>23.00</b>
<b>Total LFO Recommended Packages</b>	<b>(8,980,909)</b>	-	<b>(858,362)</b>	-	-	-	<b>(9,839,271)</b>	<b>(23)</b>	<b>(23.00)</b>
<b>2021-23 Legislative Actions</b>	-	-	-	-	-	-	-	-	-
Net change from 2019-21 Leg Approved Budget	(10,376,239)	-	(1,004,270)	-	-	-	(11,380,509)	(33)	(29.67)
Percent change from 2019-21 Leg Approved Budget	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	(100.0%)	(100.0%)
Net change from 2021-23 Adj Current Service Level	(8,980,909)	-	(858,362)	-	-	-	(9,839,271)	(23)	(23.00)
Percent change from 2021-23 Adj Current Service Level	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%	(100.0%)	(100.0%)	(100.0%)

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Abolishes the Contract and Business Services Division by transferring \$9,839,271 of General Fund and \$858,362 of Other Funds (Application Contribution Account) for the current service level and 23 legislatively-authorized positions (23.00 FTE) into new budgetary structures.

The purpose of this package is to reorganize the budgetary structure along the agency's major lines of business, as the former structure was outdated and inadequate to manage the programs and activities of the agency and to provide for the oversight of the agency.

LFO Recommendation Approve the package.

LFO Recommended	(8,980,909)	-	(858,362)	-	-	-	(9,839,271)	(23)	(23.00)
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	<b>General Fund</b>	<b>Lottery Funds</b>	<b>Other Funds</b>	<b>Federal Funds</b>	<b>Nonlimited Other Funds</b>	<b>Nonlimited Federal Funds</b>	<b>Total Funds</b>	<b>Positions</b>	<b>Full-Time Equivalent (FTE)</b>
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>3,600,361</b>	-	-	-	-	-	<b>3,600,361</b>	<b>8</b>	<b>7.88</b>
<b>2021-23 Legislative Actions</b>	<b>3,600,361</b>	-	-	-	-	-	<b>3,600,361</b>	<b>8</b>	<b>7.88</b>
Net change from 2019-21 Leg Approved Budget	3,600,361	-	-	-	-	-	3,600,361	8	7.88
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%
Net change from 2021-23 Adj Current Service Level	3,600,361	-	-	-	-	-	3,600,361	8	7.88
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Executive Division current service level by transferring \$2,408,960 of General Fund and five legislatively-authorized position (5.00 FTE) from budget structures that have been abolished as part the re-organization of the agency's budgetary structures.

The Division is organized into the following sections: (1) Administration; (2) General Counsel Staff; and (3) Communications and Legislation; and is organizationally designated under the Leadership Function of the agency. The Division is the governance structure of the agency under the Public Defense Services Commission and includes: staff support the Commission, the Executive Director, General Counsel, and Communications and Legislative Affairs.

LFO Recommendation Approve the package, with one permanent full-time Operations and Policy Analyst-4 to be converted to a limited duration; and one permanent full-time Operations and Policy Analyst-2 to be converted to limited duration until the long-term need for these positions can be ascertained.

LFO Analyst Notes Position Classification Detail: one permanent full-time Executive Director (1.00 FTE); one permanent full-time General Counsel (1.00 FTE); one permanent full-time Executive Assistant (1.00 FTE); one permanent full-time Operations and Policy Analyst-4 to be converted to a limited duration; and one permanent full-time Operations and Policy Analyst-2 to be converted to limited duration.

<b>LFO Recommended</b>	<b>2,408,960</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,408,960</b>	<b>5</b>	<b>5.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 802 2019-21 Interim Actions**

Package Description Increase General Fund by \$461,692 and re-authorize the establishment of one permanent full-time Deputy General Counsel position (1.00 FTE). The package includes \$11,444 in associated services and supplies. This action was previously approved by the Emergency Board in April 2020 (Item #11).

The purpose of this request is to establish a Legislative Affairs position, who is an attorney.

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: one permanent full-time Deputy General Counsel position (1.00 FTE).

<b>LFO Recommended</b>	<b>461,692</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>461,692</b>	<b>1</b>	<b>1.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 806 Deputy Director**

Package Description Increase General Fund by \$729,709 and authorize the establishment of one permanent full-time Deputy Director position (0.88 FTE) and one permanent full-time Executive Assistant (1.00 FTE). The package includes \$21,458 in associated services and supplies.

The purpose of this request is to provide for an agency Deputy Director, who reports directly to the Executive Director and who services in the capacity of the Executive Director, in the absence of the Executive Director. This position is also to improve the coordination, and oversight of the agency's legal and non-legal functions. The legislative expectation is that this position will be a competitive recruitment.

The Executive Assistant position is for the staffing of the Multnomah County Courthouse. Housed within this office space is a "Public Defense Resource Center," whose purpose is to provide meeting space for Portland public defenders as well as offices for state Appellate Division staff and managing trial-level attorneys.

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: one permanent full-time Deputy Director position (0.88 FTE) and one permanent full-time Executive Assistant (1.00 FTE).

<b>LFO Recommended</b>	<b>729,709</b>	-	-	-	-	-	<b>729,709</b>	<b>2</b>	<b>1.88</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>4,656,251</b>	-	-	-	-	-	<b>4,656,251</b>	<b>13</b>	<b>11.27</b>
<b>2021-23 Legislative Actions</b>	<b>4,656,251</b>	-	-	-	-	-	<b>4,656,251</b>	<b>13</b>	<b>11.27</b>
Net change from 2019-21 Leg Approved Budget	4,656,251	-	-	-	-	-	4,656,251	13	11.27
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%
Net change from 2021-23 Adj Current Service Level	4,656,251	-	-	-	-	-	4,656,251	13	11.27
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%



	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Compliance, Audit, and Performance Division current service level by transferring \$980,445 of General Fund and two legislatively-authored position (2.00 FTE) from budget structures that have been abolished as part the re-organization of the agency's budgetary structures.

The Division is organized into the following sections: (1) Administration; (2) Trial Criminal Compliance; (3) Juvenile/Parent Child Representation Program Compliance; (4) Research, and (5) Internal Audit; and is organizationally designated under the Compliance and Performance Function of the agency.

The Compliance, Audit, and Performance Division provides the following mutually inclusive services: (a) vender contract compliance; (b) auditing of expenditures related to vendor contracts; (c) internal auditing of agency expenditures; (d) research and analysis; and (e) development and maintenance of performance measures, including Key Performance Measurements and supporting Key Performance Indicators.

LFO Recommendation Approve the package.

Budget Notes Budget Note #4 - Compliance, Audit, and Performance Management Division

The Public Defense Services Commission is directed to develop a comprehensive program plan for the Compliance, Audit, and Performance Division, which is to include, but is not limited to: (a) the administration of the Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses, and Juvenile Divisions; (b) quality assurance/control plans for Criminal Trial, Non-Routine Expenses, Court-Mandated Expenses and Juvenile Divisions, including the Parent Child Representation Program, and the Appellate Division; and (c) the development of Key Performance Indicators and Key Performance Measures for the agency. The Commission is directed to submit the plan to the Legislative Emergency Board in September of 2022 and then Key Performance Indicators and Key Performance Measurements to the Legislature prior to the Legislative Session in 2023.

LFO Analyst Notes Position Classification Detail: two permanent full-time Deputy General Counsels (2.00 FTE).

<b>LFO Recommended</b>	<b>980,445</b>	-	-	-	-	-	<b>980,445</b>	<b>2</b>	<b>2.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 802 2019-21 Interim Actions**

Package Description Increase General Fund by \$1,007,718 and re-authorize the establishment of two permanent full-time Deputy General Counsel positions (2.00 FTE). The package includes \$22,888 in associated services and supplies. This action was previously approved by the Emergency Board in April 2020 (Item #11).

The purpose of this request is to establish two positions to "oversee the work of the [contract] lawyers involved in criminal law."

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: two permanent full-time Deputy General Counsels (2.00 FTE).

<b>LFO Recommended</b>	<b>1,007,718</b>	-	-	-	-	-	<b>1,007,718</b>	<b>2</b>	<b>2.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 805 External and Internal Auditing**

Package Description Increase General Fund by \$854,520 and authorize the establishment of two permanent full-time Internal Auditor positions (1.76 FTE). The package includes \$370,028 in associated services and supplies of which \$350,000 is for Professional Services and an external financial and performance auditing of the agency.

The purpose of this request is to permanently establish an Internal Audit Section with the agency, whose purpose is to conduct internal audits of the agency operations the auditing of procured services. The Internal Audit function is to report directly to the Public Defense Services Commission.

The second part of the request is for an external financial and performance auditing of the agency as a contract with the Secretary of State Audits Division for an independent accounting and performance management firms.

LFO Recommendation Approve the package, with \$350,000 in services and supplies - Professional Services as one-time funding.

Budget Notes Budget Note #2 - External Audit

The Public Defense Services Commission, under the direction and guidance of the Secretary of State Audits Division, and based upon the direction and guidance of the Joint Committee on Legislative Audits, is to contract for a comprehensive external financial and performance audit of the agency. The Commission is to submit the audits, and the agency's responses to the audits, to the Interim Joint Committee on Legislative Audits no later than September 2022.

Budget Note #3 - Internal Audit

The Public Defense Services Commission is directed to report to the Joint Committee on Legislative Audits during the Legislative Session in 2022 on the establishment of the Commission's internal audit function. The report is to include the internal audit staff reporting structure to the Commission as well as internal audit plans for the 2021-23 biennium and the 2023-25 biennium. The Commission may consider the establishment of an Audit Committee comprised of a subset of Commissions members with quarterly reporting to the full Commission.

LFO Analyst Notes Position Classification Detail: two permanent full-time Internal Auditor positions (1.76 FTE).

<b>LFO Recommended</b>	<b>854,520</b>	-	-	-	-	-	<b>854,520</b>	<b>2</b>	<b>1.76</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 807 Compliance and Research Function**

Package Description Increase General Fund by \$1,813,568 and authorize the establishment of seven permanent full-time positions (5.51 FTE), which include: Criminal Trial - one permanent full-time General Counsel for Criminal Trial (0.75 FTE); one permanent full-time Deputy General Counsel (0.50 FTE); Juvenile Section - Abolish one permanent full-time Deputy General Counsel and establish one permanent full-time General Counsel; establish one permanent full-time Deputy General Counsel (1.00 FTE); Research Section - one permanent full-time Research Analyst-4 position (0.75 FTE) for Criminal Trial; one permanent full-time Research Analyst-4 position (0.75 FTE) for Juvenile; two limited duration Operations and Policy Analyst-2 (1.76 FTE).

The purpose of this request is to: (a) provide additional quality assurance support for Criminal Trial; (b) two Research Analysts for data analytics and research on public defense outcomes for trial level and juvenile cases; and (c) two data analysts. The legislative expectation is that these positions will be part of a competitive recruitment.

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: Criminal Trial - one permanent full-time General Counsel for Criminal Trial (0.75 FTE); one permanent full-time Deputy General Counsel (0.50 FTE); Juvenile Section - Abolish one permanent full-time Deputy General Counsel and establish one permanent full-time General Counsel; establish one permanent full-time Deputy General Counsel (1.00 FTE); Research Section - one permanent full-time Research Analyst-4 position (0.75 FTE) for Criminal Trial; one permanent full-time Research Analyst-4 position (0.75 FTE) for Juvenile; two limited duration Operations and Policy Analyst-2 (1.76 FTE).

<b>LFO Recommended</b>	<b>1,813,568</b>	-	-	-	-	-	<b>1,813,568</b>	<b>7</b>	<b>5.51</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>24,925,503</b>	-	-	-	-	-	<b>24,925,503</b>	<b>57</b>	<b>56.80</b>
<b>2021-23 Legislative Actions</b>	<b>24,925,503</b>	-	-	-	-	-	<b>24,925,503</b>	<b>57</b>	<b>56.80</b>
Net change from 2019-21 Leg Approved Budget	24,925,503	-	-	-	-	-	24,925,503	57	56.80
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%
Net change from 2021-23 Adj Current Service Level	24,925,503	-	-	-	-	-	24,925,503	57	56.80
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Re-Establish the Appellate Division current service level by transferring \$24,516,578 of General Fund and 56 legislatively-authorized position (55.80 FTE) from budget structures that have been abolished as part the re-organization of the agency's budgetary structures.

The Division is organized into the following sections: (1) Administration; (2) Criminal Appellate; and (3) Juvenile Appellate and is organizationally designated under the Legal Operations of the agency. The Division provides state and federal appellate court-level defense for financially-eligible defendants and provides appellate representation to for financially-eligible parents and children in juvenile dependency cases and termination of parental rights cases.

The Appellate Division - Criminal Appeal Section is a mandated caseload and is to be budgeted based on caseload changes for the state constitution or court actions.

LFO Recommendation Approve the package.

LFO Analyst Notes

<b>LFO Recommended</b>	<b>24,516,578</b>	-	-	-	-	-	<b>24,516,578</b>	<b>56</b>	<b>55.80</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Increase General Fund by \$408,925 and authorize the establishment of one permanent full-time Senior Deputy Defender (1.00 FTE). The package includes \$11,444 of associated services and supplies.

The purpose of this package is to augment staffing for appellate representation to for financially-eligible parents and children in juvenile dependency cases and termination of parental rights cases.

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: one permanent full-time Senior Deputy Defender (1.00 FTE).

<b>LFO Recommended</b>	<b>408,925</b>	-	-	-	-	-	<b>408,925</b>	<b>1</b>	<b>1.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>186,458,931</b>	-	-	-	-	-	<b>186,458,931</b>	-	-
<b>2021-23 Legislative Actions</b>	<b>186,458,931</b>	-	-	-	-	-	<b>186,458,931</b>	-	-
Net change from 2019-21 Leg Approved Budget	186,458,931	-	-	-	-	-	186,458,931	-	-
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	186,458,931	-	-	-	-	-	186,458,931	-	-
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%



	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Trial Criminal Division current service level by transferring \$255,804,275 of General Fund from budget structures that have been abolished as part the re-organization of the agency's budgetary structures. The Division's budget is comprised exclusively of services and supplies - Professional Services.

The Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; and (4) Juvenile and is organizationally designated under the Legal Operations of the agency.

The Trial Criminal Division is used to fund trial-level public defense for financially-eligible defendants in the following: (a) criminal cases; (b) civil commitments; (c) contempt cases; and (d) representation to parents in juvenile dependency cases and termination of parental rights cases in 26 non-Parent Child Representation Program counties. Contract services are with non-profit public defender offices, law firms, consortia of attorneys, and sole practitioners.

The Trial Criminal Division is a mandated caseload and is to be budgeted based on caseload changes for the state constitution or court actions.

LFO Recommendation Approve the package.

Budget Notes

Budget Instructions The Public Defense Service Commission is directed to move Trial Criminal contacts to a biennial or biennial fiscal year contracting model beginning with the 2023-25 biennium. The agency has historically let procurement contracts on a two calendar year basis which has resulted in a misalignment with the biennial budget.

The Public Defense Services Commission is to begin by July 1, 2022 the procurement of trial-level representation to parents in juvenile dependency cases and termination of parental rights cases as contacts separate and distinct from Trial Criminal procurement.

<b>LFO Recommended</b>	<b>255,804,275</b>	-	-	-	-	-	<b>255,804,275</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Increase General Fund by \$905,645 for services and supplies - Professional Services.

The purpose of this package is to provide supplemental funding to fully fund the current service level Trial Criminal Division expenses based on contract and contract amendment costs as of May 2021.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>905,645</b>	-	-	-	-	-	<b>905,645</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 820 General Fund Holdback**

Package Description Reduce General Fund by \$70,250,989 for services and supplies - Professional Services.

The General Fund held back in this package will be placed in a Special Purpose Appropriation (SPA) appropriated to the Emergency Board for the Public Defense Services Commission. The holdback of General Fund is deemed necessary as the Commission is exempt by statute from allotment authorities (ORS 291.232) and therefore the Legislature is unable to request the unscheduling of funding for the agency.

LFO Recommendation Approve the request.

Budget Notes Budget Note #1 - Special Purpose Appropriation

The Public Defense Services Commission is directed to report to the Joint Committee on Ways and Means during the Legislative Session in 2022, and quarterly thereafter to the Legislative Emergency Board, on the Commission's restructuring and modernization efforts. The release of special purpose appropriation to the Commission is contingent upon the Commission's satisfactory progress, as determined by the Legislature and/or the Legislative Emergency Board, in executing the Legislative direction in HB 5030 budget report, and as related to Legislative expectations regarding the restructuring, modernization, financial controls, quality management, performance metrics, and governance of the agency. Reporting is to also include, but is not limited to, updated caseload and financial forecasts; procurement activities, including contract amendments and the alignment of contracting with the biennial budget process as well as the separation of adult criminal and juvenile trial-level contracts; and human resources activities, including the hiring of positions, staff turnover, unbudgeted position actions, compensation plan changes, and staff morale.

<b>LFO Recommended</b>	<b>(70,250,989)</b>	-	-	-	-	-	<b>(70,250,989)</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>43,663,533</b>	-	-	-	-	-	<b>43,663,533</b>	-	-
<b>2021-23 Legislative Actions</b>	<b>43,663,533</b>	-	-	-	-	-	<b>43,663,533</b>	-	-
Net change from 2019-21 Leg Approved Budget	43,663,533	-	-	-	-	-	43,663,533	-	-
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	43,663,533	-	-	-	-	-	43,663,533	-	-
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Non-Routine Expenses current service level by transferring \$62,751,518 General Fund from budget structures that have been abolished as part the re-organization of the agency's budgetary structures. The Division's budget is comprised exclusively of services and supplies - Professional Services.

The Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; and (4) Juvenile and is organizationally designated under the Legal Operations of the agency.

The Non-Routine Expenses Division funds "reasonable and necessary" public defense-related case cost, including: transcriptionists, investigators, interpreters, mitigators, social workers, psychologists, polygraphers, and forensic experts, such as firearm experts, arson experts, deoxyribonucleic acid experts, and medical experts.

The current service level includes \$917,915 General Fund for interpreter and investigator rate increases approved by the Emergency Board in April of 2020 (Item #11); however, PDSC made the administrative decision to only provide a rate increase to investigators. For investigators the hourly rate for non-capital cases increased from \$34 per hour to \$40 per hour for a \$6 per hour increase (or 17.6%).

The Non-Routine Expenses Division is a mandated caseload and is to be budgeted based on caseload changes for the state constitution or court actions.

LFO Recommendation Approve the package.

Budget Instructions The Public Defense Service Commission is directed to move Non-Routine Expenses to a biennial billing model beginning with the 2023-25 biennium.

<b>LFO Recommended</b>	<b>62,751,518</b>	-	-	-	-	-	<b>62,751,518</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Reduce General Fund by \$4,533,474 for services and supplies - Professional Services.

The purpose of this package is to reconcile current service level funding with forecasted expenses as of May 2021.

LFO Recommendation Approve the package.

LFO Recommended	(4,533,474)	-	-	-	-	-	(4,533,474)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 820 General Fund Holdback**

Package Description Reduce General Fund by \$14,554,511 for services and supplies - Professional Services.

The General Fund held back in this package will be placed in a Special Purpose Appropriation (SPA) appropriated to the Emergency Board for the Public Defense Services Commission. The holdback of General Fund is deemed necessary as the Commission is exempt by statute from allotment authorities (ORS 291.232) and therefore the Legislature is unable to request the unscheduling of funding for the agency.

LFO Recommendation Approve the request.

LFO Recommended	(14,554,511)	-	-	-	-	-	(14,554,511)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>15,006,403</b>	-	<b>4,449,667</b>	-	-	-	<b>19,456,070</b>	-	-
<b>2021-23 Legislative Actions</b>	<b>15,006,403</b>	-	<b>4,449,667</b>	-	-	-	<b>19,456,070</b>	-	-
Net change from 2019-21 Leg Approved Budget	15,006,403	-	4,449,667	-	-	-	19,456,070	-	-
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	15,006,403	-	4,449,667	-	-	-	19,456,070	-	-
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%



	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Court Mandated Expenses current service level by transferring \$20,883,147 General Fund and \$4,449,667 Other Funds (Application Contribution Program) from budget structures that have been abolished as part the re-organization of the agency's budgetary structures. The Division's budget is comprised exclusively of services and supplies - Professional Services.

The Division is organized into the following sections: (1) Administration; (2) Appellate; (3) Trial Level; (4) Juvenile; and (5) Application Contribution Program and is organizationally designated under the Legal Operations of the agency.

The Court Mandated Expenses Division funds trial and appellate representation for the following: (a) the provision of attorney services not funded through a normal provider contract; and (b) discovery, postage, photocopying, parking, mileage, basic interpreter services, and the costs associated with obtaining certain types of records (up to \$300).

This request also consolidates Application Contribution Program revenues into a single program. This revenue is used for two purposes: (a) a special payment to the Oregon Judicial Department to pay for program Verification Specialist positions (\$3,591,305); and (b) to fund a portion of Court Mandated expenses (\$858,362). Application Contribution Program revenues will no longer be used to fund PDSC personnel costs, which have been fund shifted from Other Funds to General Fund.

The Court Mandated Division is a mandated caseload and is to be budgeted based on caseload changes for the state constitution or court actions.

LFO Recommendation Approve the package.

Budget Instructions The Public Defense Service Commission is directed to move Court Mandated Expenses to a biennial billing model beginning with the 2023-25 biennium.

<b>LFO Recommended</b>	<b>20,025,025</b>	<b>-</b>	<b>4,449,667</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24,474,692</b>	<b>-</b>	<b>-</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Reduce General Fund by \$16,487 for services and supplies - Professional Services.

The purpose of this package is to reconcile current service level funding with forecasted expenses as of May 2021.

LFO Recommendation Approve the package.

LFO Recommended	(16,487)	-	-	-	-	-	(16,487)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 820 General Fund Holdback**

Package Description Reduce General Fund by \$5,002,135 for services and supplies - Professional Services.

The General Fund held back in this package will be placed in a Special Purpose Appropriation (SPA) appropriated to the Emergency Board for the Public Defense Services Commission. The holdback of General Fund is deemed necessary as the Commission is exempt by statute from allotment authorities (ORS 291.232) and therefore the Legislature is unable to request the unscheduling of funding for the agency.

LFO Recommendation Approve the request.

<b>LFO Recommended</b>	(5,002,135)	-	-	-	-	-	(5,002,135)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>30,577,095</b>	-	<b>14,000,000</b>	-	-	-	<b>44,577,095</b>	-	-
<b>2021-23 Legislative Actions</b>	<b>30,577,095</b>	-	<b>14,000,000</b>	-	-	-	<b>44,577,095</b>	-	-
Net change from 2019-21 Leg Approved Budget	30,577,095	-	14,000,000	-	-	-	44,577,095	-	-
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
Net change from 2021-23 Adj Current Service Level	30,577,095	-	14,000,000	-	-	-	44,577,095	-	-
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Juvenile Division current service level by transferring \$21,448,525 of General Fund from budget structures that have been abolished as part the re-organization of the agency's budgetary structures.

The Division is organized into the following sections: (1) Administration; (2) Juvenile Expenses (non-Parent Child Representation Program); (3) Parent Child Representation Program Expenses and (4) Title IVE Federal as Other Funds and is organizationally designated under the Legal Operations of the agency.

The Juvenile Division provides trial-level representation to financially eligible parents and children in juvenile delinquency matters juvenile dependency matters, and termination of parental rights matters through two models: (a) trial-level contracts in 26 counties (currently budgeted under the Criminal Trial Division, but to be transferred to the Juvenile Division); and (b) Parent Child Representation Program (PCRP) provider contracts in ten counties. The PCRP counties are: Linn and Yamhill (2014); Columbia (2016); Coos and Lincoln (2018); Multnomah (2020); and Benton, Clatsop, Douglas, and Polk (2020). PCRP contract include attorneys and social work case managers that work as agents of the attorneys in select cases.

The Juvenile Division is designated as a non-mandated caseload for budget purposes.

LFO Recommendation Approve the package.

Budget Instructions The Public Defense Services Commission is to begin by July 1, 2022 the procurement of trial-level representation to parents in juvenile dependency cases and termination of parental rights cases as contacts separate and distinct from Trial Criminal procurement.

<b>LFO Recommended</b>	<b>21,448,525</b>	-	-	-	-	-	<b>21,448,525</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 802 2019-21 Interim Actions**

Package Description Reduce General Fund by \$14,000,000 and increase Other Funds expenditure limitation by \$14,000,000 (Federal as Other Funds from federal Title IVE funding). A similar action was previously approved by the Legislature during the Second Special Legislative Session in August of 2020; however, please note the amount has increased from \$9,000,000 to \$14,000,000 based upon the most current estimate of the agency.

The purpose of this package is to reflect federal payment of legal representation of financially eligible parents and children involved in foster care under the Parent Child Representation Program (PCRP). The adjustment reflects the availability of Title IV-E Federal Funds as reimbursement for state expenses. Title IVE funding for PCRP first become available during the 2019-21 biennium.

The Legislative intent is to follow a consistent and long-term approach for budgeting of Federal Title IVE funding.

LFO Recommendation Approve the package. The Legislative intent is to follow a consistent and long-term approach for budgeting of Federal Title IVE funding.

Budget Instructions The Public Defense Services Commission is to apprise the Legislative Fiscal Office of any material change in federal Title IVE funding received from the Department of Human Services.

<b>LFO Recommended</b>	<b>(14,000,000)</b>	<b>-</b>	<b>14,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Increase General Fund by \$22,899,406 for services and supplies - Professional Services.

The purpose of this package is to reconcile current service level funding with forecasted expenses for trial-level contracts in 26 countie as of May 2021.

LFO Recommendation Approve the package.

LFO Recommended	22,899,406	-	-	-	-	-	22,899,406	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 804 PCRPs Deficit**

Package Description Increase General Fund by \$10,421,529 for services and supplies - Professional Services.

The purpose of this request is to: (a) fund a 2019-21 administrative decision of Parent Child Representation Program into four counties: Benton; Clatsop; Douglas, and Polk; and (b) fund the carve-out of existing PCRPs counties from trial-level contracts, which may include the Multnomah County expansion. PDSC's administrative decision to expand into Benton; Clatsop; Douglas, and Polk was undertaken without legislative authorization or the prerequisite of legislative budgetary authorization.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>10,421,529</b>	-	-	-	-	-	<b>10,421,529</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 820 General Fund Holdback**

Package Description Reduce General Fund by \$10,192,365 for services and supplies - Professional Services.

The General Fund held back in this package will be placed in a Special Purpose Appropriation (SPA) appropriated to the Emergency Board for the Public Defense Services Commission. The holdback of General Fund is deemed necessary as the Commission is exempt by statute from allotment authorities (ORS 291.232) and therefore the Legislature is unable to request the unscheduling of funding for the agency.

LFO Recommendation Approve the request.

<b>LFO Recommended</b>	(10,192,365)	-	-	-	-	-	(10,192,365)	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
<b>2019-21 Agy. Leg. Adopted</b>	-	-	-	-	-	-	-	-	-
2019-21 Ebds, SS & Admin Act	-	-	-	-	-	-	-	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget</b>	-	-	-	-	-	-	-	-	-
<b>2019-21 Leg Approved Budget (Base)</b>	-	-	-	-	-	-	-	-	-
Summary of Base Adjustments	-	-	-	-	-	-	-	-	-
<b>2021-23 Base Budget</b>	-	-	-	-	-	-	-	-	-
<b>2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Adjusted 2021-23 Current Service Level</b>	-	-	-	-	-	-	-	-	-
<b>Total LFO Recommended Packages</b>	<b>12,486,505</b>	-	-	-	-	-	<b>12,486,505</b>	<b>30</b>	<b>28.77</b>
<b>2021-23 Legislative Actions</b>	<b>12,486,505</b>	-	-	-	-	-	<b>12,486,505</b>	<b>30</b>	<b>28.77</b>
Net change from 2019-21 Leg Approved Budget	12,486,505	-	-	-	-	-	12,486,505	30	28.77
Percent change from 2019-21 Leg Approved Budget	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%
Net change from 2021-23 Adj Current Service Level	12,486,505	-	-	-	-	-	12,486,505	30	28.77
Percent change from 2021-23 Adj Current Service Level	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 801 LFO Analyst Adjustments**

Package Description Establish the Administrative Services Division current service level by transferring \$8,868,366 of General Fund. and 16 previously legislatively-authored position (16.00 FTE) from budget structures that have been abolished as part the re-organization of the agency's budgetary structures. The recommendation includes a \$250,000 services and supplies - Professional Services reduction.

The Division is organized into the following sections: (1) Administration; (2) Budget; (3) Accounting/Accounts Payable; (3) Human Resources; (4) Procurement; (5) Facilities; (6) Information Services; and is organizationally designated under the Administrative Services of the agency.

The Administrative Services Division provides agency-wide administrative support in the following sections: (a) Procurement; (b) Budget; (b) Accounting; (d) Information Technology; (f) Facilities; and (g) Human Resources.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>8,868,366</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,868,366</b>	<b>16</b>	<b>16.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 802 2019-21 Interim Actions**

Package Description Increase General Fund by \$1,518,690 and authorize the establishment of six permanent full-time positions (6.00 FTE), including one Program Manager-4, one Program Manager-1, two Human Resource Analyst-2s, and two Accounting Technician-2s. The package includes \$239,160 in associated services and supplies. This action was previously approved by the Emergency Board in April 2020 (Item #11); however, \$231,981 General Fund was reduced for services and supplies - Information Technology Professional Services for one-time, base budget costs associated with the planning of the Financial and Case Management System (F/CMS).

The purpose of this request is for: (a) two Accounting Tech 2 positions to assist in timely processing of payments; (b) two Human Resource Analyst 2 positions to address increased workload associated with new positions and implementation of Workday, the new statewide personnel management system; (c) one Manager 1 position to oversee accounts payable; and (d) one Manager 4 position to oversee procurement.

Of note is that contrary to the direction of the Emergency Board authorization, and as requested by PDSC, the agency administratively reclassified the Manager-4 position to a Program Analyst-4 and the two Accounting Technician-2s to Accounting Technician-3s, among other classification changes unrelated to the Emergency Board authorized positions.

LFO Recommendation Approve the package, with the modification that the two Human Resource Analyst-2 positions are to be limited duration until such time as the workload of the Human Resources Unit can be established.

LFO Analyst Notes Position Classification Detail: one Program Manager-4 (1.00 FTE); one Program Manager-1 (1.00 FTE); two limited duration Human Resource Analyst-2s (2.00 FTE); and two Accounting Technician-2s (2.00 FTE).

<b>LFO Recommended</b>	<b>1,518,690</b>	-	-	-	-	-	<b>1,518,690</b>	<b>6</b>	<b>6.00</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 803 CSL Deficits**

Package Description Increase General Fund by \$18,944 for services and supplies.

The purpose of this package is the provide services and supplies for agency-wide expenses for the Senior Deputy Defender staff provided under this same policy package, but in the Appellate Division.

LFO Recommendation Approve the package.

LFO Recommended	18,944	-	-	-	-	-	18,944	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 805 External and Internal Auditing**

Package Description Increase General Fund by \$33,154 for service and supplies.

The purpose of this package is the provide services and supplies for agency-wide expenses for the Internal Audit Section staff provided under this same policy package, but in the Compliance, Audit, and Performance Division.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>33,154</b>	-	-	-	-	-	<b>33,154</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 806 Deputy Director**

Package Description Increase General Fund by \$35,521 for service and supplies.

The purpose of this package is the provide services and supplies for agency-wide expenses for Deputy Director and Executive Assistant provided under this same policy package, but in the Executive Division.

LFO Recommendation Approve the package.

LFO Recommended	35,521	-	-	-	-	-	35,521	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 807 Compliance and Research Function**

Package Description Increase General Fund by \$104,197 for service and supplies.

The purpose of this package is the provide services and supplies for agency-wide expenses for new staff provided under this same policy package, but in the Compliance, Audit, and Performance Division.

LFO Recommendation Approve the package.

<b>LFO Recommended</b>	<b>104,197</b>	-	-	-	-	-	<b>104,197</b>	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 808 Financial Management Augmentation**

Package Description Increase General Fund by \$806,160 and authorize the establishment of four permanent full-time positions (3.88 FTE), which include: one permanent full-time Fiscal Analysts-3/Accountant-4 (0.88 FTE); one permanent full-time Accounting Technician-2 (0.88 FTE); one permanent Program Analyst-1 (1.00 FTE); one permanent full-time Program Analyst-2 (1.00 FTE); and one permanent full-time Program Analyst-3 (1.00 FTE) as well as one limited duration Program Analyst-1 (1.00 FTE) and one limited duration full-time Program Analyst-2 (1.00 FTE). One permanent full-time Accounting Technician -3 (1.00 FTE) and one permanent full-time Operations and Policy Analyst-3 (1.00 FTE) are abolished. One permanent full-time Program Analyst-1 is reclassified to a Program Analyst -4 and converted into a Limited Duration position. The package includes \$56,979 in associated services and supplies; however, there is also a \$250,000 General Fund reduction to services and supplies - Professional Services.

The purpose of this package is to address augment budget, accounting, and procurement staffing levels and to add staffing to address the review of Non-Routine Expenses.

LFO Recommendation Approve the package.

LFO Analyst Notes Position Classification Detail: one permanent full-time Fiscal Analysts-3/Accountant-4 (0.88 FTE); one permanent full-time Accounting Technician -2 (0.88 FTE); one permanent Program Analyst-1 (1.00 FTE); one permanent full-time Program Analyst-2 (1.00 FTE); and one permanent full-time Program Analyst-3 (1.00 FTE) as well as one limited duration Program Analyst-1 (1.00 FTE) and one limited duration full-time Program Analyst-2 (1.00 FTE). One permanent full-time Accounting Technician -3 (1.00 FTE) and one permanent full-time Operations and Policy Analyst-3 (1.00 FTE) are abolished. One permanent full-time Program Analyst-1 is reclassified to a Program Analyst -4 and converted into a limited duration position.

<b>LFO Recommended</b>	<b>806,160</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>806,160</b>	<b>4</b>	<b>3.88</b>
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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**Package 809 Base Information Technology**

Package Description Increase General Fund by \$1,101,473 and authorize the establishment of four permanent full-time positions (3.13 FTE), which include: one Chief Information Office (0.88 FTE), one Information Support Specialist-3 (0.75 FTE), and two Information Support Specialist-2s (1.50 FTE). The package includes \$43,863 in position-related associated services and supplies and \$516,019 in services and supplies for Information Technology Services. The legislative expectation is that these positions will be a competitive recruitment.

In December of 2019, PDSC, administratively decided to eliminate the agency's information technology capability and staffing. This purpose of this package is to re-insource and establish an agency Information Technology Section by July 1, 2022. Until June 30, 2022, the Commission may continue contracting with an external entity for out-sourced information technology services. The services and supplies - Information Technology Professional Services budget totals \$521,544 General Fund

LFO Recommendation Approve the package, with \$516,019 General Fund for services and supplies - Information Technology Professional Services being a one-time expenditure.

LFO Analyst Notes Position Classification Detail: one permanent full-time Chief Information Office (0.88 FTE), one permanent full-time Information Support Specialist-3 (0.75 FTE), and two permanent full-time Information Support Specialist-2s (1.50 FTE).

<b>LFO Recommended</b>	<b>1,101,473</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,101,473</b>	<b>4</b>	<b>2.89</b>
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# Legislatively Proposed 2021 - 2023 Key Performance Measures

Published: 6/5/2021 5:00:59 PM

**Agency:** Public Defense Services Commission

**Mission Statement:**

Ensure the delivery of quality public defense services in Oregon in the most cost-efficient manner possible.

Legislatively Proposed KPMS	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. APPELLATE CASE PROCESSING - Median number of days to file opening brief.		Approved	217	180	180
2. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved	78.89%	95%	95%
	Accuracy		88.76%	95%	95%
	Availability of Information		70.97%	95%	95%
	Overall		77.89%	95%	95%
	Helpfulness		88.89%	95%	95%
	Expertise		85.71%	95%	95%
3. BEST PRACTICES FOR BOARDS AND COMMISSIONS - Percentage of total best practices met by Commission.		Approved	100%	100%	100%
4. TRIAL LEVEL REPRESENTATION - During the term of the OPDS contract, percent of attorneys who obtain at least 12 hours per year of continuing legal education credit in the area(s) of law in which they provide public defense representation.[1] [1] Case types listed in the 2014-2015 Public Defense Legal Services Contract General Terms are: criminal cases, probation violations, contempt cases, civil commitment cases, juvenile cases, and other civil cases. ( <a href="http://www.oregon.gov/OPDS/docs/CBS/ModelContractTerms/documents/ModKJan2014.pdf">http://www.oregon.gov/OPDS/docs/CBS/ModelContractTerms/documents/ModKJan2014.pdf</a> )		Approved	75%	90%	90%
5. PARENT CHILD REPRESENTATION PROGRAM (PCRP) - Percent of PCRP attorneys who report spending approximately 1/3 of their time meeting with court appointed clients in cases which the attorney represents a parent or child with decision-making capacity.[1] [1] For a discussion on determining decision-making capacity, see The Obligations of the Lawyer for Children in Child Protection Proceedings with Action Items and Commentary, Oregon State Bar, Report of the Task Force on Standards of Representation in Juvenile Dependency Cases (2014).		Approved	54%	95%	95%

**LFO Recommendation:**

Approve the existing Key Performance Measures, and the Key Performance Measure targets, identified in the above table, with the recommendation that the Commission be directed to work with the Legislative Fiscal Office to undertake a comprehensive review and restructuring of the Commission's KPMS, targets, and data to align with the new programmatic structure of the agency. Proposed KPM and target changes are to be submitted to the Legislature in 2023, based on the routine schedule for submission of KPM changes.

**SubCommittee Action:**