



# Oregon

**Public Defense Services Commission**  
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May 3, 2023

The Honorable Senator Aaron Woods, Co-Chair  
The Honorable Representative Nancy Nathanson, Co-Chair  
Joint Committee on Information Management and Technology  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairpersons:

## **Nature of the Request**

The Public Defense Services Commission requests that the Joint Committee on Information Management and Technology acknowledges receipt of the report.

## **Agency Action/Background**

The Subcommittee approved \$743,588 General Fund, on a one-time basis, and authorized the establishment of two positions (1.26 FTE) for the re-initiation of the planning phase of the Financial and Case Management information technology project. The Public Defense Services Commission (PDSC) is responding to the following budget note which was also approved:

**BUDGET NOTE:** The Public Defense Services Commission is directed to report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means during the 2023 legislative session on the status of the re-initiation of the planning phase of the Financial/Case Management System (F/CMS) information technology project. The report shall include: a detailed business case, project timeline, and cost estimates. The Commission is to follow the Stage Gate, or a similar discipline process related to information technology projects, including development of key artifacts and independent quality assurance oversight.

The PDSC has been continuously working towards the implementation of a financial and case management system (FCMS project) that is expected to be used systematically by Oregon's public defense providers and internal agency staff by the end of the 2023-25 Biennium. This project is expected to provide the agency, providers, and key stakeholders with critical real time data, case management tools, and financial payment processing functionalities, which will drastically streamline the overall success and outcomes awareness of Oregon's public defense system. PDSC, like many public defense agencies around the country, is failing to achieve its mission of providing competent and timely public defense services, and the system in which this failure is amplified because the agency lacks sufficient transparency, oversight, and accountability in its contracts with public defense providers.

Over the last three years PDSC has received several reviews of current business practices, capabilities, and public defense performance. The Sixth Amendment Center (6AC) published their report in 2019 which primarily focused upon governance, service delivery models, and internal practices. The American Bar Association (ABA) published a report in 2022 describing the deficit of available public defenders and the need for proper data management and analysis. The ABA pointed directly to the need for the Commission to acquire a centralized data system with the purpose of capturing basic, critical public defense information<sup>1</sup>.

In June 2022, Governor Kate Brown addressed her support of public defenders in Oregon, noting the work conducted by each lawyer and public safety stakeholder is critical to the success of Oregon's public defense. Brown specifically stated her support regarding the need for change with the following statement:

*"The current crisis in Oregon's public defense system has many contributing causes and few immediate cures. To attract and retain lawyers to do this necessary work, caseloads must be reasonable, and salaries must be higher than they currently are. And the entire public defense system must be accountable for the public funds invested in it."<sup>2</sup>*

PDSC understands that this is a systemic issue, however, it is further fractured by the current inadequate technical solutions to process, analyze and report public defense outcomes. Without proper reporting capabilities the PDSC is left with little useful information to effectively support not only recipients of public defense, but those who administer the work. Currently, all data acquired for analyses is provided through contractual requirements or data share agreements with partner agencies. These data sources are not always consistent and often do not offer accurate or reliable data elements.

On June 1, 2022, PDSC presented before the Legislative Joint Emergency Board Subcommittee on General Government during a work session regarding agency reports. It was during this meeting the Subcommittee noted the need for multiple agency plans. With many organizational changes from HB 5030 (2021) PDSC has implemented several workgroups to better understand the requirements of HB

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<sup>1</sup> The American Bar Association and Moss Adams. 2022. The Oregon Project *An Analysis of the Oregon Public Defense System and Attorney Workload Standards*. Pg. 5. Retrieved from: [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls-sclaid-or-proj-rept.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls-sclaid-or-proj-rept.pdf)

<sup>2</sup> Governor Brown (Oregon). (2022, June 3). Response Letter to the Past Presidents of the Oregon Criminal Defense Lawyers Association.

5030, as well as begin to align critical agency practices. As part of this identification and internal analysis PDSC continues to find among its top priorities the implementation of the FCMS project. The agency has developed critical data elements and system requirements to bring before public defense stakeholders.

The Commission is dedicated to move forward with ensuring public defense is improved in Oregon and will be accomplished through the careful considerations of business transformations. In addition to evaluating business modernization, HB 2003 (2021) further drives the agency's goal to employ a system that provides data collection tools that allow staff to more accurately monitor attorney caseloads, thus ensuring compliance with national best practice standards,<sup>3</sup> and report on the impact of public defense services to stakeholders through detailed data. Financial accountability will be met through the ability to produce detailed financial reports, deliver payments to providers per the Oregon Accounting Manual<sup>4</sup> processing timelines, and manage/audit requests for attorney case support service (CSS). The ability to collect a robust set of data from the FCMS system will afford the agency with the ability to analyze attorney caseloads against varying data sets (*national, state, and local*), and support the design and implementation of the compliance, audit, and performance (CAP) section of the agency. With an integrated financial and case management system PDSC will be able to provide the Oregon Legislature, Governor's office, stakeholders, and others with information and data on Oregon's public defense best practices, contract projections, and key performance measure indicators.

To provide a system solution for internal and external use PDSC has two options to consider: Commercial Off the Shelf (COTS) or a custom solution. Custom solutions allow an organization to build a solution to fit every systematic need through custom development, whereas a COTS solution provides a configurable platform with minimal customization needs. When looking at cost benefits custom solutions are typically higher in cost both initially and long term, longer to implementation, and require ongoing development and support. COTS solutions offer the most flexibility to an organization as they are a previously developed product, leaving minimal ongoing costs for the purchaser. The FCMS Project team has analyzed several financial and case management solutions that are currently on the market, and recommend the agency select a COTS solution. As stated previously a COTS solution offers an organization a cost-effective solution where the onus of ongoing development is on the solutions vendor and is configurable with minimal customization.

In addition to the integration needs, the solution will include technical and configuration training support services, and in-depth user training support services. The Request for Proposal (RFP) will be the basis for negotiations which leads to a vendor contract designated to provide the services described in this business case. The main objectives that PDSC will accomplish through this project are an increase in internal efficiencies, elimination of redundant and manual processes through workflow and electronic document management, contract management through effective and efficient data collection supported by integration capabilities, and internal and external data exchange to produce reports on caseloads and outcomes.

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<sup>3</sup> New York Office of Indigent Legal Services. (2016). *A Determination of Caseload Standards pursuant to § IV of the Hurrell-Harring v. the State of New York*.

<sup>4</sup> Department of Administrative Services. (2019). *Oregon Accounting Manual*. Chapter 15. Salem, Oregon. Retrieved from <https://www.oregon.gov/das/Financial/Acctng/Documents/15%20Accounting%20and%20Financial%20Reporting%20search.pdf>.

During the 2017, 2019 (HB 5532), and 2022 (HB 5202) Oregon Legislative Sessions, PDSC has received funding for initiation efforts as they relate to the implementation of a financial and case management system. Although several iterations of project initiation did not produce a completed product, the work conducted has continued to support current efforts to meet the requirements of HB 5202 (2022).

Project work conducted between 2017-2021 was as follows:

#### General Government Subcommittee Recommendation (2017)

- Recommended budget of \$66,000 to address workload needs in the Contract and Business Services Division through the end of the biennium
  - Commission was experiencing higher than anticipated payments for contract public defense services, as well as some technical difficulties with its financial management system. Approval of the request will maintain timely processing of payments to public defense contractors.
- PDSC contracted Public Knowledge for project management support in finding a solution vendor.

#### 2019 HB 5532

- PDSC received a \$2 Million Special Purpose Appropriate (SPA) for the acquisition of a new financial management system.
- Contract with Oregon Judicial Department (OJD) Enterprise Technology Services Division (ETSD) to support the project with project management, develop project documentation
  - Business Case
  - Project management documents
  - Initial risk assessment
  - Quality Control reviews to the Legislative Fiscal Office (LFO) for Stage Gate review

#### 2022 HB 5202

- PDSC hired two certified project managers to oversee the re-initiation efforts. Since resourcing the project as stated in HB 5202 (2022), the Financial and Case Management System (FCMS) Project team has accomplished the following:
  - Establishment of Project Governance and Steering Committees
  - Finalization of Project initiation documents
    - a. Project Business Case (**Appendix A**)
    - b. Project Scope
    - c. Project Governance
    - d. Project Charter
  - Initial Project timeline (**Appendix B**)
    - e. Fully executed timeline will be completed once a system vendor has been selected.
  - Cost estimates (**Appendix C**)
    - f. Estimates are in the Project Business Case and will be more widely understood once the Project enters the RFP process for a system vendor
  - Procurement of a Quality Assurance (QA) vendor

- g. Working directly with the contracted QA vendor on deliverables and project quality to date.
  - i. Quarterly Quality Assurance Report. (**Appendix D**)
- The FCMS Project team has adopted a Stage Gate like process as their methodology to move the project from initiation to implementation. Following are details related to each of the priorities and their respective purpose to the overall success of the FCMS implementation.

### System Solutions

The FCMS project team has analyzed Oregon's public defense system from both internal and external perspectives, compared outcomes of Oregon to a variety of other states in the country, and reviewed several reports which discuss the unconstitutional state of Oregon's public defense service delivery model. From these analyses the project team was able to compile a list of just over 900 system requirements. These requirements have afforded the project team with the ability to reach out to vendors across the country to look for viable solutions that would best meet the needs of all users. Upon speaking with members of the American Bar Association it appears there are roughly 28 potential vendors, with four to five (4-5) being most qualified for the system needs of PDSC and its contracted providers. The project team has been in contact with several potential bidders and have received several product demonstrations. These demonstrations provided the team with foundational product knowledge which has assisted in conversations with stakeholders and to further build out system requirements.

Without having a systems vendor procured, the FCMS project team must make assumptions to the overall project schedule and budget with minor adjustments to scope and requirements. Currently the project team is tracking project deliverables in a high-level project management plan. This plan lines out the projected budget, items that are considered in and out of scope, proposed milestones, project risks and developed a RACI<sup>5</sup> chart to ensure all parties are kept informed and aware of project communications and work product. Much of this schedule will remain fluid until a system vendor has been procured. However, once the vendor has been procured, the project team will work with the vendor on a full statement of work (SOW) and exact timelines, cost of implementation, and total cost of ownership; to include the cost of ongoing operations and maintenance.

Regarding the implementation strategy, the project team believes the best approach will be met through a multi-phased roll out. The initial roll out will be to PDSC's Appellate Division, internal staff and early adopters. This period will allow the system to go-live in a more controlled environment and ensure that the system functions as intended with minimal to no interruptions in service. It will be at this time that the agency will rely heavily on their business and systems analysts to ensure processes and workflows are well defined, understood, and operational.

In conjunction with procuring a system vendor, PDSC will also require agreements with key partners within Oregon government. Currently PDSC maintains a data share agreement with the Oregon Judicial Department (OJD) for public defense court related data, and interfaces with RSTARS<sup>6</sup> for the agency's

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<sup>5</sup> RACI is an acronym for Responsible, Accountable, Consulted, and Informed

<sup>6</sup> Explain RSTARS

accounting function. The FCMS system will be required at a minimum to interface with Oregon's RSTARS system and accept data files from OJD's court system and contracted providers.

PDSC has been limited for years with regard to data collection, processing, and analysis. Since the findings of the 6AC and ABA, PDSC has made many attempts to find ways to better manage the agency's ability to report out on Oregon's public defense system. The FCMS project team reached out to the Oregon Criminal Justice Commission (CJC) to inquire about data elements that may need to be considered outside of the high-level requirements that were presented to the Tri-Branch Workgroup in November 2022. This was a fruitful conversation that supports the ideology that PDSC desires to work with system partners to better understand public defense outcomes and identify areas in the system that are lacking.

To ensure that PDSC is capable of addressing the growing concerns around public defense there are many factors that must be considered. However, the purpose of this report is to provide one solution that the agency believes is foundational to moving the current public defense system from a state of turmoil to one that can support Oregon in its charge of providing effective counsel. Achieved through the FCMS the agency will at a minimum be capable of the following:

- Data Management
  - Data analysis
  - Reporting
  - Caseload forecasting
  - Auditing
- Financial Management
  - Bill submission/reimbursement
  - Provider payment tracking
  - Case Support Services (CSS) requests
  - Auditing
- Case Management
  - Timekeeping
  - Calendaring
  - Case events
  - Case dispositions
  - Document management

These critical areas will offer not only the agency better tools, but also those who provide public defense services.

### **Project Guidance**

PDSC is dedicated to meet the foundations of a detailed, well-designed implementation with the FCMS project. To ensure that the project functions effectively the project team has taken direction from several Legislative bills, the EIS project framework, and the Project Management Institutes (PMI) project management principles. These frameworks have been lined out in the following sections.

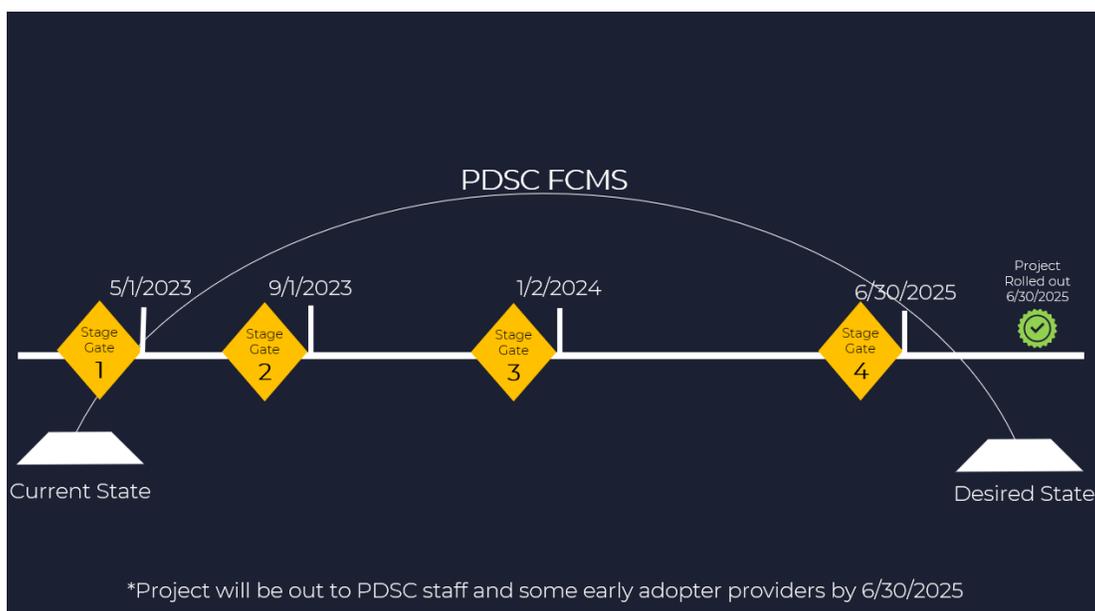
### Stage Gate

Although the PDSC resides in the judicial branch of government and is not required to utilize the Enterprise Information Services (EIS) Stage Gate framework; the foundations provide the FCMS Project team with guiding principles to better support project initiatives. During the 2019 and 2022 Legislative sessions, it was suggested that the PDSC utilize Stage Gate or a similar framework. To date the utilization of the Stage Gate process has allowed the FCMS project team to better apply project management methodologies to track, monitor and evaluate project status and overall project health.

Currently the FCMS project is wrapping up the Initiation phase of the Stage Gate process. The FCMS Project team is beginning to work on some of the planning artifacts found in Stage Gate 2 (two) the Resource, Solution Analysis, and Planning phase as the project awaits approval of the 2023-25 Legislatively Adopted Budget. Some of the key artifacts that will be achieved during Stage Gate 2 include:

- Project Management Plan
- System vendor RFP
- Current, Future and Gap Analysis
- Solution Analysis
- Scope
- Schedule
- Budget
- System Security Plan
- Requirements
- Organizational Change Management Plan
- Project Status Reports
- Independent QA/QC Deliverables

The FCMS Project team has produced an initial project timeline. Below is a high-level stage gate overlay. **Appendix G** provides a detailed timeline. Depending on approved funding the project is slated to be implemented to early adopters by June 30, 2025. A roll out plan will be created to ensure a seamless implementation occurs, while also providing end users with effective system training.



## Project Governance

The FCMS Project team began project Governance Committee meetings in August 2022. The agency's Deputy Director was initially designated as the Project sponsor and was responsible for the overall success of the project completion. In April 2023, the Executive Director formally transitioned into the Project sponsor role. The Governance Committee's membership is now at six (6) members with five (5) voting and one (1) non-voting. The main charge of the Governance body is to conduct the following functions:

- Establish the basis for project governance, approval, and measurement
- Evaluate project proposals
- Enable resourcing for the project
- Define the "desired business outcomes"
- Control scope, funding, and delivered project value
- Approve and monitor project and project schedule
- Monitor the project's progress
- Measures the outputs, outcomes, benefits, and value
- Act to steer the project, removing obstacles
- Develop the agency's project delivery capacity

In September 2022, the Governance Committee worked with the FCMS Project team to review and approve all project documents, project status reports, and assist with recommendations for Steering Committee membership. The Steering Committee is comprised of 14 members, eight (8) of which are internal OPDS staff and six (6) who are external public defense providers (consortia, private, contracted providers, and investigators). This diverse membership will support the project with developing project requirements as they pertain to every end user. The Steering Committee has similar functions to that of the Governance Committee, but are defined as follows:

- Monitor and review the project at regular meetings
- Provide assistance to the project when required
- Control project scope should emergent issues force changes to be considered
- Recommend approval of project plans, and significant changes to project scope
- Review monthly project management reports
- Review draft project policies
- Raise potential issues to the Governance Committee
- Review Quality Assurance reports

The FCMS Project team supports these governing bodies and the project as follows:

- Identify project goals, needs, and scope
- Planning, monitoring, and documenting tasks throughout the project
- Ensuring all tasks, deliverables, and project materials are delivered promptly
- Managing all resources necessary for project execution

- Fostering effective communication with stakeholders concerning project status
- Foreseeing and strategically eliminating blockers and potential risks

PDSC has been fortunate to have many interested parties when it comes to the outcomes of Oregon's public defense model. In particular the PDSC reported to the Data and Forecasting Subgroup of the Tri Branch Workgroup on the agency's current IT capabilities and discussed several items that show how the FCMS project will improve reporting and inform the CAP division. Presented were high-Level data requirements to support the FCMS implementation and CAP function are as follows:

- Timekeeping
- Role of Party
- Client Information
- Client Demographics
- Case Information
- Activity
- Charge Information
- Attorney/Provider Information
- Service Providers
- Attorney Case Information
- Billing Information
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#### Business Transformation

Over the last several biennia PDSC has encountered a multitude of organizational setbacks and inefficiencies related to operational development. The Sixth Amendment Center (6AC, 2019) provided the PDSC with foundational recommendations that would better support Oregon's ability to execute public defense. As part of their recommendation the 6AC noted the agencies inability to properly collect and analyze public defense data while providing sufficient oversight or financial accountability<sup>7</sup>.

The PDSC is responsive to the need for change and is looking to strategic analyses for the betterment of public defense outcomes in Oregon. Part of this change is the need for business transformation. The business transformation process encompasses fundamental changes in how the agency runs while providing an opportunity for the agency to become more efficient. One strategic factor the PDSC finds imperative to the success of Oregon's public defense system is the FCMS project. This solution will afford not only internal staff, but external users (contracted providers) with a seamless solution that can provide real time data, case management, and the ability to process and receive timely payments. To ensure that the FCMS project is considering the business transformation needs, the Project team will be implementing six critical strategies as the Project moves from inception to implementation, these strategies include:

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<sup>7</sup> Sixth Amendment Center. 2019. The Right to Counsel in Oregon: *Evaluation of Trial Level Public Defense Representation Provided Through The Office Of Public Defense Services.*

- **Project Strategy** – Providing internal and external users with a consolidated solution to manage and store case information, submit payment reimbursements, and report on the effectiveness of Oregon’s public defense system.
- **Sponsorship Framework** – The FCMS Project will be supported by a Governance and Steering Committee, with the Governance Committee maintaining approval and ownership of project outcomes.
- **Execution Roadmap** – Will support the FCMS Project and interested parties with high-level timelines of project progression and expected results.
- **Transition Strategy** – Focuses on the long-term strategy of PDSCs overall business transformation. It will support the project in procuring a viable solution that will fit agency needs for public defense related work.
- **Solution Vendor** – Will provide PDSC with an effective COTS solution, and ongoing solution support.
- **Change & Adoption** – The FCMS Project team will utilize the ADKAR methodology to support PDSC through the change and adoption phases required in the FCMS project.

### Quality Assurance

In December 2022, the PDSC contracted with Hittner & Associates for independent quality management services (also known as Quality Assurance (QA)). Hittner & Associates will provide quality assurance and quality control services through two (2) phases of the project, Phase one to review all project work lined out in HB 5202 (2022), and Phase two to review all project work that will occur once the Project is funded. The Hittner & Associates statement of work (SOW) maintains five (5) deliverable areas in which their work will be focused upon:

- Risk Assessment
- Quality Planning
- QA Status Reporting
- Quarterly QC Status Reporting
- Independent Solution Testing (*reserved but not required*)

During the initial Project risk assessment Hittner & Associates found high risk in several categories. Although high risk was found, it is not unexpected in the early phases of project initiation. In the quality assurance status report<sup>8</sup> (Hittner, 2023) the following categories were identified as high risk:

- Project Status & Health
  - With significant changeover in leadership, there is not universal agreement on even the high-level scope of the Project (Financial Management, Case Management, Reporting). It is extremely difficult for a project to succeed without agreement and support from Executive leadership. While there can be disagreements on how to implement or even what solution is chosen, all should agree on the basic scope of the Project.

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<sup>8</sup> Hittner, Ron., 2023. Project Risk Assessment Report: Deliverable 1.1P1.

- Requirements need to be reviewed with a broader audience of stakeholders to ensure they are complete and at the appropriate level of detail on which vendors can propose a comprehensive solution and understand where their solution's gaps exist.
- The Project Team is understaffed for the work ahead. The current team consists of co-Project Managers (PM's). While this has been sufficient to date, there is significant business and technical analysis ahead during the procurement phase to warrant additional staff. While additional staffing is being requested in the 2023-2025 Policy Option Package (POP) presented to the Legislature for the upcoming sessions which officially convenes on March 16, 2023. In addition to the PM's, the Project should have two Business Analysts (BA's) and one Information Technology Specialist (ITS) that would be involved throughout the procurement and continuing into project implementation. Short of having those resources available, procurement tasks must be realistically planned with durations longer than would be with a full team.
- Schedule
  - The Hittner Team believes it will be very difficult to meet the milestones noted in our interviews of releasing the RFP, due to some key tasks that will take some time over the next few months.
- Scope/Quality
  - While the Project Scope is well defined in the Business Case, there is not agreement within Executive Leadership on what the scope and focus of the Project should be. This is a significant business transformation project (rather than just an IT project) and business process changes are always very challenging on multiple fronts. Due to this, Hittner & Associates rates this area as a high risk until this issue can be rectified or significantly mitigated.
  - Also, proposed legislation in the current Legislative session would direct OPDS to bring public defense service in house, thus making all public defenders State employees. If passed, such legislation could have a significant effect on the scope, approach, and requirements of this Project. As noted earlier in the Executive Summary, Hittner & Associates strongly recommends that OPDS know the outcome of this proposed legislation prior to releasing the FCMS RFP.
- Resources
  - The Project Team is understaffed for the work ahead. In addition to the co-PM's currently working, ideally there would be two Business Analysts and a Technical Architect. They all would be working requirements refinement, stakeholder outreach, RFP creation, coordination and participation in proposal reviews and selection. There are many sub-tasks under each of these main tasks and a significant workload ahead.

Included in Hittner & Associates SOW is the support that will be provided to the FCMS project. Project support will be effectuated through risk mitigation, quality control and quality assurance reviews. Hittner & Associates has been working closely with the FCMS Project team to ensure that the project continues trending up and meeting project milestones.

## Change Management

Change Management is a methodology that has proven successful for organizations who are moving through significant business transformations. PDSC is looking at many organizational changes and will require a significant amount of effort at the leadership level to ensure internal staff and those who interact with the agency are engaged throughout these change initiatives.

The FCMS Project team will be utilizing the PROSCI Change Management principles as the Project moves through the Stage Gate process. These principles are achieved through the utilization of the ADKAR Model (*Awareness, Desire, Knowledge, Ability, and Reinforcement*) and can be further defined as follows:

- A** *Awareness* of the need for change
- D** *Desire* to support and participate in the change
- K** *Knowledge* of how to change
- A** *Ability* to implement required skills and behaviors
- R** *Reinforcement* to sustain the change

These principles are implemented through the following:

- Change Management Strategy Development
  - Assess the change
  - Assess the organization
  - Assess the risks and challenges
  - Design special tactics
  - Form team and sponsor models
  - Assess team readiness
- Change Management Activities
  - Communications
  - Sponsorship
  - Training
  - Coaching
  - Resistance Management
- Change Management Elements
  - Awareness
  - Desire
  - Knowledge
  - Ability
  - Reinforcement
- Business Results
  - On time
  - On budget
  - Achieve business objectives
    - Lower costs

- Increased revenue
- Improved quality
- Return on investment (ROI)

In summary, the change management function will afford the agency with an introductory view of the processes and how they support the people side of change; something that is vital to the overall morale of the agency.

## **Project Update**

### Project Status

Since May 2022, the FCMS project team has worked through the requirements outlined in HB 5202 (2022). During this time the project team has been recording project progress in monthly status reports that are supplied to Governance and Steering Committees. These high-level status reports monitor the overall project status, scope, schedule, budget, and risk.

To date the project status shows that the FCMS project is on track (green). The project team has given the project this rating as it has met the requirements lined out in the HB 5202 (2022) budget note. While the project status is green, it is approaching a reduction in progress moving from green to yellow<sup>9</sup>. The status trending downward is due to unforeseen budgetary appropriations that would support the project in moving forward with a Solutions vendor request for proposal (RFP). If the project is funded through the agency's policy option package (POP) 105, the project would have adequate funding to responsibly move forward with releasing a Solution vendor RFP (*projected release date is September 2023*).

In December 2022, PDSC procured Hittner & Associates to conduct a quality assurance review of the FCMS project. Since bringing on Hittner & Associates the FCMS project team has been working through the QA reviews of project artifacts, QA status reports, and other key QA deliverables. Hittner & Associates completed their first deliverable (Project Risk Assessment) in January 2023. This report was most critical to the project to ensure full understanding of what risks were associated with the project. As noted earlier, there were four (4) critical areas where high risk was associated (Project Status/Health, Scope, Schedule, and Budget). The project team worked with the Governance Committee as well as Hittner & Associates to understand the areas of concern and begin strategizing on ways to improve those findings. In April 2023 Hittner & Associates provided the FCMS project team with a quarterly quality assurance report (**Appendix D**), the findings in this report show the project is trending in the right direction moving items from high risk to medium risk. Although, some areas that were originally considered high risk remain, the remarks around the growth and action taken show improvement.

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<sup>9</sup> Yellow: a mitigation strategy should be considered, and additional assistance may be needed.

### Project Scope

As mentioned earlier, the FCMS project faces some risk regarding project scope. Hittner & Associates noted “*the Project Scope is well defined in the Business Case, there is not agreement within Executive Leadership on what the scope and focus of the Project Should be*<sup>10</sup>”. The FCMS project team has taken these findings and began working through continued conversations with both the Governance and Steering Committees around Project scope. To ensure that the project does not face any delays this body of work is being conducted in conjunction with the requirements gathering process. These efforts were confirmed with Hittner & Associates most recent report moving the scope risk from High to Medium<sup>1112</sup>.

### Project Schedule

Since May 2022, the FCMS project team has been working through task identification and resource management. To effectively collect, manage, and monitor project activities the project team began utilizing the Asana® platform to track the project schedule in a work breakdown structure (WBS)<sup>13</sup> format. The utilization of a WBS has afforded the project team with the ability to see where tasks are meeting milestones, approaching critical delays or are ahead of schedule. These factors are critical to ensure that the schedule is not jeopardized.

At the close of March 2023, the project team had highlighted the overall project schedule as on track (green). However, upon review of the most recent quarterly status report from Hittner & Associates, the project team will be backing the schedule down to red. Hittner & Associates reported that the schedule was still considered high risk as “the project team will need to lay out a complete schedule for the procurement work that includes all tasks, necessary resources, and durations”. The project team agrees with this finding as there are several factors that impact the upcoming schedule to include budget, resource availability, procurement/RFP, and system implementation.

### Project Budget

As the 2021-23 biennium comes to a close, so does the budget as it was provided to the agency through HB 5202 (2022). With combined staff salary and the quality assurance deliverables the FCMS project utilized \$300,240 of the \$743,588 General Fund budget that was allocated. Hittner & Associates have sought reimbursement of six (6) of the eleven (11) deliverables that are to be completed by the close of the 2021-23 Biennium.

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<sup>10</sup> Hittner & Associates. 2023. Project Risk Assessment. *Financial and Case Management System (FCMS) Project*.

<sup>11</sup> Hittner & Associates. 2023. Quarterly Quality Status Report #1. *Financial and Case Management System (FCMS) Project*.

<sup>12</sup> Risk Ratings from Hittner & Associates

- High Risk: The project exhibits the high-risk cue, or something similar in threat
- Medium Risk: The project exhibits the medium risk cue, or something similar in threat
- Low Risk: The project exhibits the low risk cue, or appears to have no risks in the area.

<sup>13</sup> Project schedule is fluid until the procurement of a system vendor has been procured.

**Abbreviated Administrative Services Division (ASD) forecast**

Forecast as of fiscal month ended March 31, 2023

| (in terms of General Fund)                | Up to House Bill 5045 (2023) |                   |                  | Including House Bill 5045 (2023) |                   |                  |
|---|------------------------------|-------------------|------------------|----------------------------------|-------------------|------------------|
|   | Budget                       | Forecast          | Variance         | Budget                           | Forecast          | Variance         |
| Financial and Case Mangement System       | 743,588                      | 370,832           | (372,756)        | 268,588                          | 370,832           | 102,244          |
| All other ASD sections                    | 13,393,453                   | 13,146,775        | (246,678)        | 13,393,453                       | 13,146,775        | (246,678)        |
| <b>Total Administrative Services Div.</b> | <b>14,137,041</b>            | <b>13,517,607</b> | <b>(619,434)</b> | <b>13,662,041</b>                | <b>13,517,607</b> | <b>(144,434)</b> |

Prior to the passage of HB 5045 (2023), PDSC was facing a potential budgetary shortfall in the Juvenile Division due to the unreliability of Title IV-E money. The agency looked to areas within the Administrative Services Division (ASD) where there was a surplus of General Fund dollars that could be repurposed. In February 2023 PDSC presented a rebalance report and request to rebalance some portions of General Fund dollars. Part of the agency rebalance request was the reduction of the FCMS budget by \$475,000 to support the agency’s Juvenile Division.

Planned Activities/Milestones

To date, the FCMS project team has met 82% of the milestones set out in the project management plan for stage gate 1. The project team is projecting the project will be ready for a stage 1 endorsement by the close of May 2023. The activities from this timeline include:

- Project Status Reports (July 2022-April 2023)
- Restructuring of Project Governance Committees
- Document Refresh (Business Case, Project Scope, and Governance Document)
- Procurement of iQMS vendor (Quality Assurance/Quality Control Review)
  - Risk Assessment
  - Quality Planning
  - Quality Control
  - Quality Status reporting
- Project Restart/Kickoff

Once the FCMS project has been funded the project team will begin working on Stage gate 2. Work to be conducted in this timeline is as follows:

- Project Plan
- Requirements Gathering/Traceability Matrix (RTM)
- System Vendor Procurement/RFP Process

Stage gate 2 endorsement is expected to be achieved by September 1, 2023. Stage gate 3 and 4 is where a large volume of work is expected to be delivered with Stage 4 reaching endorsement June 30, 2025.

Work expected in this timeframe is a bit fluid as it will change once a system vendor has been procured, however, the following milestones have been identified:

- System Vendor SOW
- Baseline Project Plan
- System Security Plan
- Schedule Milestone Summary
- Baseline Budget
- Deliverable Management Plan
- RTM
- Test Evaluation Documentation
- Cloud Workbook
- LFO Readiness Assessment
- System Implementation
- Independent QA Deliverables
- Disaster Recovery Plan
- Training Plan and Materials

#### Hiring/Procurement Activities

As noted earlier, the PDSC has hired two Project Management Institute (PMI) certified Project Managers to manage the budget note request from HB 5202. Moving forward these positions will need to be funded full time with the expectation they will shift from project management to a systems analyst's function. PDSC has recently posted a Business Analyst position to ensure that the agency can begin collecting current processes which will help develop workflows to support operational needs of the agency and building out system requirements.

In December 2022, the PDSC procured an iQMS vendor, Hittner & Associates to conduct a quality assurance review of the project and several other critical deliverables that will support the project in meeting quality benchmarks.

## **2023-25 Policy Option Package Request**

PDSC proposes the procurement of the FCMS project to support the agency in meeting its mission and to begin understanding public defense outcomes at a deeper level. For the first time, the agency will be capable of producing outcome driven reports, make recommendations for attorney caseloads, and follow the recommendations of the 6AC as well as the ABA, along with national standards of public defense. Many of these capabilities will support the unanswered questions of the legislature and ensure that taxpayers are seeing a result of their contributions.

Coupled with the ability to audit and report out on findings will be the support function for contracted attorney's and providers. Over the last several years PDSC has faced criticisms regarding bill processing and timely reimbursements. The FCMS system will allow for those contracted with the agency a platform that will bridge the gap of billing submission and processing, further narrowing the timeline from submission to payment.

To ensure that the agency can meet the needs and purpose of this project significant funding and support from the legislature is required. In the 2023-25 Policy Option Package (POP) for the FCMS project the agency is requesting \$7,472,009 General Fund. The cost analysis that supports the request was from market research conducted in 2020, and again in 2022. The analysis included a 10% contingency to account for increase of service cost from the 2022 analysis.

At this time the PDSC anticipates the 2023-25 POP request to parallel the responses received from the request for proposal (RFP) submissions. Although, these estimations have been fully analyzed there is the potential need for the agency to come back to the Legislature during the 2024 Legislative session to provide a finalized contract value, as a system vendor is set to be procured by the close of calendar year 2023. PDSC is confident that their 2023-25 request will support the project through the initial implementation phase. It will be during the 2025-27 Legislative session that the agency will request the remaining project implementation costs which are projected to be approximately \$3 million General Fund.

To support the implementation and project needs of the FCMS project, it is critical that the agency maintain full time staffing in the following roles:

- Project Management (OPA 3) – 2.0 FTE
- Business Analyst (OPA 3) – 2.0 FTE
- Database Administration (ITS 4) – 1.0 FTE

These support roles will ensure that the project follows the guidance of a stage gate framework, manage project deliverables, milestones, status and overall health, develop and design business processes and workflows, as well as maintain the overall database structure and security. Once the system is fully operational the two OPA 3 Project Managers will transition into a systems analyst function. This will provide the system with ongoing technical support and training as new users come online.

May 3<sup>rd</sup>, 2023

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**Action Requested**

The Public Defense Services Commission requests that the Joint Committee on Information Management and Technology acknowledges receipt of the report.

Sincerely,

A handwritten signature in black ink, appearing to read 'JK', written in a cursive style.

Jessica Kampfe,

Executive Director, Office of Public Defense Services Commission



OREGON OFFICE OF  
**Public  
Defense  
Services**

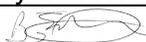
# PDSC Financial and Case Management System

Business Case Version 3.0

# Authorized Signatures

|                                      |  |              |                 |
|--------------------------------------|--|--------------|-----------------|
| PROPOSAL NAME AND DOCUMENT VERSION # | <b>PDSC Financial and Case Management System Project Business Case</b> |              |                 |
| AGENCY                               | Public Defense Services Commission - Office of Public Defense Services | DATE         | August 15, 2022 |
| AGENCY CONTACT                       | Jim Conlin   | PHONE NUMBER | (503) 378-2165  |

The signatures in this section attest to a review and approval of the business case as proposed.

|   |                        |
|---|------------------------|
| <b><i>This table to be completed by Agency</i></b>  |                        |
| <b>Agency Head or Designee</b>  |                        |
| Brian Deforest  | (Date) August 15, 2022 |
| OPDS Deputy Director  |                        |
| Signature  |                        |
| <b>Agency Executive Sponsor</b>   |                        |
| Ralph Amador  | (Date)                 |
| OPDS Budget Manager   |                        |
| Signature   |                        |
| <b>Agency Executive Sponsor</b>   |                        |
| Eric Deitrick   | (Date)                 |
| OPDS General Counsel  |                        |
| Signature   |                        |
| <b>Agency Executive Sponsor</b>   |                        |
| Wendy Heckman   | (Date)                 |
| OPDS HR Manager   |                        |
| Signature   |                        |
| <b>Agency Chief Information Officer (CIO)</b>   |                        |
| Jim Conlin  | (Date)                 |
| OPDS CIO  |                        |
| Signature   |                        |

# Document Information

## 0.1 Document Purpose

This document describes the overall system needs and modernization efforts required to ensure that the Public Defense Services Commission (PDSC) can effectively address the current public defense crisis in Oregon and how a Financial and Case management System (FCMS) will afford those efforts to be achieved. .

## 0.2 Revision History

| Revision | Date      | Author   | Comments                |
|----------|-----------|--|-------------------------|
| Original | 6/4/2020  | B. Meyer; K. Styles                                      | Original draft.         |
| 0.1      | 7/6/2020  | B. Meyer; K. Styles; OJD                                 | Refinement; edits.      |
| 0.2      | 7/22/2020 | B. Baehr; C. Fowler                                      | Initial edited version. |
| 0.3      | 7/23/2020 | Team Review  | Edits and additions.    |
| 0.4      | 7/27/2020 | Team Final Review  | Review; edit.           |
| 1.0      | 7/27/2020 | Team approval.   | Final document.         |
| 1.1      | 8/17/2020 | Governance and Steering Committees                       | Edits and additions.    |
| 2.0      | 8/31/2020 | Governance and Steering approval                         | Final document          |
| 2.1      | 5/31/2022 | B. Meyer; K. Styles                                      | Document Refresh        |
| 2.2      | 8/11/2022 | Peer Review  | Edits; Comments         |
| 3.0      | 8/15/2022 | Governance, IT Committee and Steering Committee Approval | Final Document          |

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# Executive Summary

Over the last several decades Oregon public defense has faced a multitude of variables which have greatly impacted the effectiveness of counsel for the underserved populations. Several reports have indicated the cause and effect of these variables and provided valuable recommendations. In addition to the recommended action, the Oregon Legislature has directed the Public Defense Services Commission (PDSC) to organizationally respond to the effectiveness of counsel in Oregon, which can be directly correlated to House Bill (HB) 2003 (2021) increasing Commission membership from seven (7) to nine (9) members. HB 5030 (2021) directing the agency to establish a Compliance, Audit, and Performance (CAP) division. HB 5202 (2022) directed the PDSC to re-initiate the planning phases of the Financial/Case Management System (F/CMS) information technology project.

PDSC is focusing on the assurance that all eligible Oregonians have proper access to effective counsel. One way in which the Commission feels this goal can be achieved is through the implementation of a Financial and Case Management System (FCMS). This business case will serve as the justification for the undertaking of advancing services and counsel related to public defense. It is imperative that this document relay the current technical structure in which PDSC utilizes, and the inadequacies that limit the agency's ability to modernize efforts to better meet the needs of public defense.

Outlined below are comparative analyses of service plans in which PDSC has the potential to support an effort for system implementation. Found in these analyses are the costs, risks, and benefits to each plan. With implementing a new system there are bound to be risks both operationally and to the defense system. The business case addresses risk management, change management, and overall benefits with the desire to provide a full scope of understanding as it relates to this project and the delicate recipients who are the benefactors of a modernization effort.

# 1. Purpose and Background

## 1.1 Project Purpose

The purpose of this project is to replace PDSC's end of life, in-house built database structure with a cloud hosted Commercial-of-the-shelf (COTS) financial and case management system. Oregon public defense has been lacking a solution that not only provides timely payments to the contract and provider community, but a capability to capture comprehensive data on public defense.

With the implementation of the FCMS PDSC will meet Oregon public defense needs with the following system capabilities (*see section 3 Assumptions for a full list of assumed functionalities*):

- Financial Management
  - Attorney/Provider reimbursement claims
  - Payment schedule
  - Audit functions
  - Payment tracking
  - Paperless system
  
- Case Management
  - Comprehensive Data Collection
    - Legal work performed outside of contract
    - Case milestones (pretrial information, conditions of release, investigation practices, expert consultation, motions filed, and plea offers)
    - Basic event data
    - Case information (basic client demographics, initial charge(s), pretrial release/detention decisions, motions filed, expert consults, pleas offered, disposition, and sentencing).
  - Attorney qualifications
  - Attorney caseload
  - Attorney contract oversight
  - Timekeeping
  
- Reporting
  - System canned reports
  - System ad hoc reports
  - Direct database access via PowerBI (other) platforms for custom reporting

The above system attributes describe at a high-level the functionality that internal and external users can expect to see with the new system. Although this list is not exhaustive, it captures critical functions that would support PDSC for the first time with modern operational capabilities. The FCMS would also afford the agency with the ability to produce detailed and structured

reports as requested by the legislature and recipients of public defense services. PDSC desires a transparent and effective public defense model and believes that starts with modernizing operational technologies.

## 1.2 Background

PDSC, like many public defense agencies around the country, is failing to achieve its mission of providing competent and timely public defense services, and the system in which this failure is occurring lacks sufficient transparency, oversight, and accountability. Over the last three years PDSC has received several reviews of current business practices, capabilities, and public defense performance. The Sixth Amendment Center (6AC) published their report in 2019 which primarily focused upon governance, service delivery models, and internal practices, whereas the American Bar Association (ABA) published a report in 2022 describing the deficit of available public defenders and the need for proper data management and analysis. The ABA pointed directly to the need for the agency to acquire a centralized data system with the purpose of capturing basic, critical public defense information<sup>1</sup>.

In June 2022, Governor Kate Brown (Oregon) addressed her support of public defenders in Oregon, noting the work conducted by each lawyer and public safety stakeholder is critical to the success of Oregon's public defense. Brown specifically stated her support regarding the need for change with the following statement:

*“The current crisis in Oregon’s public defense system has many contributing causes and few immediate cures. To attract and retain lawyers to do this necessary work, caseloads must be reasonable, and salaries must be higher than they currently are. And the entire public defense system must be accountable for the public funds invested in it.”<sup>2</sup>*

PDSC understands that this is a systemic issue, however, it is further fractured by the current inadequate technical solutions to process, analyze and report public defense outcomes. Without proper reporting capabilities PDSC is left with little useful information to effectively support not only recipients of public defense, but those who administer the work. Currently, all data acquired for analyses is provided through contractual requirements or data share agreements with partner agencies. These data sources are not always consistent and often do not offer accurate or reliable data elements.

On June 1, 2022, PDSC presented before the Joint Emergency Board Subcommittee on General Government during a work session regarding agency reports. It was during this meeting that a Co-Chair noted the dire need for multiple agency plans. With many organizational changes from HB 5030 (2021) PDSC has implemented several workgroups to better understand the requirements of HB 5030, as well as begin to align critical agency

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<sup>1</sup> The American Bar Association and Moss Adams. 2022. The Oregon Project *An Analysis of the Oregon Public Defense System and Attorney Workload Standards*. Pg. 5. Retrieved from: [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls-sclaid-or-proj-rept.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls-sclaid-or-proj-rept.pdf)

<sup>2</sup> Governor Brown (Oregon). (2022, June 3). Response Letter to the Past Presidents of the Oregon Criminal Defense Lawyers Association.

practices. As part of this identification and internal analysis PDSC continues to find among its top priorities the implementation of the FCMS project. The agency has developed critical data elements and system requirements to bring before public defense stakeholders.

As indicated in the last few sections, PDSC has many factors to consider in their efforts when looking at resolutions. However, the agency is dedicated to move forward with ensuring public defense is improved upon in Oregon and will be accomplished through the careful considerations of business transformations. PDSC desires to employ a system that will allow internal staff to more accurately monitor attorney caseloads to ensure compliance with national best practice standards,<sup>3</sup> and report on the impact of public defense services to stakeholders through detailed data. Financial accountability will be met through the ability to produce detailed financial reports, deliver payments to providers per the Oregon Accounting Manual<sup>4</sup> processing timelines, and manage/audit requests for attorney case support service (CSS). The solution will also sustain data collection for analysis and evaluation purposes, reporting, and contract agreements. With an integrated financial and case management system PDSC will be able to provide the Oregon Legislature, Governor's office, stakeholders, and others with information and data on Oregon's public defense best practices, contract projections, and key performance measure indicators.

In addition to the integration needs, the solution will include technical and configuration training support services, and in-depth user training support services. The Request for Proposal (RFP) will become the basis for negotiations which leads to a vendor contract designated to provide the services described in this business case. The main objectives that PDSC will accomplish through this project are an increase in internal efficiencies, elimination of redundant and manual processes through workflow and electronic document management, contract management through effective and efficient data collection supported by integration capabilities, and internal and external data exchange to produce reports on caseloads and outcomes.

## 1.2.1 Current State

PDSC's organizational structure has shifted with the requirements of HB 5030 (2021). Previously PDSC through its Office of Public Defense Services (OPDS) Administrative Services Division (ASD) administered contracts for public defense services as well as the payment and reimbursement of case support services (CSS). The Appellate Division (AD) provides all appellate level representation to those eligible to receive public defense services. Since the adoption of HB 5030 PDSC has re-established organizational divisions (**Appendix E, PDSC Organizational Chart**) which now include Executive, Appellate, Administrative Services Division (ASD), and Compliance, Audit and Performance (CAP).

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<sup>3</sup> New York Office of Indigent Legal Services. (2016). *A Determination of Caseload Standards pursuant to § IV of the Hurrell-Harring v. the State of New York*.

<sup>4</sup> Department of Administrative Services. (2019). *Oregon Accounting Manual*. Chapter 15. Salem, Oregon. Retrieved from <https://www.oregon.gov/das/Financial/Acctng/Documents/15%20Accounting%20and%20Financial%20Reporting%20search.pdf>.

Historically the agency has utilized a series of in-house built Microsoft Access databases (DB) and Microsoft Excel spreadsheets to electronically manage business processes and store data. Configuration and maintenance of these tools (e.g. databases and spreadsheets) are managed ad hoc. The current informal change management process results in modifications to the databases, spreadsheets, and macros which is undesirable. The structure of the current technical framework in use by PDSC is reflected in Figure 1. The lack of integrated tools makes PDSC unable to track, monitor, or analyze contract data or reimbursements in an effective or efficient manner.

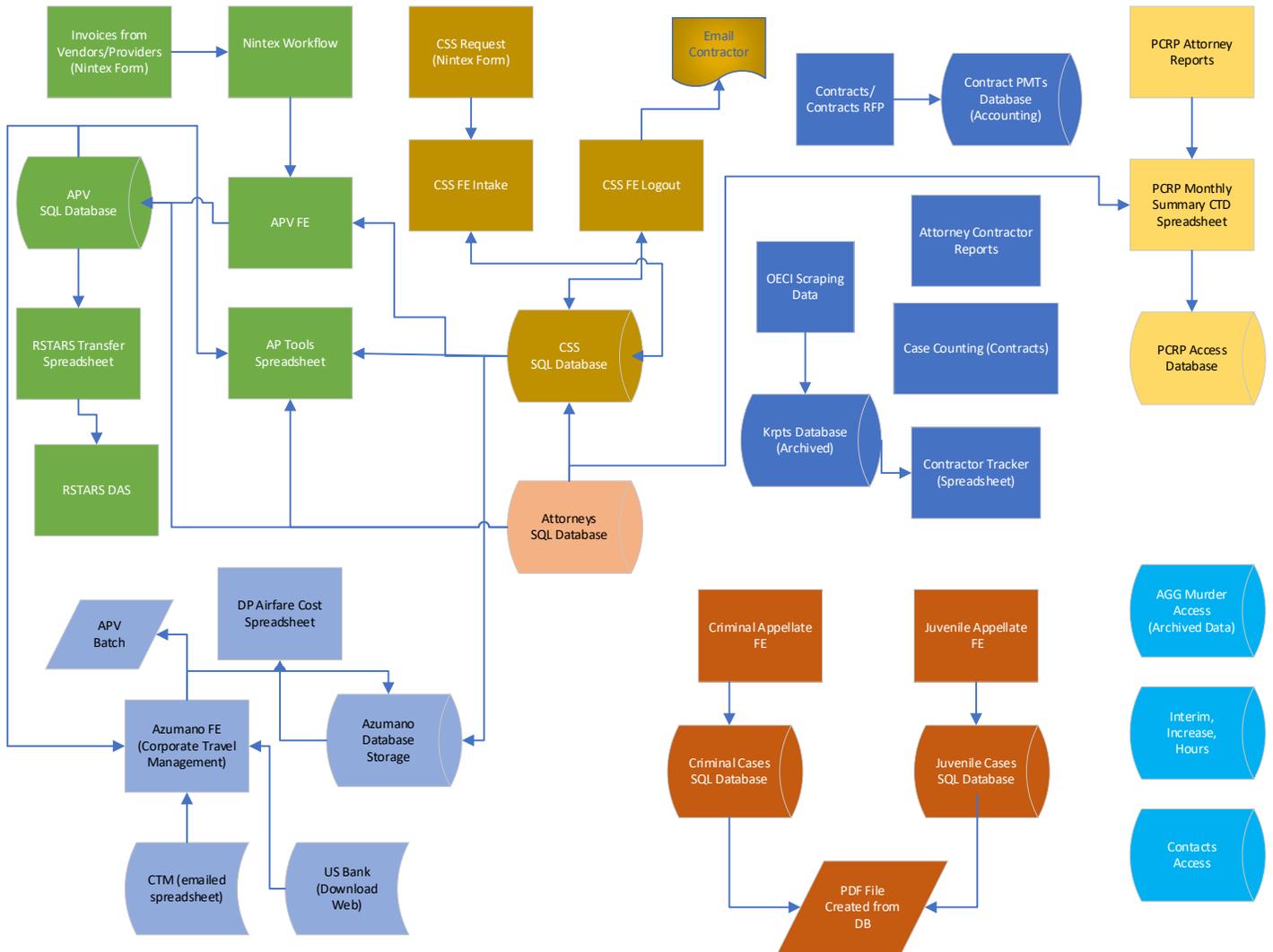


Figure 1. PDSC Current In-House Technical Framework

**Issues with framework:**

A “customized front-end” spreadsheet is created for each user specific to their job duties. Each spreadsheet contains worksheet functions and computations determined by a technician and is stored on an unsustainable platform.

Limited integration across databases. The accounting and contract teams enter and access the same data in multiple tools which often results in duplicate data entry. Separate records are maintained, or users are required to retrieve data from a different database.

Providers submit data in inconsistent formats. This requires OPDS staff to use a macro to “clean the data” through a manual process so the data can be converted into columns and formats appropriate for consumption.

- No user/role-based security.
- Database back-end configuration is accessible and can be manipulated by all authorized users.
- No capability to integrate online forms with internal database(s). Attorneys or clients submit client referral forms electronically and inconsistently (e.g., through the Web, email, fax), and the information must be manually entered in the current tools.
- All necessary documents related to a client record are stored in a separate location due to the incapability of an Access database to store documents. This type of set-up requires inefficient use of staff time to find the information and exposes security risks to confidential data.

Proper tools and functionalities are critical to PDSC more now than ever, specifically with the reorganization efforts called out in HB 5030. Each division within PDSC utilizes the current technical solutions, however, several divisions will continue to fall short without the modern capabilities of a financial and case management system. The CAP Division specifically will be impacted by a new system as its major functions are to analyze compliance of trial level and juvenile (PCRP) contracts, research analytics of public defense outcomes, and conduct internal audits of agency operations and procured services<sup>5</sup>. These functions cannot be executed with current technology and will require a robust, secure, and highly functioning system to successfully produce the requirements noted above.

## Executive Services Division

The Executive Division has primary responsibility for the agency’s leadership and governance. It develops and implements the agency’s vision and ensures compliance with ORS Chapter 151. Pursuant to ORS 151.216, the Public Defense Services Commission (PDSC) has oversight over the agency and the state’s public defense system. The Executive Division works closely with the PDSC to develop the agency’s vision and establish policy in the provision of public defense services. The PDSC meets approximately 10-12 times per year, and the division works with the PDSC to plan these meetings. HB 5030 (2021) organized the Executive Services Division into the following three sections: (1) Administration; (2) General Counsel; and (3) Communications and Legislation. Internally, the Executive Division oversees all other OPDS divisions, with each division having supervisors that report to either the executive director or deputy director. It also manages the agency’s legal compliance. Externally, it manages the agency’s positions on legislation and policy development. It also manages communications to

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<sup>5</sup> HB 5030. 2021. Compliance, Audit and Performance Division. Package 805 and 807. Retrieved from: <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/245175>

elected officials, governmental actors, public defense attorneys, the media, and other interested parties

## Appellate Division (AD)

The Appellate Division provides statutorily and constitutionally mandated legal representation to financially eligible persons in a wide variety of case types initiated throughout the state. The AD has two sections: Criminal Appellate Section (CAS) and Juvenile Appellate Section (JAS). The CAS provides appellate representation for criminal defendants in misdemeanor and felony appeals this includes capital cases, contempt cases, DNA-related appeals, appeals by crime victims, and appeals from decisions of the Board of Parole and Post-Prison Supervision. The JAS provides appellate representation to parents in juvenile dependency cases (this includes jurisdiction and permanency decisions) and termination of parental rights.<sup>6</sup> From 2010 to 2018, case referrals have increased by 133%. The AD's business process for case management uses Access databases to store manually entered data received from online referral forms. Inefficiencies include duplication or omission of information, creation of paper files, and manual research in Oregon Judicial Department (OJD) systems (i.e., Oregon eCourt Case Information (OECI), Appellate Case Management System (ACMS)) for missed or inconsistent data.

## Administrative Services Division (ASD)

The Administrative Services Division provides agency-wide administrative support and central services for the agency. The Administration Services Division sections are responsible for agency leadership and central agency administration ensuring compliance with ORS Chapter 151. ORS 151.216 directs the agency "to maintain a public defense system that ensures the provision of public defense services consistent with the Oregon Constitution, United States Constitution, and Oregon and national standards of justice.". Effective management of this program allows the agency's service delivery staff to focus on providing excellence in core business program delivery and customer assistance.

The newly established division is organized into the following sections based on service delivery:

- Administration
- Budget & Finance, Accounting & Accounts Payable
- Case Support Services
- Human Resources
- Procurement & Contract Services
- Facilities
- Information Services (known to the agency as Information Technology)

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<sup>6</sup> Office of Public Defense Services. (2019). *Agency Requested Budget 19-21*. Appellate Division.

## Compliance, Audit and Performance (CAP) Division

The Compliance, Audit and Performance Division has been established to help strengthen the agency's program management, performance, and oversight. The CAP Division bears primary responsibility for ensuring that the agency continuously meets its obligation to provide high-quality, zealous legal representation for those in Oregon entitled to court-appointed counsel by monitoring the delivery of public defense services and providing guidance to the PDSC and agency regarding policies and procedures that will support and promote high-quality representation.

The CAP Division's plan for improvement is staged in two phases. Phase I encompasses immediate agency needs and building the agency's internal monitoring and evaluation capacity, while developing the policies and procedures that serves as the base for the Adult and Juvenile Trial Divisions. Phase II encompasses the development of a monitoring and support plan for providers and entities. It is divided into two sub-phases, which reflect the agency's current limited information technology and data infrastructure and the anticipated capacities that will come with the implementation of a Financial Information Management System, which is anticipated to occur by 2025.

## 2. Alternatives Analysis

### 2.1 Assumptions

The PDSC FCMS Project assumes successful implementation will be measured through alignment with the goals, outcomes, and outputs identified in [Appendix A](#). The Project Management Team will manage the project and coordinate configuration and implementation of the solution.

The alternatives analysis was based on these assumptions:

- Solution meets accessibility standards.<sup>7,8</sup>
- The investment time frame for this project is more than 10 years.
- The solution includes authorized user statewide access and online availability.
- PDSC does not have internal IT resources available to build and maintain the solution.
- A vendor developed solution would be hosted by the vendor or at PDSC.
- PDSC reviewed the 2016 Oracle settlement and did not find any complementary goods or services from the Oracle service catalog that will meet the needs of the FCMS solution.

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<sup>7</sup> Federal Communications Commission (FCC). (2020). *Section 508 of the Rehabilitation Act*. Retrieved from <https://www.fcc.gov/general/section-508-rehabilitation-act> and

<sup>8</sup> W3C. (2018). *Web Content Accessibility Guidelines (WCAG) 2.1*. Retrieved from <https://www.w3.org/TR/WCAG21/>.

- PDSC reviewed NICUSA, Inc. options for development of a FCMS solution and did not determine a viable path.
- FCMS is not considered a mission-critical system, and therefore it does not require the highest level of up-time (99.9% is sufficient with approximately 45 minutes of downtime per month, in addition to required maintenance and patches).
- The solution will include the ability to collect, transmit, and process legal records, that contains highly-sensitive protected client information which includes but not limited to: Personally Identifiable Information (PII); lawyer-client privilege as designated by Oregon Evidence Code (OEC) Rule 503; and other data subject to protection under ORS Chapter 40 Evidence Code;<sup>9</sup> and CFR 42 Part 2 Confidentiality of Substance Use Disorder Patient Records.<sup>10</sup>

The financial analysis for the alternatives was based on these cost assumptions:

- The investment time period for this project is more than 10 years, however the cost model projects five (5) years based on the Cost Assumption worksheets included in [Appendix B](#).
- Upon business case approval, Oregon’s Legislature will fund a Special Purpose Appropriation to be used for the acquisition and implementation of the new technology solution.
- On-going maintenance and support of the solution will be included in the PDSC base budget.
- The Microsoft Azure estimator was used to generate cloud-hosted estimated storage costs with an addition of vendor management costs.

As funding is made available, the Public Defense Services Commission will implement a series of business and technology improvements over three (3) years. The FCMS Project Team has adopted strategies, as shown in [Appendix C](#), to enable this significant transformation and minimize risk. The strategies address business, technology, and risk management.

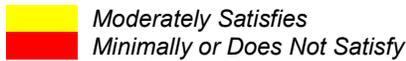
## 2.2 Benefits/Risk Criteria Weighting

| No. | Benefit / Risk Criteria   | Definition  |
|-----|---|---|
| 1   | Minimized Initial Capital Cost  | The total one-time capital cost for implementation development of the FCMS solution.                                |
| 2   | Minimizes Costs to Maintain   | The annual cost to maintain the FCMS solution.  |
| 3   | Provides Operational Improvement                                      | The positive impact to business operations relative to each alternative. Addresses the previous opportunities.      |
| 4   | Addresses Core Business Problems                                      | Whether the solution addresses the business problems identified in the Problem Definition section of this document. |
| 5   | Meets High-level Solution Requirements ( <a href="#">Appendix D</a> ) | Whether the solution will successfully address the requirements identified in the RFP.                              |
| 6   | Provides Stakeholder Benefit  | The benefits to providers and major stakeholders for each alternative.  |

 *Significantly Satisfies*

<sup>9</sup> OregonLaws.org. (2020). *Chapter 40 Evidence Code*. Retrieved from <https://www.oregonlaws.org/ors/chapter/40>.

<sup>10</sup> Electronic Code of Federal Regulations. (2016). *Title 42 Part 2*. Retrieved from <https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5;node=42%3A1.0.1.1.2>.



## 2.3 Alternatives Identification

Alternatives considered for the FCMS Project include:

- Status Quo / Enhance Current System would provide no benefit and would further complicate the collection, analysis, and reporting of data with the potential for a full system failure.
- Commercial Off-the-Shelf (COTS) / Single-Solution Provider system that is internally (locally) hosted and requires minimal configuration to meet the needs of PDSC.
  - A vendor/cloud hosted COTS system requires minimal configuration to meet the needs of PDSC.
- Best of Breed / Custom Build system with specific functionality that will provide comprehensive integrated options with multiple vendors.

**Note:** To maintain and/or attempt to enhance the current PDSC tools is not recommended due to the platform dynamics, stability, on-going sustainability, and limited functionality.

Research was conducted to determine the advantages and disadvantages of each technology alternative. Results were factored into the assessment of each alternative to determine the extent to which it aligned with the PDSC project vision,<sup>11</sup> operational business needs, anticipated future growth, hardware and software costs, and implementation strategy. A preliminary breakdown of the advantages and disadvantages for each alternative is provided below.

| Alternatives Analysis  | Status Quo | COTS | Best of Breed |
|--|------------|------|---------------|
| Leverage core solution that is operationally proven by other similar customers.  |            | X    |               |
| Configurable solution to meet PDSC core financial and case management business needs.  |            | X    | X             |
| Capacity to leverage changes / product improvements to core COTS at reduced or no additional cost.   |            | X    |               |
| Vendor employs necessary technical staff to support system.  |            | X    |               |
| System configurable to comply with state and federal regulatory standards.   |            | X    | X             |
| Security systems and user authenticated access built into system.  |            | X    | X             |
| System scalability.  |            | X    | X             |
| Increased automation capabilities facilitated by integrated product.   |            | X    | X             |
| Business processes are controlled mainly by the software provider, driving what the end state business architecture will look like. This can control customization and increase uniformity across the state. |            | X    |               |
| Relative Usability: High   |            | X    | X             |
| Elimination of business and data silos.  |            | X    | X             |

<sup>11</sup> Office of Public Defense Services. (2020). *Project Vision Statement*.

|   |  |   |   |
|---|--|---|---|
| Customized functionality designed to specifically meet PDSC core financial and case management business needs.                              |  |   | X |
| Solution that surpasses the technical and business capabilities of the current PDSC tools.  |  | X | X |
| Greater opportunity to apply a business-driven design approach with maximum system flexibility.   |  |   | X |
| Opportunity to incorporate an acquisition strategy that allows for a modular technical approach and separate contracts by modular function. |  |   | X |
| Security designed to PDSC standards and specifications across multiple platforms.   |  | X | X |
| Transaction capacity designed for scalability.  |  | X | X |
| Integration capabilities based on PDSC specifications and flexible technology.  |  | X | X |

## 2.4 Alternative A: Status Quo/Enhance Current Tools

To preserve the current state of the created tools and/or to enhance the architecture to encompass financial and case management systems will not remediate the administrative challenges faced by PDSC. To maintain status quo is not a viable solution due to technology age, complexity, and platform dynamics. Should the current tools experience a significant failure, PDSC would need to execute an emergency procurement to engage a vendor to either fix the existing tools, procure other systems, or return to a completely manual process which would result in hiring multiple staff. Significant cost would be associated with an emergency procurement. As a result, the business case does not detail cost projections or recommend a status quo alternative. The return to a one-hundred percent manual process is unsustainable and would result in agency missteps. The status quo does not meet the current need for PDSC and is not positioned to be enhanced to meet future needs.

| No. | Benefit/Risk Criteria                                  | Rating | Justification                             |
|-----|--|--------|---|
| 1   | Minimized Initial Capital Cost                         |        | Requires no additional capital.           |
| 2   | Minimizes Costs to Maintain                            |        | Requires no additional capital.           |
| 3   | Provides Operational Improvement                       |        | Fails to provide operational improvement. |
| 4   | Addresses Core Business Problems                       |        | Does not address core business problems.  |
| 5   | Meets High-level Solution Requirements<br>(Appendix D) |        | Does not meet solution requirements.      |
| 6   | Provides Stakeholder Benefit                           |        | Provides no benefit to stakeholders.      |

### 2.4.1 Cost

The cost to perform this work is undetermined but would require multiple positions in both information technology and program analysis and significant infrastructure costs.

## 2.4.2 Risks

The primary risk to continue status quo is complete unexpected failure of the tools which are at end-of-life. When the tools fail, PDSC will be left with paper-based tools to conduct business. Failure to implement a viable solution leaves PDSC unable to meet the goals and strategies outlined in the PDSC 2016-2021 Strategic Plan<sup>12</sup> and the findings and recommendations of the 6AC (2019), ABA (2022).<sup>1314</sup>

## 2.4.3 Benefits

There are no tangible benefits for PDSC to maintain the status quo or enhance current tools.

## 2.5 Alternative B: Commercial Off-the-Shelf/Single-Solution Provider

A Commercial Off-the-Shelf (COTS) product, provided by a single-solution provider, presents a single, central data model and identifies a data transition plan that will be the responsibility of the successful vendor. This approach reduces the complexity of data integration through a reduction in the number of systems that must be integrated and complexity of data exchanges. A COTS solution will decrease design, development, training, and implementation costs. PDSC will be able to take advantage of vendor provided enhancements generated and paid by other customers. Additional advantages to a COTS product through a single-solution provider (SSP): access to vendor supported user community, troubleshooting techniques unique to public defense business practices, and a resource for public defense best practice identification. The COTS approach also simplifies security, with a single security system implemented across all modules and provides a more complete packaged training and communication solution. Additionally, the COTS solution will provide a cloud-based environment hosted by the selected vendor.

A COTS system through a single-solution provider will require one procurement, one contract, and one change order / amendment process. With the re-establishment of an IT Infrastructure in place OPDS will be well equipped to handle this workload.

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<sup>12</sup> Office of Public Defense Services. (2016). *Public Defense Services Commission Strategic Plan 2016-2021*. Strategic Plan: Mission Statement. Retrieved from <https://www.oregon.gov/opds/commission/reports/PDSCStrategicPlan2016-2021.pdf>.

<sup>13</sup> Sixth Amendment Center. (2019). *The Right to Counsel in Oregon: Evaluation of Trial Level Public Defense Representation Provided Through The Office of Public Defense Services*. Executive Summary. Retrieved from [https://sixthamendment.org/6AC/6AC\\_Oregon\\_report\\_2019.pdf](https://sixthamendment.org/6AC/6AC_Oregon_report_2019.pdf).

<sup>14</sup> ABA Citation

| No. | Benefit/Risk Criteria   | Rating | Justification   |
|-----|---|--------|---|
| 1   | Minimized initial Capital Cost  |        | Requires large capital outlay.  |
| 2   | Minimizes Costs to Maintain   |        | Would require capital for the vendor or PDSC to provide full continued support.     |
| 3   | Provides Operational Improvement                                      |        | Provides a path for improvement.  |
| 4   | Addresses Core Business Problems                                      |        | Solution could be designed and configured to meet the specifications needed.        |
| 5   | Meets High-level Solution Requirements ( <a href="#">Appendix D</a> ) |        | Selected vendor would provide a solution that meets all the mandatory requirements. |
| 6   | Provides Stakeholder Benefit  |        | Provides an integrated solution with other data collection system.                  |

## 2.5.1 Cost

This project is expected to begin implementation by the end of the 2023-25 Biennium. Data gathered from various vendors and other advanced technical projects was used to generate projection models for an internal and external hosted COTS solution. High-level cost estimates to implement an integrated financial and case management system were developed through estimated market comparisons. A high-level cost estimate is included in [Appendix B](#).

| Item  | Total Cost<br>July 2023-June 2027 |
|---|-----------------------------------|
| Core Case Management System (CMS) – Vendor                    | \$2,016,000.00                    |
| Implementation  | \$180,000.00                      |
| Data Migration  | \$120,000.00                      |
| Hosting & Support   | \$200,000.00                      |
| Project Management Vendor                                     | \$607,750.00                      |
| System Architecture   | \$643,100.00                      |
| Report Management Configuration/Customization – Vendor RSTARS | \$310,650.00                      |
| Network Infrastructure  | \$136,300.00                      |
| Possible Integration Work                                     | \$600,000.00                      |
| OPDS Hardware (New Requirements/Lifecycle)                    | \$200,000.00                      |
| QA Vendor   | \$825,000.00                      |
| Technical Team – OPDS (2-OPA 3/1-ITS 4)                       | \$1,866,748.00                    |
| Training – Vendor/OPDS  | \$440,000.00                      |
| Travel – Vendor/OPDS  | \$110,000.00                      |
| Overhead - \$30k/year   | \$120,000.00                      |
| Change Management Vendor (Project and Organization)           | \$800,000.00                      |
| <i>Total All Funds</i>  | <b>\$9,175,548.00</b>             |

## 2.5.2 Risks

The greatest risk for this alternative is that there is a relatively large operational impact to PDSC, given that it will require new business processes and workflows as well as bringing on a

full IT Infrastructure to replace services previously provided by OJD. This will require changes and/or additions to current business processes to accommodate the capabilities and requirements of the vendor solution. However, it is a goal of the project to limit this impact as much as possible. Additionally, this solution provides less control over configuration and data field requirements. Legislative mandates or rule changes may require more time to implement in a COTS solution than the Best of Breed alternative.

### 2.5.3 Benefits

The purchase of a COTS FCMS will provide quantitative data that can be monitored, analyzed, and measured to track business processes of public defense services. Implementation of a COTS solution will help quantify processes for quality improvement, transparency, and reporting for Oregon's public defense services. Single-solution provider options such as COTS decreases design, development, training, and implementation costs. Additionally, a vendor provided solution reduces the impact on ongoing technical resources.

Below are benefits of a COTS solution:

- Presents a single, central data model and identifies a data transition plan.
- Reduces complexity of data integration.
- Requires only one procurement, one contract, and one change order/amendment process.
- Vendor provided enhancements.
- Access to enhancements paid for by other customers.
- Accessible data for high level analysis of public defense services for evaluation and reporting purposes.
- Real time data entry.
- A status alert tool to inform the user when an important action needs attention.
- Role based access.

## 2.6 Alternative C: Best of Breed/Custom Build

This alternative consists of custom development and use of multiple systems (and possibly vendors) that represent the best commercial product in each specific area (financial management, case management, document repository). Each product would be procured individually and/or through a "general" contractor/integrator. Complexity increases substantially when there are multiple solutions to be integrated for the FCMS. Additionally, a custom solution would require internal resources and human capital considerations not currently available at PDSC. The cost to augment staff would be considerable. To hire or contract would require a lengthy process due to very limited qualified resources.

| No. | Benefit/Risk Criteria                               | Rating | Justification  |
|-----|---|--------|--|
| 1   | Minimized initial Capital Cost                      |        | Requires largest capital outlay.   |
| 2   | Minimizes Costs to Maintain                         |        | Requires greatest ongoing capital.   |
| 3   | Provides Operational Improvement                    |        | Can provide metrics related to operational improvements and can be customized to do so.                        |
| 4   | Addresses Core Business Problems                    |        | Could be designed to fit the exact specifications that are needed.   |
| 5   | Meets High-level Solution Requirements (Appendix D) |        | Custom-built applications can be tailored to the requirements of PDSC and providers.                           |
| 6   | Provides Stakeholder Benefit                        |        | Provides options for many stakeholder benefits but must be known in advance to be considered as a requirement. |

### 2.6.1 Cost

The Best of Breed / Custom Build is not a viable financial option for this project. A projection model for separate financial and case management systems that would be internally hosted has a total projected cost of \$10,654,548. This projection was formulated based on estimated market comparisons. A high-level cost estimate is included in [Appendix B](#).

| Item  | Total Cost<br>July 2023-June 2027 |
|---|-----------------------------------|
| Core Case Management System (CMS) – Vendor                    | \$3,300,000.00                    |
| Implementation  | \$180,000.00                      |
| Data Migration  | \$120,000.00                      |
| Hosting & Support   | \$220,000.00                      |
| Customization   | \$175,000.00                      |
| Project Management Vendor                                     | \$607,750.00                      |
| System Architecture   | \$643,100.00                      |
| Report Management Configuration/Customization – Vendor RSTARS | \$310,650.00                      |
| Network Infrastructure  | \$136,300.00                      |
| Possible Integration Work                                     | \$600,000.00                      |
| OPDS Hardware (New Requirements/Lifecycle)                    | \$200,000.00                      |
| QA Vendor   | \$825,000.00                      |
| Technical Team – OPDS (2-OPA 3/1-ITS 4)                       | \$1,866,748.00                    |
| Training – Vendor/OPDS  | \$440,000.00                      |
| Travel – Vendor/OPDS  | \$110,000.00                      |
| Overhead - \$30k/year   | \$120,000.00                      |
| Change Management Vendor (Project and Organization)           | \$800,000.00                      |
| <i>Total All Funds</i>  | \$10,654,548.00                   |

## 2.6.2 Risks

The primary risks of this alternative are the lack of available internal resources and multiple vendors/software systems. Risk is maximized through the custom requirements of integrating separate financial and case management products to meet the FCMS need. While the solution procurement will accommodate training for the products, it remains incumbent on PDSC to cross-train and be able to maintain the combined solution going forward. This alternative will require PDSC to expend additional resources to ensure continued success in the system use, maintenance, and support and to ensure the successful business process workflows are developed and upheld. It is highly likely that PDSC will be unable to expend the requisite resources necessary for this alternative post implementation.

## 2.6.3 Benefits

There are very few benefits in the development of the FCMS solution through the integration of multiple products. These benefits only exist with more PDSC control over internal resources and specific requirements for each product and vendor. In addition, the alternative allows custom configuration to meet the needs of the stakeholders through enhanced implementation and on-going costs.

## 2.7 Financial Analysis

Complete financial analysis of the COTS / Single-Solution Provider (local and external host) and Best of Breed alternatives and financial assumptions are provided in [Appendix B](#).

## 2.8 Risk Management

The F/CMS Project Team has adopted strategies to enable this significant transformation and minimize risk. The strategies address business, technology, project management, and risk management.

### 2.8.1 Business Strategies

Integral to the progress of the FCMS project is the business approach selected for implementation. This establishes the necessary order or approach to implement the significant business transformation that is required as part of the migration toward an enhanced electronic system. Business strategies include:

- **Business Processes.** The FCMS project governance model identifies the organizational entities and authorities to facilitate the project implementation and business transformation.

Business processes will evolve to support the project outcomes (see [Appendix A](#)). Many of the FCMS outcomes for efficiency improvement combined with an integrated computer system will require the standardization of data entry, changes to business processes, and on-going analysis.

- **Change Management.** While the FCMS project is technical implementation of a solution, the project is also business transformation. This requires management of the change related to new workflow processes, clear and often communication to all stakeholders, and complete change management training for the project management team and trainers. Change management activities are essential and need to be sufficiently funded and planned.
- **Organizational Support.** Key to successful implementation of the FCMS project is adequate organizational support, both internally and externally. A clearly defined and understood set of goals, outcomes (see [Appendix A](#)), and business benefits positions the project to secure funding and executive-level support necessary for success. Internal and external stakeholders must receive constant communications and be educated on planned business changes, technologies, and benefits.

## 2.8.2 Technology Strategies

The business strategies are supported by several interrelated technology strategies. These strategies outline the general approach for technology components being developed or enhanced to support a fully electronic system. Primary technology strategies include:

- **Financial and Case Management (FCMS)** is the foundation. A FCMS integrated solution will facilitate the development of new business processes and workflows for stakeholders to manage activities of PDSC at a level of efficiency that is not possible in a non-integrated, manual entry, paper-based environment. An integrated FCMS system will enable OPDS to deliver the right information to the right people at the right time in an efficient and expeditious manner. This is the necessary foundation to engage stakeholders internally and externally in an electronic infrastructure.
- **Leverage Current Market.** Procure an integrated, packaged FCMS technology solution supported through PDSC enterprise applications for other major components where applicable.
- **Enhanced Infrastructure.** Current service provider network capabilities are sufficient with minimal investment to provide statewide service for the new system because of enhancements made for the Oregon eCourt project.

## 2.8.3 Project and Risk Management Strategies

Management of the overall project and risks is critical to the successful implementation of the project and the timeliness of execution. Project management and risk strategies include:

- **Pilot Implementation.** PDSC will implement the technology solution in pilot offices (i.e., Marion,

Polk, and Linn Counties). Only after the pilot implementation is configured and operational will the OPDS proceed with statewide implementation.

- Incremental Roll-out. Implement in a staged roll-out designed to minimize disruption and ensure testing is complete. Large scale business transformation and technology projects inherently involve risk and are best managed closely with an incremental roll-out.
- Project Management. PDSC has a FCMS Project Team in place to implement and monitor project work. An external quality assurance contractor will provide ongoing and periodic assessment of risks and quality.
- Resources. PDSC will maximize use of current resources familiar with the PDSC FCMS project's objectives, strategies, and initiatives. Existing technologies will be leveraged where appropriate, and statewide partnerships will be established with other organizations to integrate data and services.
- Contract Approach. PDSC will use open and competitive procurement processes to ensure the best solution is chosen. The contract and any change requests will be reviewed and decided through governance leadership.

Organizational Capability and Capacity. PDSC will provide the necessary talent and experience to manage the overall project.

## 2.9 Change Management

***“State government recognizes the need for change management as a strategic element of successful initiatives...”<sup>15</sup>***

The goal of Change Management (CM) is to drive adoption and usage of the technical solution. CM focuses on the percent of intended benefits that rely on work being successfully performed differently when the solution is in place.

PDSC understands Change Management (CM) and Project Management (PM) are complementary disciplines that share project success as their common objective and that the greatest chance for success of complex and complete enterprise transformations requires the successful application of both CM and PM. PDSC will apply both CM and PM on the FCMS project. PDSC recognizes the combined effectiveness of CM and PM, along with the level of executive sponsorship, will determine the project's overall success in meeting intended goals, objectives, and outcomes (see [Appendix A](#)).

### 2.9.1 Philosophy

PDSC recognizes the critical nature of the relationship between individual transitions and successful delivery of organizational level improvements and intended outcomes (see [Appendix](#)

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<sup>15</sup> Opportunity Statement from the charter of the State of Oregon's Change Management Professional Network (ChMPN). ChMPN is sponsored by and chartered under the authority of the Department of Administrative Services Chief Human Resources Office and reports to the HR Advisory Committee.

A). PDSC will work with a contracted Change Management Vendor to incorporate this core philosophy within the FCMS project's CM strategy, plans, and actions to ensure the maximum level of support and positive engagement for the project is obtained from impacted individuals.

## 2.9.2 Model

With the support of the contracted Change Management Vendor PDSC will use a three-phase structured CM model:

- **Phase I – Prepare for Change:** Assess scope and impact of the change; develop a scaled strategy and plans.
- **Phase II – Manage Change:** Implement plans for communications, resistance management, and coaching.
- **Phase III – Reinforce Change:** Confirm intended proficiency and utilization are sustainable, intended outcomes and objectives are delivered.

## 2.9.3 Resources

PDSC will procure a Change Management Vendor that utilizes a variety of standard CM resources including:

- **Assessments:** Scope & impact, engagement, support, ability, and sustainability.
- **Plans:** Communications, resistance management, coaching, and reinforcement.
- **Role-Based Information:** Project sponsors, managers, and staff will be provided role-based CM information and tools to equip them to fill their specific CM roles and to enjoy successful personal transitions.

## 2.10 Project Benefits

In April 2022, the Oregon Legislature announced their union with the Governor and Chief Justice to solve the ongoing public defense crisis in Oregon. This partnership has been defined as the three-branch workgroup and will focus on short-term and long-term solutions to reform the state's public defense and public safety systems<sup>16</sup>. Leaders in Oregon have noted the following sentiments as they show their support of change when it relates to the public defense system:

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16. Oregon State Legislature. (2022). Press Release: Legislative Leaders to Join Governor and Chief Justice in Workgroup to Solve Ongoing Public Defense Crisis. Retrieved from: <https://www.oregonlegislature.gov/courtney/Documents/Three-Branch-Public-Defense-Summit-Press-Release.pdf>

*“There’s no denying that Oregon is going through a public defense crisis. The Legislature delivered important relief last session, but there’s more work to be done. We cannot afford any delays in justice.” – Peter Courtney (D-Salem)*

*“For far too long, the scales have been tipped against public defenders, making it difficult to ensure a fair and just public defense system.” – Governor Kate Brown*

*“I am grateful for the three-branch commitment to find long-lasting solutions to the long-standing challenges faced by our criminal justice system and those who work in and are served by it. With the necessary urgency and concerted, sustained effort, I know that we can strengthen that system and make it more just.” – Oregon Supreme Court Chief Justice Martha Walters.*

Although the FCMS project cannot change systemically how public defense operates in Oregon, it is a critical component in providing urgent and valuable information to leaders in the three-branch workgroup and the many stakeholders who are impacted by the effectiveness of public defense. With a robust system such as the FCMS both internal and external users will be afforded with a tool that offers the most current cloud hosted case management solution providing on/offline access to case information/client information/records all with user role-based permissions, data queries/reports, and financial tracking such as submission, payment, and reporting. It is expected that this system will provide the agency with a data repository that can be utilized for data analytics and capable of integrating with data sets from partnering agencies in Oregon and furthering the mission of the three-branch workgroup.

### 2.10.1 Improved Access to Data

Data fields are tracked through a count of the same data elements over time for every case and provider. As a snapshot these data fields do not provide much information however, comparatively tracked over time can tell a story and provide metrics or trends. A configured case management system should be able to provide row and aggregate level data. Aggregate count categories may include statewide, county, judicial district, attorney type, year, or month. Data in an integrated FCMS will provide PDSC the ability to track case activities and outcomes, and a “real time” view of staff/contractor engagement, enhanced transparency, and accountability through data driven, interactive, internal, and external relationships.

### 2.10.2 Fewer Manual Processes

Manual processes are those that require a person to do something before being able to progress forward. PDSC spends a considerable amount of time with manual data entry and contract management. An FCMS will provide significant value through an integration with other systems to enable a streamlined entry process for case and provider information. An automation of fee statements will alleviate the manual processes that currently exist and removes the need for repetitive data entry that has potential for human error. Automated workflows configured within the system will allow for more streamlined business process for PDSC staff and providers.

With the desired goals and outcomes of this project the desire is that the system will afford internal practices to be modernized and external practices to become systematic. Internally, the

system will allow PDSC staff to conduct contractual research and assurance of performance and compliance factors. Currently PDSC staff receive a multitude of reports with varying formats which are inconsistent and lacking critical data that is imperative to understanding Oregon public defense outcomes. Not only are the data reports inconsistent and ineffective, but payment processes are also held up due to the inadequacies of current tools and lack of supporting documentation to meet reimbursement requirements. The new system will afford the agency to internally collect and analyze data in accordance with contractual requirements in a consistent and verifiable manner. This capability will allow the agency's data and research department as well as the newly formed compliance, audit, and performance unit to evaluate and compare outcomes as they relate to public defense. Additionally, the agency's financial department will be able to further support the payment process and evaluation of fee statements within the case support services (CSS) unit.

Externally, the FCMS is expected to bring all contractors to a level playing field by providing a case management system that is robust, proficient, and capable of managing the needs of contracted entities performing public defense work in Oregon. Smaller entities have often struggled to procure a solution that affords their attorneys with tools similar to that of the more metropolitan areas in the state. By ensuring that each entity under contract has a cohesive and robust tool, Oregon's public defense provider community will no longer have to use contract funds to support case management needs as well as spend less time focused on cleaning data to meet monthly reporting requirements. For the first time providers can be more focused on the work attributed to public defense, than on the behind-the-scenes data analytics necessary to analyze imperative outcomes.

### 2.10.3 Reporting

Standardized statewide data collection within the FCMS will offer PDSC the ability to provide consistent reports to stakeholders and allow for audit compliance with mandatory statute and constitutional requirements. A centralized and integrated system will be able to produce financial and case metrics for contract administration.

Implementation of an integrated FCMS increases efficiencies through the ability to share information and accelerates the administrative processes so staff can access complete contractor and caseload information at crucial decision points. (See Goals and Outcomes [Appendix A.](#))

## 3. Conclusion and Recommendation

### 3.1 Conclusion and Recommendation

With regard to Oregon's public defense system, PDSC has compiled analyses, recommendations from field experts and requested action from public service representatives to assist with agency direction. When looking to resolutions there are many factors to consider, however a financial and case management tool is a critical place to start. As noted above there

are three options in which the agency can consider; status quo, COTS, and best of breed. Each of these options have costs, risks, and benefits attributed to their resolution, however, with a COTS solution would offer the least disruptive and most financially viable resolution.

New technology and business processes which follow a COTS solution will enable PDSC to achieve its goals and outcomes (see [Appendix A](#)). The Financial and Case Management Project, when fully implemented, will enhance the way PDSC operates and will allow for effective and timely data collection. Impactful reports can be produced and provided to the Legislature, providers, and the public, and will be a more efficient resource for Administrative Services Division (ASD) to monitor and audit all provider/attorney contracts. Reporting and case management will follow a more clearly defined and accurate processes, and improvement can be made on reimbursement of provider/attorney fees.

After review of the benefits and limitations of the alternatives, forecast of ongoing budgetary constraints, projection of an increase in employee costs, fragility of the current tools, and potential for significant increase in caseloads over the next decade, the project governance committees unanimously decided to discard the Status Quo option.

Project Governance has determined the COTS / Single-Solution Provider approach (internally or externally hosted) will meet the majority of PDSC needs and fulfill recommendations from many informative resources. In view of other state's activities, it appears this can be accomplished more quickly and for less cost than a custom build. A COTS solution is developed and vetted by a vendor and often other clients benefit from the same solution. This is an invaluable resource as project timelines, cost, and risk are considered. The nature of the solution provides a simpler way to show progress and show stakeholders what the future has in-store. This should positively influence stakeholder perceptions and support the need for change in Oregon's public defense services.

The FCMS project must be considered a necessary investment for PDSC, its partners, stakeholders, and the vulnerable populations of Oregon. The costs associated are moderate, however, the value provided through improved data collection and consolidation of public defense services information will create a strong foundation in which a competent public defense system can be built. The project will be carefully monitored and managed, reviewed for risks and issues, and in constant communication with stakeholders throughout the life of the project implementation.

Ultimately, the successful implementation of the Financial and Case Management Project will improve the ability to track outcomes related to public defense, provide data to monitor standards, increase access to data for internal staff, providers, attorneys and the newly formed CAP Division.

## APPENDIX A: Financial/Case Management System Goals & Outcomes

The integrated Financial and Case Management System (System) will store data for use in quantitative analysis and evaluation. The System will not provide client satisfaction or environmental analysis of service delivery.

The Goals and Outcomes are tools to help quantify processes for quality improvement, transparency, and reporting of Oregon's public defense services. The Outputs are data fields contained in the System that provide indicators (objectives) that can be measured to track progress towards the identified Outcomes. Through statistical analysis, the Outcomes are expected to result in the Impact, when combined with qualitative analysis (subjective) creates a viable path to measure the Goal.

**Goal:** An internal and external accessible system that collects and manages data to support accountability and transparency.

**Impact:** Ability to produce "real-time" performance dashboards for PDSC and providers.

**Outcome:** "Real-time" informative dashboards provide both PDSC and providers the opportunity to compare performance to required outcomes (transparency and oversight).

**Output:** For example, # of cases, cases per contract/provider, case cost, payment request status, case outcomes, case events.

**Goal:** Provide case cost accountability to Oregon's taxpayers.

**Impact:** Ability to produce detailed case cost reports.

**Outcome:** Taxpayer dollars allocated to PDSC for public defense will be used efficiently and effectively to monitor quality representation of contracted providers.

---

**Output:** For example, # cases served by each contract, cost per case by type of case, % or # of cases resulting in failure to appear.

**Goal:** Enhanced ability to manage the requests for case support services (CSS).

**Impact:** Manage and audit CSS requests.

---

**Outcome:** Monitor and audit the number of CSS per case and provider to reduce duplication of requests/payments and track activity.

---

**Output:** For example, # of requests per case type, outcomes of cases with requested services, type of CSS requested, track number of times specific providers request categories of services.

---

**Impact:** Ability to manage and configure changes to PDSC approved rates for routine and CSS.

---

**Outcome:** PDSC approved rate changes will be made within system by authorized users.

---

**Output:** For example, provider rate, mitigator rate, user who made changes to rate, date changes were made.

**Goal:** Timely payments to providers through improved payment process.

**Impact:** Deliver payments to providers per the Oregon Accounting Manual (OAM) processing timelines.

---

**Outcome:** Ability to audit to ensure compliance with OAM (i.e., Prompt Payment Section 116).

---

**Output:** For example, case number, provider contact information, county, case type, supporting documents (receipts, statements etc.), payment number (warrant).

**Goal:** Ability to monitor caseload assignments per attorney.

**Impact:** Monitor caseload limitations for attorneys based on best practice standards which provide a maximum number of cases an attorney can ethically handle at one time.

---

**Outcome:** Providers do not regularly exceed caseloads prescribed by the best practice standards.

---

**Output:** For example, weighted number of cases served by provider by case type, % of time provider allocates to public defense.

**Goal:** Ability to report on the impact of public defense services through detailed data of attorney activity with assigned client.

---

**Impact:** Analysis of case cost and case management outcomes through (improved) reporting.

---

**Outcome:** Ability to report on the case cost and time spent per attorney and the associated case outcomes.

---

**Output:** For example, case type, % of time spent on case, case outcome results, case financial information, case ageing, attorney information (name, bar number), case events (filings made with the court), any professional resource requested (case manager, investigator, expert witness, etc.)

**Goal:** Ability to report on caseloads, client interaction, case prep work, court appearances, and case related meetings per the Parent Child Representation Program (PCRP) general recommendations.<sup>17</sup>

**Impact:** Monitor adherence to PCRP recommendations.

---

**Outcome:** Provide data to evaluate operational expectations of the PCRP.

---

**Output:** For example, % of interaction time with client, % of case prep work, % of time in court appearances.

**Goal:** Reduction in manual data entry of client/case information.

**Impact:** Increase data accuracy through integrations with partner agencies and providers.

---

**Outcome:** Collect data electronically with the support of required data fields to produce uniform reporting.

---

**Output:** For example, client information (name, date of birth, address, demographics, criminal history, social security number), case events, charges, attorney information (name, bar#), child placement information, case outcomes, payment number (warrant)).

**Goal:** Collect data on client race, gender identity, ethnicity, and economic disparities to provide data that can be used to analyze how those factors affect case outcomes.

**Impact:** Monitor and identify how public defense services address racial, gender identity, ethnic, or economic disparities as they relate to services provided.

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**Outcome:** Ability to collect and measure racial, ethnic, and gender identity.

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**Outcome:** Ability to collect and measure income and economic disparities.

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<sup>17</sup> Public Defense Services Commission. (2020, July1). Request for Proposals for Parent Child Representation Program Contracts. Salem, Oregon. Retrieved from [\[https://www.oregon.gov/opds/provider/Pages/pcrp.aspx\]](https://www.oregon.gov/opds/provider/Pages/pcrp.aspx).

---

**Output:** For example, # cases by race, gender, income, ethnicity, and English as a second language for signs of disparity, # of clients who require access to an interpreter for court appearances (in person or remotely), clients released on bail.

---

Other configurable gains from the new F/CMS will include:

- The ability to take advantage of new and improved functions and processes added to the product by the vendor.
- Ability to configure the system and report on additional data elements related to changes in legislative or organizational requirements.
- Improved performance and supportability provided by an integrated COTS system.
- Standardized processes that flow through the various work units afforded from a single system.

# APPENDIX B: Alternatives Analysis – Cost Assumptions

## COTS / Single-Solution Provider Solution

| Item   | July 2023-<br>June 2024 | July 2025-<br>June 2025 | Biennium<br>2023/25   | July 2025-<br>June 2026 | July 2026-<br>June 2027 | Biennium<br>2025/27   | TOTAL                  |
|--|-------------------------|-------------------------|-----------------------|-------------------------|-------------------------|-----------------------|------------------------|
| Core Case Management System (CMS) – Vendor             | \$504,000.00            | \$504,000.00            | \$1,008,000.00        | \$504,000.00            | \$504,000.00            | \$1,008,000.00        | \$2,016,000.00         |
| Implementation   | \$75,000.00             | \$75,000.00             | \$150,000.00          | \$20,000.00             | \$10,000.00             | \$30,000.00           | \$180,000.00           |
| Data Migration   | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$10,000.00             | \$10,000.00             | \$20,000.00           | \$120,000.00           |
| Hosting & Support                                      | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$200,000.00           |
| Project Management Vendor                              | \$151,937.50            | 151,937.50              | \$303,875.00          | 151,937.50              | 151,937.50              | \$303,875.00          | \$607,750.00           |
| System Architecture                                    | \$321,550.00            | \$321,550.00            | \$643,100.00          | -                       | -                       | -                     | \$643,100.00           |
| Report Management Configuration/Customization – Vendor |                         |                         |                       |                         |                         |                       |                        |
| RSTARS   | \$155,325.00            | \$155,325.00            | \$310,650.00          | -                       | -                       | -                     | 310,650.00             |
| Network Infrastructure                                 | \$68,150.00             | \$68,150.00             | \$136,300.00          | -                       | -                       | -                     | \$136,300.00           |
| Possible Integration Work                              | \$272,500.00            | \$272,500.00            | \$545,000.00          | \$40,000.00             | \$15,000.00             | \$55,000.00           | \$600,000.00           |
| OPDS Hardware (New Requirements/Lifecycle)             | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$200,000.00           |
| QA Vendor  | \$375,000.00            | \$375,000.00            | \$750,000.00          | \$50,000.00             | \$25,000.00             | \$75,000.00           | \$825,000.00           |
| Technical Team – OPDS (2-OPA 3/1-ITS 4)                | \$466,687.00            | \$466,687.00            | \$933,374.00          | \$466,687.00            | \$466,687.00            | \$933,374.00          | \$1,866,748.00         |
| Training – Vendor/OPDS                                 | \$200,000.00            | \$200,000.00            | \$400,000.00          | \$30,000.00             | \$10,000.00             | \$40,000.00           | \$440,000.00           |
| Travel – Vendor/OPDS                                   | \$50,000.00             | \$50,000.00             | \$100,000.00          | \$5,000.00              | \$5,000.00              | \$10,000.00           | \$110,000.00           |
| Overhead - \$30k/year                                  | \$30,000.00             | \$30,000.00             | \$60,000.00           | \$30,000.00             | \$30,000.00             | \$60,000.00           | \$120,000.00           |
| Change Management Vendor (Project and Organization)    | \$200,000.00            | \$200,000.00            | \$400,000.00          | \$200,000.00            | \$200,000.00            | \$400,000.00          | \$800,000.00           |
| <b>Total All Funds</b>                                 | <b>\$3,020,149.50</b>   | <b>\$3,020,149.50</b>   | <b>\$6,040,299.00</b> | <b>\$1,607,624.50</b>   | <b>\$1,527,624.50</b>   | <b>\$3,135,249.00</b> | <b>\$9,175,548.00</b>  |
| <i>Contingency – 10% of project costs</i>              |                         |                         | <i>\$604,029.90</i>   |                         |                         | <i>\$313,524.90</i>   |                        |
| <i>Total Funds with Contingency</i>                    |                         |                         | <i>\$6,644,328.90</i> |                         |                         | <i>\$3,448,773.90</i> | <i>\$10,093,102.80</i> |

# Best of Breed / Custom Build Solution – Separate Financial / Case Management

| Item   | July 2023-<br>June 2024 | July 2025-<br>June 2025 | Biennium<br>2023/25 | July 2025-<br>June 2026 | July 2026-<br>June 2027 | Biennium<br>2025/27 | <b>TOTAL</b>    |
|--|-------------------------|-------------------------|---------------------|-------------------------|-------------------------|---------------------|-----------------|
| Core Case Management System (CMS) – Vendor             | \$825,000.00            | \$825,000.00            | \$1,650,000.00      | \$825,000.00            | \$825,000.00            | \$1,650,000.00      | \$3,300,000.00  |
| Implementation   | \$75,000.00             | \$75,000.00             | \$150,000.00        | \$20,000.00             | \$10,000.00             | \$30,000.00         | \$180,000.00    |
| Data Migration   | \$50,000.00             | \$50,000.00             | \$100,000.00        | \$10,000.00             | \$10,000.00             | \$20,000.00         | \$120,000.00    |
| Hosting & Support                                      | \$55,000.00             | \$55,000.00             | \$110,000.00        | \$70,000.00             | \$40,000.00             | \$110,000.00        | \$220,000.00    |
| Customization  | \$87,500.00             | \$87,500.00             | \$175,000.00        |                         |                         |                     | \$175,000.00    |
| Project Management Vendor                              | \$151,937.50            | 151,937.50              | \$303,875.00        | 151,937.50              | 151,937.50              | \$303,875.00        | \$607,750.00    |
| System Architecture                                    | \$321,550.00            | \$321,550.00            | \$643,100.00        | -                       | -                       | -                   | \$643,100.00    |
| Report Management Configuration/Customization – Vendor |                         |                         |                     |                         |                         |                     |                 |
| RSTARS   | \$155,325.00            | \$155,325.00            | \$310,650.00        | -                       | -                       | -                   | 310,650.00      |
| Network Infrastructure                                 | \$68,150.00             | \$68,150.00             | \$136,300.00        | -                       | -                       | -                   | \$136,300.00    |
| Possible Integration Work                              | \$272,500.00            | \$272,500.00            | \$545,000.00        | \$45,000.00             | \$10,000.00             | \$55,000.00         | \$600,000.00    |
| OPDS Hardware (New Requirements/Lifecycle)             | \$50,000.00             | \$50,000.00             | \$100,000.00        | \$50,000.00             | \$50,000.00             | \$100,000.00        | \$200,000.00    |
| QA Vendor  | \$375,000.00            | \$375,000.00            | \$750,000.00        | \$50,000.00             | \$25,000.00             | \$75,000.00         | \$825,000.00    |
| Technical Team – OPDS (2-OPA 3/1-ITS 4)                | \$466,687.00            | \$466,687.00            | \$933,374.00        | \$466,687.00            | \$466,687.00            | \$933,374.00        | \$1,866,748.00  |
| Training – Vendor/OPDS                                 | \$200,000.00            | \$200,000.00            | \$400,000.00        | \$30,000.00             | \$10,000.00             | \$40,000.00         | \$440,000.00    |
| Travel – Vendor/OPDS                                   | \$50,000.00             | \$50,000.00             | \$100,000.00        | \$5,000.00              | \$5,000.00              | \$10,000.00         | \$110,000.00    |
| Overhead - \$30k/year                                  | \$30,000.00             | \$30,000.00             | \$60,000.00         | \$30,000.00             | \$30,000.00             | \$60,000.00         | \$120,000.00    |
| Change Management Vendor (Project and Organization)    | \$200,000.00            | \$200,000.00            | \$400,000.00        | \$200,000.00            | \$200,000.00            | \$400,000.00        | \$800,000.00    |
| Total All Funds  | \$3,433,649.50          | \$3,433,649.50          | \$6,867,299.00      | \$2,043,624.50          | \$1,743,624.50          | \$3,787,249.00      | \$10,654,548.00 |
| <i>Contingency – 10% of project costs</i>              |                         |                         | \$686,729.90        |                         |                         | \$378,724.90        |                 |
| <i>Total Funds with Contingency</i>                    |                         |                         | \$7,557,028.90      |                         |                         | \$4,165,973.90      | \$11,720,002.80 |

# APPENDIX C: Risk Management Plan

## Project Risks, Mitigation Strategies, and Contingency Plans

| Risk  | Description  | Rating          | Mitigation Strategy   | Contingency Plan   |
|---|--|-----------------|---|--|
| <p>1. Capability of PDSC to manage a project of this size and complexity.</p> | <p>The FCMS project will require a significant amount of project management resources, both at the project and implementation level. PDSC currently does not employ personnel directly supporting project management work.</p> | <p><b>L</b></p> | <ul style="list-style-type: none"> <li>• PDSC will appoint or hire a project manager/team with experience in identification, development, management, and deployment of projects of this size, scope, and complexity.</li> <li>• PDSC will appoint or hire an experienced project manager with overall authority and responsibility to manage and direct the project.</li> <li>• Outsource various implementation activities to contracted vendors.</li> <li>• PDSC has identified a robust governance structure to support the project.</li> </ul> | <ul style="list-style-type: none"> <li>○ Appoint or Hire Project Manager with Oregon Project Management Certification, or PMP. Extend implementation timelines.</li> <li>○ Reduce the number of concurrent efforts.</li> </ul> |

| Risk   | Description  | Rating   | Mitigation Strategy   | Contingency Plan   |
|--|--|----------|---|--|
| 2. Funding cut or severe funding reduction during project implementation results in incomplete project.                                    | With smaller scale, shorter-term projects, there is the possibility that funding may be reduced before the project is fully implemented. This is even more likely during periods of declining General Fund resources.                          | <b>H</b> | <ul style="list-style-type: none"> <li>• Keep frequent communication with the Legislative Fiscal Office (LFO) to ensure that the decision makers have the necessary information and justification to continue funding the project.</li> </ul> | <ul style="list-style-type: none"> <li>○ Re-scope affected project areas.</li> <li>○ Delay the overall implementation schedule to correspond to new level of funding.</li> <li>○ Prioritize internal OPDS operations versus statewide deployment.</li> </ul> |
| 3. PDSC divisions are unable to participate as Subject Matter Experts (SMEs) in business process standardization due to budget reductions. | The State of Oregon is facing an unprecedented budget crisis. If PDSC faces budget cuts that significantly reduce staff resources identification of business processes, configuration of the system, and deployment activities may be limited. | <b>M</b> | <ul style="list-style-type: none"> <li>• Identify fewer core staff needed to implement basic system(s).</li> </ul>  | <ul style="list-style-type: none"> <li>○ Slow down project timeline until SMEs became available.</li> <li>○ Implement basic functionality and sectionalize configuration / deployment as resources become available.</li> </ul>                              |
| 4. Procurement is delayed.   | Vendors have expressed interest in providing services and products for OPDS. COVID-19 may slow vendor responses / resources.   | <b>M</b> | <ul style="list-style-type: none"> <li>• Ensure detailed adherence to the approved procurement process.</li> </ul>  | <ul style="list-style-type: none"> <li>○ Adjust project timeline as appropriate.</li> </ul>  |

| Risk  | Description  | Rating   | Mitigation Strategy  | Contingency Plan  |
|---|--|----------|--|---|
| 5. Lack of clear internal vision creates competing priorities.  | PDSC has a project vision statement driven by the PDSC Strategic Plan however the economic situation may create competing priorities.  | <b>M</b> | <ul style="list-style-type: none"> <li>• Ensure that governance and PDSC executive leadership clearly communicate internally and externally the importance of the project.</li> </ul>  | <ul style="list-style-type: none"> <li>○ Rarticulate strategy to all internal and external stakeholders to clarify expectations.</li> </ul>   |
| 6. Unclear internal roles and responsibilities delay project activities.  | A project of this size requires clear delineation of roles and responsibilities. It is critical that these factors be addressed by PDSC in order to ensure that decisions are made in a timely manner and with full information.                               | <b>M</b> | <ul style="list-style-type: none"> <li>• Implement a comprehensive governance model with clear roles and responsibilities.</li> <li>• Acquire external quality assurance oversight to monitor issues in this area.</li> <li>• Identify experienced Project Manager.</li> </ul>   | <ul style="list-style-type: none"> <li>○ Rarticulate internal roles and responsibilities to clear up confusion.</li> <li>○ Identify additional resources if needed.</li> </ul>  |
| 7. Lack of communication between PDSC, internal stakeholders, project team, and external project stakeholders, leads to diversions from original goals and outcomes of the project. | It is critical that lines of communication are maintained between stakeholders, governance, and the project team. Without such communication structures in place, there is a high possibility the project will diverge from the identified goals and outcomes. | <b>M</b> | <ul style="list-style-type: none"> <li>• The project manager will be responsible to ensure clear and concise communication occurs on project status, scope, schedule, and budget to internal and external stakeholders and governance.</li> <li>• Rely on the SSP to clearly identify an implementation path.</li> </ul> | <ul style="list-style-type: none"> <li>○ Bring leadership team together to review enhanced communication as necessary.</li> <li>○ Bring project team together to review messages that conflict and clarify for understanding.</li> <li>○ Publish the solution and distribute to all impacted by project.</li> </ul> |

| Risk  | Description  | Rating | Mitigation Strategy  | Contingency Plan  |
|---|--|--------|--|---|
| 8. Vendor lacks clear understanding of project goals and objectives even with clear requirements. | If the vendor selected for the FCMS does not possess adequate familiarity with the PDSC goals and objectives of the project, there exists the possibility that the vendor may not be capable of meeting stakeholder needs or project requirements. | M      | <ul style="list-style-type: none"> <li>• Ensure that the vendor understands the business of PDSC and its internal and external interactions.</li> <li>• Clearly articulate the operational needs of the system desired. Hold pre-bid conference to clarify understanding.</li> </ul> | <ul style="list-style-type: none"> <li>○ Meet with the vendor on a regular basis to reiterate goals and objectives of the project and clarify for understanding.</li> </ul> |
| 9. Decisions are not made in time to keep pace with project activities.                           | Decision-making structures that do not support rapid progress and collaboration between multiple lines of effort will cause delays.  | M      | <ul style="list-style-type: none"> <li>• The project team and vendor will meet weekly to provide recommendations to governance to allow timely decision making.</li> </ul>   | <ul style="list-style-type: none"> <li>○ Decision log is forwarded to Executive Sponsors for approval.</li> </ul>   |
| 10. Legacy technology failure requires a shift in priorities.                                     | If any major component of the current PDSC technology environment fails, the priority will most likely shift from development / configuration / deployment of the FCMS system to an immediate fix of the legacy system(s).                         | H      | <ul style="list-style-type: none"> <li>• Retain a separate support staff skilled in legacy technology.</li> <li>• Minimize changes to legacy tools.</li> </ul>   | <ul style="list-style-type: none"> <li>○ Re-scope affected areas.</li> <li>○ Extend implementation timelines.</li> <li>○</li> </ul>   |

| Risk                                    | Description   | Rating | Mitigation Strategy  | Contingency Plan  |
|---|---|--------|--|---|
| 11. Inadequate infrastructure capacity. | If this infrastructure does not have the capacity, performance, or manageability to support financial management, case management, and internal and external access the objectives of the project cannot be realized. | L      | <ul style="list-style-type: none"> <li>• Engage network administrators and vendor consultants to perform a needs assessment during early project phases.</li> <li>• Contract with vendor to provide adequate, redundant bandwidth.</li> <li>• Assess whether the needs of high-availability business requirements necessitate upgrades to network or power failover systems. If so, make the appropriate recommendations.</li> </ul> | <ul style="list-style-type: none"> <li>○ Have a second technical provider available if needed to facilitate technical infrastructure improvements.</li> </ul>   |
| 12. "Vision fade".                      | Losing sight or connection to the PDSC project vision.  | L      | <ul style="list-style-type: none"> <li>• Ensure vision is clearly stated in all presentations and foundational documents for the project; ensure that the vision drives tactics, strategy, and implementation in all phases.</li> </ul>  | <ul style="list-style-type: none"> <li>○ Memo from the Executive Director to re-emphasize vision and goals of the project.</li> <li>○ Project presentations to all internal / external stakeholders.</li> </ul> |
| 13. Data Migration.                     | PDSC data tools / data elements are not organized in a way to facilitate data migration.  | M      | <ul style="list-style-type: none"> <li>• Work with vendor to identify appropriate data elements to migrate.</li> <li>• Identify elements that may need to be migrated as text fields.</li> <li>• Identify long term storage of current data that is compatible with new system.</li> </ul>   | <ul style="list-style-type: none"> <li>○ Work with OPDS stakeholders to cleanse data prior to data migration.</li> </ul>  |

| Risk                             | Description   | Rating   | Mitigation Strategy   | Contingency Plan   |
|----------------------------------|---|----------|---|--|
| 14. Business Process Transition. | This project will replace the current tools used for data management and identify new business processes.   | <b>H</b> | <ul style="list-style-type: none"> <li>• PDSC leadership to continue to empathize goals and objectives.</li> <li>• Identify SMEs to guide configuration and identification of new business processes.</li> <li>• Ensure identified outcomes are met by vendor.</li> <li>• Extensive training provided to internal and external stakeholders.</li> <li>• Extensive business processes documentation.</li> </ul>                                  | <ul style="list-style-type: none"> <li>○ Provide additional training as needed.</li> <li>○ Enhance change management process as needed.</li> <li>○ OPDS leadership to identify expectations.</li> </ul>  |
| 15. Scope Creep.                 | This project will significantly change the technical infrastructure and impact many PDSC business processes. There is the potential of “scope creep” due to the extensive nature of the project and timeline. | <b>M</b> | <ul style="list-style-type: none"> <li>• PDSC leadership to continue to empathize goals and objectives.</li> <li>• Ensure identified outcomes are met by vendor.</li> <li>• Project Manager to ensure that goals and objectives are clearly stated and met.</li> <li>• Extensive business processes documentation.</li> <li>• Robust change management processes to identify issues that need to be addressed and those that do not.</li> </ul> | <ul style="list-style-type: none"> <li>○ PDSC leadership to identify expectations.</li> <li>○ Memo from the Executive Director to reemphasize project vision and goals.</li> <li>○ Ensure vendor understands PDSC goals and objectives.</li> </ul> |

## APPENDIX D: High-Level Requirements

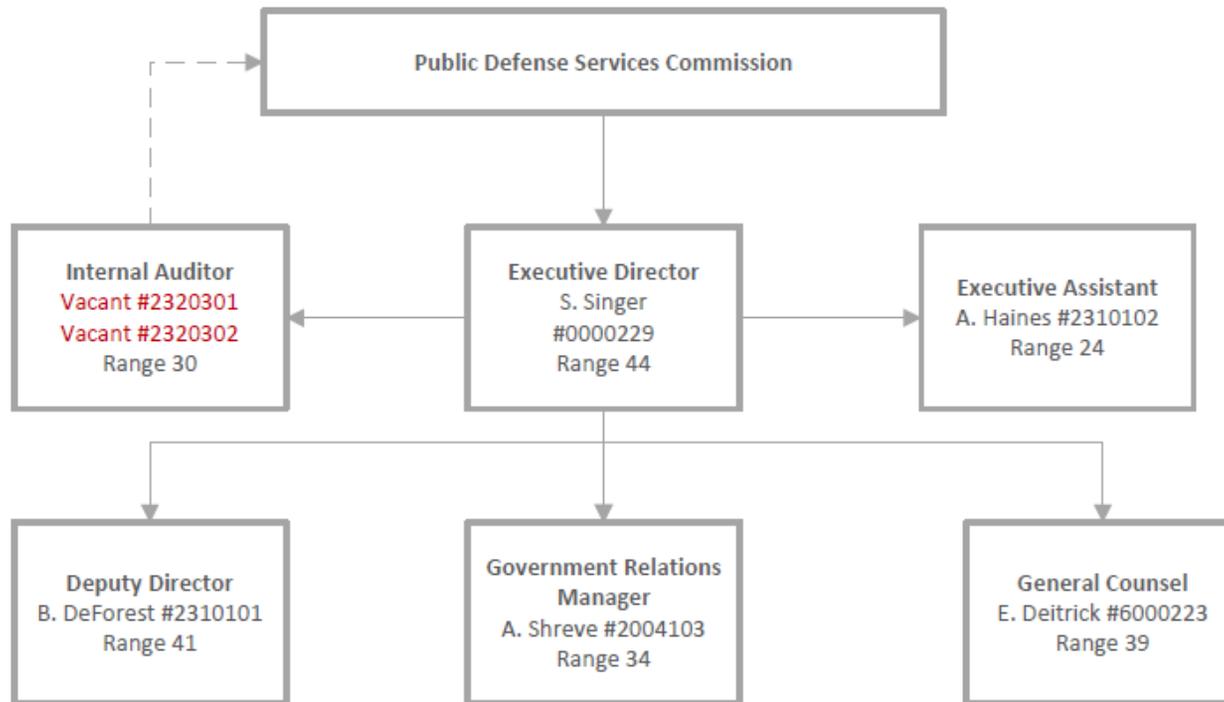
| Number | Category             | Requirement  |
|--------|----------------------|--|
| 1      | Role of Party        | Parent / Guardian / Child / Attorney   |
| 2      | Client Information   | First Name<br>Last Name<br>SSN*<br>DOB<br>Criminal History*<br>Primary Language<br>Child Placement   |
| 3      | Client Demographics* | Ethnicity*<br>Race*<br>Gender Identity*<br>Income*   |
| 4      | Case Information     | County<br>Case Name*<br>Case Number<br>Case Open Date*<br>Case Outcomes*<br>Case Type*<br>Case per Contract/Provider*<br>Case Events*<br>Hearing Dates*<br>Incident Date*<br>Information about Mitigating Factors*<br>Outcomes of Cases with Requested Services*<br>Services*<br>Supporting Documents* |
| 5      | Activity             | Activity Date<br>Activity Outcome*   |
| 6      | Charge Information   | Charge*<br>Charge Class*<br>Initial Charge*<br>Final Charge*<br>Information about Alternative Sentencing*<br>ORS Charges/OPDS Case Types*<br>Judgment Dates*<br>Ruling*  |

|    |                               |   |
|----|-------------------------------|---|
| 7  | Attorney/Provider Information | First Name<br>Last Name<br>Bar Number ID<br>Date Appointed or Retained/Assigned*<br>Appointment or Retained Type<br>Hourly Rate<br>Hours Spent with Client*   |
| 8  | Service Providers             | Investigator Used<br>Case Manager Used<br>Psychologist Used<br>Interpreters Used<br>Transcriber Used  |
| 9  | Attorney Case Information*    | Number of Cases Served by Each Contract*<br>Number of Clients Who Require an Interpreter*<br>Number of Requests Per Case Type*<br>Percent of Case Prep Work*<br>Percent of Time in Court Appearances*<br>Percent of Time Provider Allocates to Public Defense*<br>Percent or Number of Cases Resulting in FTA*<br>Track Number of Times Specific Providers Request Categories of Services*<br>Weighted Number of Cases Served by Provider by Case Type* |
| 10 | Billing Information           | Authorization Number<br>Authorized By<br>Amount Requested*<br>Amount Approved<br>Payment Number<br>Payment Request Status<br>Case Cost<br>Case Financial Information*<br>Cost per Case by Case Type*  |

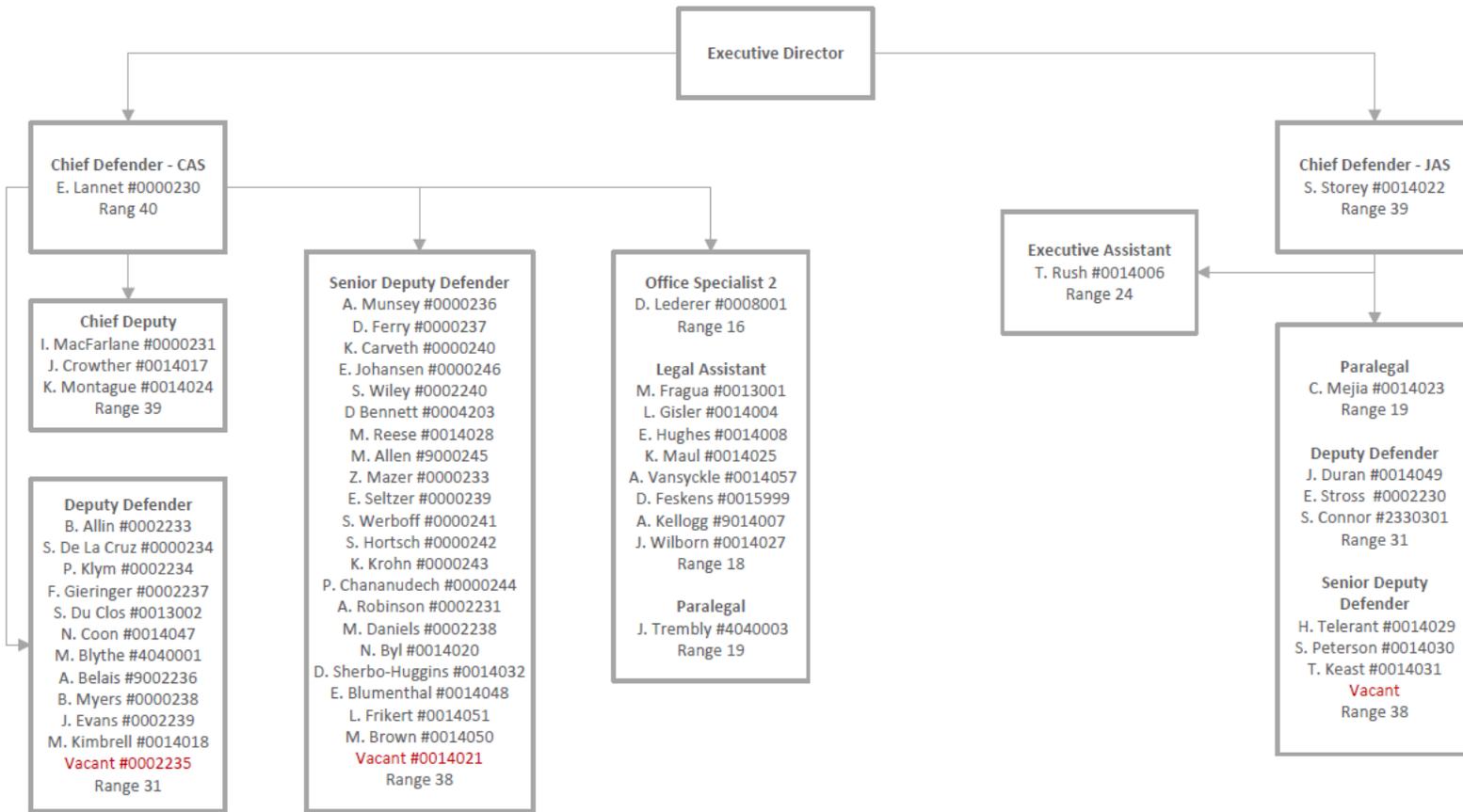
Note: These high-level solution requirements were used as criteria for Section 3, *Alternative Analysis*. Data currently collected by OPDS exists in disparate financial and case management tools. Requirements denoted with an asterisk (\*) indicate data and capabilities that OPDS does not currently receive or is able to create. This is not a comprehensive list of procurement ready solution requirements. If the project is approved by LFO, a complete requirements gathering process will occur.

# APPENDIX E: Organizational Divisions

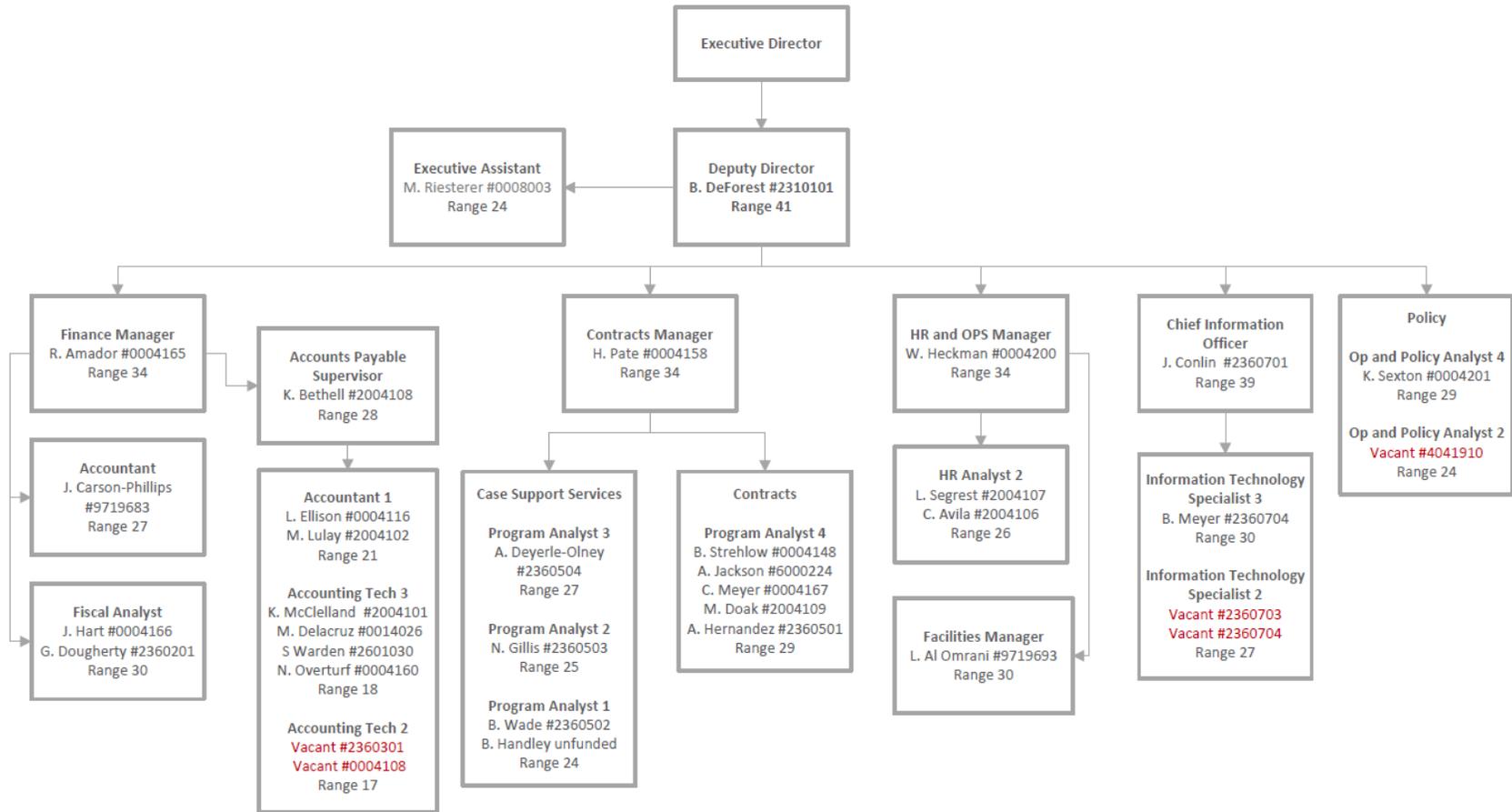
## Executive Services Division



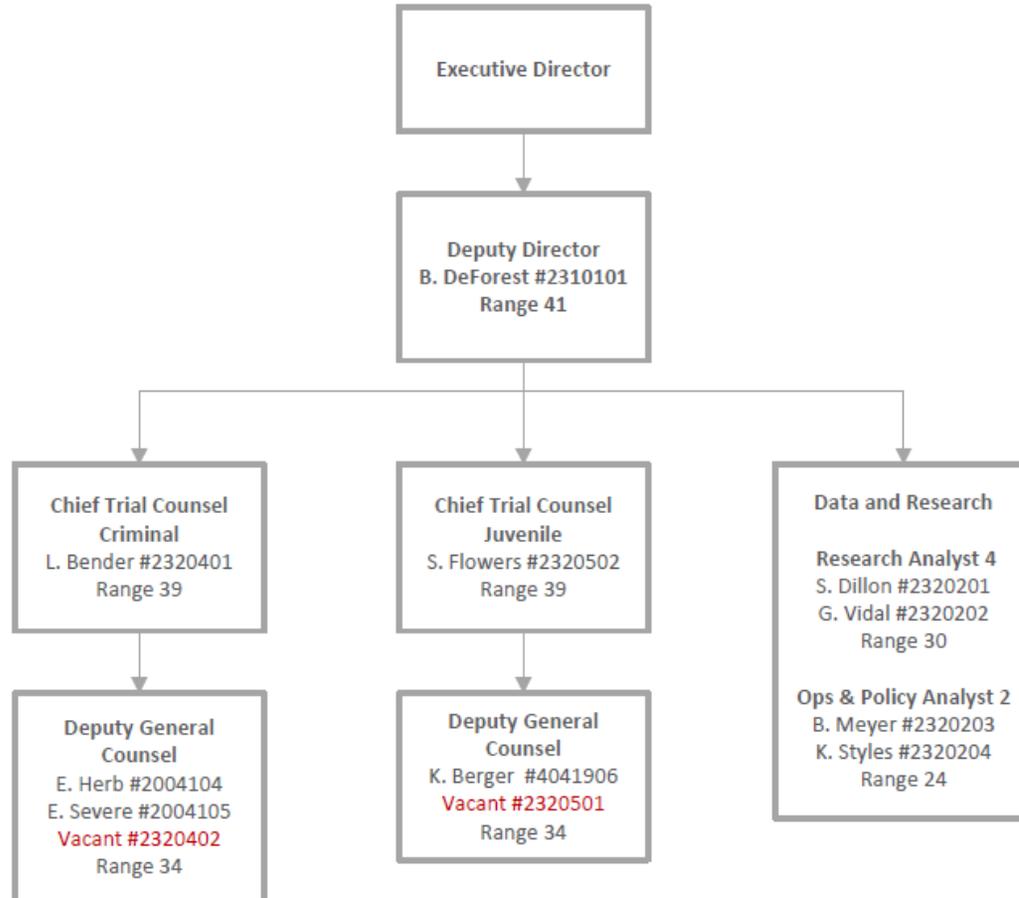
# Appellate Services Division



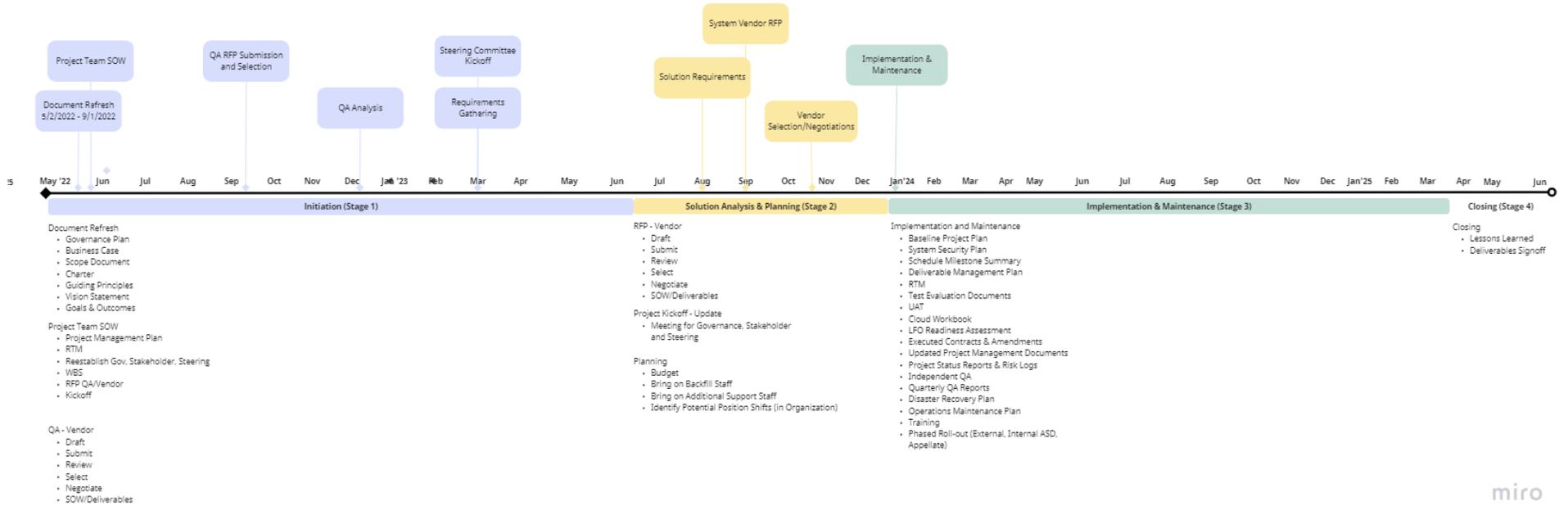
# Administrative Services Division



# Compliance, Audit, and Performance Division



# APPENDIX E – Initial Project Timeline



APPENDIX F – Cost Estimates

| COTS / Single-Solution Provider Solution               |                      |                     |                  |                     |                     |                  |                  |
|--|----------------------|---------------------|------------------|---------------------|---------------------|------------------|------------------|
| Item   | 2023-2025 Biennium   |                     |                  | 2025-2027 Biennium  |                     |                  | Total            |
|  | July 2023- June 2024 | July 2024-June 2025 | Biennium 2023/25 | July 2025-June 2026 | July 2026-June 2027 | Biennium 2025/27 |                  |
| Core Case Management System (CMS) - Vendor             | \$ 504,000.00        | \$ 504,000.00       | \$ 1,008,000.00  | \$ 504,000.00       | \$ 504,000.00       | \$ 1,008,000.00  | \$ 2,016,000.00  |
| Implementation   | \$ 75,000.00         | \$ 75,000.00        | \$ 150,000.00    | \$ 20,000.00        | \$ 10,000.00        | \$ 30,000.00     | \$ 180,000.00    |
| Data Migration   | \$ 50,000.00         | \$ 50,000.00        | \$ 100,000.00    | \$ 10,000.00        | \$ 10,000.00        | \$ 20,000.00     | \$ 120,000.00    |
| Hosting & Support                                      | \$ 50,000.00         | \$ 50,000.00        | \$ 100,000.00    | \$ 50,000.00        | \$ 50,000.00        | \$ 100,000.00    | \$ 200,000.00    |
| Project Management - Vendor                            | \$ 151,937.50        | \$ 151,937.50       | \$ 303,875.00    | \$ 151,937.50       | \$ 151,937.50       | \$ 303,875.00    | \$ 607,750.00    |
| System Architecture                                    | \$ 321,550.00        | \$ 321,550.00       | \$ 643,100.00    |                     |                     |                  | \$ 643,100.00    |
| Report Management Configuration/Customization - Vendor |                      |                     |                  |                     |                     |                  | \$ -             |
| RSTARS   | \$ 155,325.00        | \$ 155,325.00       | \$ 310,650.00    |                     |                     |                  | \$ 310,650.00    |
| Network Infrastructure                                 | \$ 68,150.00         | \$ 68,150.00        | \$ 136,300.00    |                     |                     |                  | \$ 136,300.00    |
| Possible Integration Work                              | \$ 272,500.00        | \$ 272,500.00       | \$ 545,000.00    | \$ 40,000.00        | \$ 15,000.00        | \$ 55,000.00     | \$ 600,000.00    |
| OPDS Hardware (New Requirements/Lifecycle)             | \$ 50,000.00         | \$ 50,000.00        | \$ 100,000.00    | \$ 50,000.00        | \$ 50,000.00        | \$ 100,000.00    | \$ 200,000.00    |
| QA Vendor  | \$ 375,000.00        | \$ 375,000.00       | \$ 750,000.00    | \$ 50,000.00        | \$ 25,000.00        | \$ 75,000.00     | \$ 825,000.00    |
| Technical Team - OPDS (2- OPA 3/1- ITS4)               | \$ 466,687.00        | \$ 466,687.00       | \$ 933,374.00    | \$ 466,687.00       | \$ 466,687.00       | \$ 933,374.00    | \$ 1,866,748.00  |
| Training - Vendor/OPDS                                 | \$ 200,000.00        | \$ 200,000.00       | \$ 400,000.00    | \$ 30,000.00        | \$ 10,000.00        | \$ 40,000.00     | \$ 440,000.00    |
| Travel - Vendor/OPDS                                   | \$ 50,000.00         | \$ 50,000.00        | \$ 100,000.00    | \$ 5,000.00         | \$ 5,000.00         | \$ 10,000.00     | \$ 110,000.00    |
| Overhead - \$30k/year                                  | \$ 30,000.00         | \$ 30,000.00        | \$ 60,000.00     | \$ 30,000.00        | \$ 30,000.00        | \$ 60,000.00     | \$ 120,000.00    |
| Change Management Vendor (Project and Organization)    | \$ 200,000.00        | \$ 200,000.00       | \$ 400,000.00    | \$ 200,000.00       | \$ 200,000.00       | \$ 400,000.00    | \$ 800,000.00    |
| <i>Total All Funds</i>                                 | \$ 3,020,149.50      | \$ 3,020,149.50     | \$ 6,040,299.00  | \$ 1,607,624.50     | \$ 1,527,624.50     | \$ 3,135,249.00  | \$ 9,175,548.00  |
| <i>Contingency - 10% of project costs</i>              |                      |                     | \$ 604,029.90    |                     |                     | \$ 313,524.90    |                  |
| <i>Total Funds with Contingency</i>                    |                      |                     | \$ 6,644,328.90  |                     |                     | \$ 3,448,773.90  | \$ 10,093,102.80 |



# **Quarterly Quality Status Report #1**

## **(for evaluation period 1/1/23 – 3/31/23)**

### **Deliverable 4.1.1**

Version 1.0



### **Financial and Case Management System (FCMS) Project**

Public Defense Services Commission

Office of Public Defense Services

April 20, 2023

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## Revision Description

| Document Revision History |                |                                   |
|---------------------------|----------------|-----------------------------------|
| <u>Date</u>               | <u>Version</u> | <u>Description</u>                |
| April 10, 2023            | 0.4            | Draft for internal review/updates |
| April 13, 2023            | 0.5            | Final draft for internal review   |
| April 14, 2023            | 0.6            | Official submission               |
| April 20, 2023            | 1.0            | Final Approved Deliverable        |

# 1. Executive Summary

---

Over the last several decades Oregon public defense has faced a multitude of variables which have greatly impacted the effectiveness of counsel for the underserved populations. Several reports have indicated the cause and effect of these variables and provided valuable recommendations. In addition to the recommended action, the Oregon Legislature has directed the Public Defense Services Commission (PDSC) to organizationally respond to the effectiveness of counsel in Oregon, which can be directly correlated to House Bill (HB) 2003 (2021) increasing Commission membership from seven (7) to nine (9) members. HB 5030 (2021) directing the agency to establish a Compliance, Audit, and Performance (CAP) division. HB 5202 (2022) directed the PDSC to re-initiate the planning phases of the Financial/Case Management System (F/CMS) information technology project.

PDSC is focusing on the assurance that all eligible Oregonians have proper access to effective counsel. One way in which the Commission feels this goal can be achieved is through the implementation of a Financial and Case Management System (FCMS). This business case will serve as the justification for the undertaking of advancing services and counsel related to public defense. It is imperative that this document relay the current technical structure in which PDSC utilizes, and the inadequacies that limit the agency's ability to modernize efforts to better meet the needs of public defense.

The purpose of this project is to replace PDSC's end of life, in-house built database structure with a cloud hosted Commercial-of-the-shelf (COTS) financial and case management system. Oregon public defense has been lacking a solution that not only provides timely payments to the contract and provider community, but a capability to capture comprehensive data on public defense.

With the implementation of the FCMS PDSC will meet Oregon public defense needs with the following system capabilities:

- (a) Financial Management
- (b) Case Management
- (c) Reporting

PDSC desires a transparent and effective public defense model and believes that starts with modernizing operational technologies.

This report represents Hittner & Associates' quarterly evaluation of the FCMS Project. It contains the results of our independent evaluation of key documents, as well as a series of interviews.

It is important to note that while our Quarterly Quality Status Report #1 is comprehensive, it has been done from a position of independence. As part of the on-going risk notification process, our

approach included conducting interviews with both OPDS staff and other Project stakeholders to properly inform our findings and recommendations.

The measurements and assessments align with Quality Standards deemed by Hittner & Associates to be important for the FCMS Project and are represented by the following:

| Risk Rating   | Description  |
|---------------|--|
| <b>Low</b>    | This project exhibits the low risk cue, or appears to have no risks in this area.  |
| <b>Medium</b> | This project exhibits the medium risk cue, or something similar in threat.   |
| <b>High</b>   | This project exhibits the high-risk cue, or something similar in threat.   |
| N/A           | This factor is not applicable to this project.   |
| <b>TBD</b>    | The project is not far enough along to assign a rating; the Project Team or Hittner & Associates needs to review the quality standard at a later time. |

Overall assessment findings will include trending information to provide an at-a-glance view of the likely trajectory of activities based on past performance. Trending will be identified as follows:

| Trend | Definition  |
|-------|---|
| ↑     | Activities are improving / Risk is decreasing       |
| ↔     | Activities are remaining steady / No change in risk |
| ↓     | Activities are deteriorating / Risk is increasing   |

## 1.1. Project Status & Health

| Project Health  |     |          |                          |
|-----------------|-----|----------|--------------------------|
| Current Rating  | M-H | Trending | Risk Decreasing Slightly |
| Previous Rating | H   |          |                          |

As of March 2023, Hittner & Associates rates the overall project health as having a Medium-High Risk profile. On the following pages, we provide our ratings for several high-level areas. Further in the document, detailed evaluations of individually rated standards can be found.

Jessica Kampfe has assumed the role of Project Sponsor.

Good progress was made in March in the area of scope agreement among agency leadership.

The Project has defined requirements and is making progress towards a procurement to select a Commercial-Off-The-Shelf (COTS) solution that would best satisfy the requirements for the new system and best serve all stakeholders. This solution would be hosted by the chosen vendor.

One of the next key activities for the Project is to review requirements with internal and external stakeholders, including end users. A first step in this process is for the Project Managers to go on a road show to talk about the project with external stakeholders around the state. This will take place on April 24 and 25.

Also, OPDS will be presenting to the Public Safety Sub-committee of the Legislature on April 19.

As noted in the initial Project Assessment Report, the Project Team is understaffed for the work ahead. The current team consists of co-Project Managers (PM's). While this has been sufficient to date, there is significant business and technical analysis ahead during the procurement phase to warrant additional staff. Additional staffing is being requested in the 2023-2025 Policy Option Package (POP) presented to the Legislature for the current session. In addition to the PM's, the Project should have two Business Analysts (BA's) and one Information Technology Specialist (ITS) that would be involved throughout the procurement and continuing into project implementation. Short of having those resources available, procurement tasks must be realistically planned with durations longer than would be with a full team.

OPDS should consider the possibility of adding two BA's and one ITS, if possible, for procurement activities. These positions would continue through the implementation. The ITS position is already included in the FCMS POP for 2023-2025 but the two BA positions would be additions.

Once scope is confirmed/finalized, the Project Team should assemble a procurement schedule from the ground up and ensure that it includes all procurement tasks, durations for each task, and

resources assigned to each task. The detailed schedule should then be communicated to all stakeholders who have a role in the procurement phase. In the interim, the Project Team should assemble the full set of procurement tasks and an initial resource utilization plan for those tasks.

Also noted in the initial Project Assessment Report, one additional factor that is an unknown today (as far as effect on the Project) is proposed legislation that would direct OPDS to bring public defense service in house, thus making all public defenders State employees. Whether that will be enacted and, if so, the timing of execution are still very much open questions. If passed, however, such legislation could have a significant effect on the scope, approach, and requirements of this Project. Hittner & Associates strongly recommends that OPDS know the outcome of this proposed legislation prior to releasing the FCMS RFP.

Detailed evaluation areas can be found in Section 3 of this report. Additional recommendations can be found in that section.

Following are breakdowns of specific measurement areas evaluated by Hittner & Associates for the FCMS Project.

| <b>Budget</b>          |          |                 |            |
|------------------------|----------|-----------------|------------|
| <b>Current Rating</b>  | <b>M</b> | <b>Trending</b> | <b>N/A</b> |
| <b>Previous Rating</b> | <b>M</b> |                 |            |

There is sufficient budget for the remainder of the biennium. Hittner & Associates rates this area as a Medium risk primarily due to possible increased cost for both implementation and hosting services due to inflation. However, the exact costs will be difficult to ascertain until proposals are received later in 2023.

| <b>Schedule</b>        |          |                 |            |
|------------------------|----------|-----------------|------------|
| <b>Current Rating</b>  | <b>H</b> | <b>Trending</b> | <b>N/A</b> |
| <b>Previous Rating</b> | <b>H</b> |                 |            |

Hittner continues to rate this area as a High risk as of March 2023.

The Project Team will need to lay out a complete schedule for the procurement work that includes all tasks, necessary resources, and durations. The first step will be to lay out the full set of procurement tasks and associated resources.

| Scope/Quality          |          |                 |                        |
|------------------------|----------|-----------------|------------------------|
| <b>Current Rating</b>  | <b>M</b> | <b>Trending</b> | <b>Risk Decreasing</b> |
| <b>Previous Rating</b> | <b>H</b> |                 |                        |

Good progress has been made in the area of agreement within Executive Leadership on what the scope and focus of the Project should be. Due to this, Hittner & Associates moves the risk rating in this area to Medium. This is a significant business transformation project (rather than just an IT project) and business process changes are always very challenging on multiple fronts.

Also, proposed legislation in the current Legislative session would direct OPDS to bring public defense service in house, thus making all public defenders State employees. If passed, such legislation could have a significant effect on the scope, approach, and requirements of this Project. As noted earlier in the Executive Summary, Hittner & Associates strongly recommends that OPDS know the outcome of this proposed legislation prior to releasing the FCMS RFP.

| Resources              |          |                 |            |
|------------------------|----------|-----------------|------------|
| <b>Current Rating</b>  | <b>H</b> | <b>Trending</b> | <b>N/A</b> |
| <b>Previous Rating</b> | <b>H</b> |                 |            |

Hittner & Associates continues to rate this area as a High risk.

The Project Team is understaffed for the work ahead. In addition to the co-PM’s currently working, ideally there would be two Business Analysts and a Technical Architect. They all would be working requirements refinement, stakeholder outreach, RFP creation, coordination and participation in proposal reviews and selection. There are many sub-tasks under each of these main tasks and a significant workload ahead.

There has been some discussion of bringing on at least one Business Analyst before the end of June, but recruiting for this has not begun as of the end of March 2023.

## 2. Critical Review Focus Areas

This section serves as a roll-up summary of the Detailed Focus Area review in section 3. To understand how the overall risk rating (color) for each item was arrived at, please see the detailed evaluation in section 3. The items listed in the Key Findings and Recommendations column represent just one item of possibly many noted in the detailed section 3. It is possible that the individual standard noted in the “Key Findings” column may be at a different risk level than the overall risk rating for that area noted in the “Jan 23” column.

### 2.1. Process Standards Scorecard

| Process Standards  | Jan 23 | Mar 23 | Key Findings and Recommendations  |
|--------------------|--------|--------|---|
| Decision Drivers   | H      | M      | <p>DD-0323-02: There is no set implementation date at this point. A project schedule will need to be developed. However, the scope, goals and objectives of the project must all be in alignment. There has been good progress in this area in getting executives aligned with scope.</p> <p><i>Recommendation: When the project schedule is developed, ensure it is driven from the ground up and is a realistic set of tasks, dates, and resource commitments. This includes a near-term schedule for procurement activities.</i></p> |
| Project Management | H      | M      | <p>PM-0323-03: This project is the top priority for the two Project Managers working FCMS.</p> <p><i>Recommendation: Ensure the PM’s are either 100% focused or almost fully focused on just the project when the procurement activities really begin.</i></p>  |
| Project Parameters | H      | H      | <p>PP-0323-01: The Project size is manageable but staffing is minimal. The Project’s complexity is driven mostly by challenges with stakeholder management at this point.</p> <p><i>Recommendation #1: Add at least one Business Analyst as soon as possible to begin working with PM’s on procurement activities.</i></p>  |

| Process Standards                | Jan 23 | Mar 23 | Key Findings and Recommendations  |
|----------------------------------|--------|--------|---|
|                                  |        |        | <p><i>Recommendation #2: Ensure a Stakeholder Engagement Plan is included as part of the Project Management Plan or Communications Plan.</i></p>  |
| <b>Project Team</b>              | M      | M      | <p>PT-0323-01: The Project Managers have the project as their first priority but also are involved in other agency activities. The rest of the team is matrixed with their priorities being operational responsibilities.</p> <p><i>Recommendation: Ensure there is a back-up plan for each resource that has a significant role in the project.</i></p>  |
| <b>Organizational Management</b> | M      | M      | <p>OM-0323-01: The organization has stabilized in the past couple months.</p> <p><i>Recommendation: As Legislative direction becomes clear on the potential move to the Executive branch, understand what that may mean for organizational changes, if any.</i></p>   |
| <b>Customer/User</b>             | M      | M      | <p>CU-0323-01: There has been limited involvement of end users to date.</p> <p><i>Recommendation: Ensure that end users are involved in the project from here on out. Of particular importance is to engage some end users in requirements and business process definition activities. While a set of requirements has been defined, they should be reviewed by a set of stakeholders as identified in the Stakeholder Engagement Plan.</i></p> |

## 2.2. Product Standard Scorecard

| Product Standards                    | Jan 23 | Mar 23 | Findings and Recommendations   |
|--------------------------------------|--------|--------|--|
| Product Content                      | M      | M      | PC-0323-01: An initial set of requirements (approximately 700) has been defined.<br><i>Recommendation:</i> Further review of these requirements should be considered prior to including in a solution RFP. These requirements should provide a view of what OPDS and its stakeholders would like in a new solution, while considering business processes. Requirements should be prioritized as some variation of “must have”, “beneficial”, and “nice to have.” The most challenging category is typically the middle category. Hittner & Associates can provide more information on this subject as requested. |
| Development Process                  | L      | L      | P-0323-01: Hittner & Associates has begun iQMS work for the project to provide independent quality assurance. LFO has also been involved.<br><i>Recommendation:</i> The project will need to evaluate the Solution contractor’s quality assurance process.   |
| Development / Deployment Environment | TBD    | TBD    | This will be evaluated further in the Procurement Phase.<br><i>Recommendation:</i> N/A.  |
| Technology                           | TBD    | TBD    | This will be evaluated further in the Procurement Phase.<br><i>Recommendation:</i> N/A.  |
| Deployment                           | TBD    | TBD    | This will be evaluated further in the Procurement Phase.<br><i>Recommendation:</i> N/A.  |
| Maintenance                          | TBD    | TBD    | This will be evaluated further in the Procurement Phase.<br><i>Recommendation:</i> N/A.  |

### 3. Detailed Evaluation and Recommendations

For each relevant Process or Product Standard, Hittner & Associates notes our findings in this area (using the Evaluation Questions as a general, but not limiting, guide) and any associated recommendation(s) for each finding. As the Standards take a broader view of the entire Project lifecycle, there are a few items that are not relevant for this report but will be evaluated later during the project.

Additionally, we utilize a similar format for each of our Quarterly Quality Status Report #1s; this section will serve as a basis for the next project assessment at the end of March 2023. Thus, a “last report” column is shown, although not utilized for this current Project Assessment.

#### 3.1. Decision Drivers

| ID   | Quality Standard     | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|----------------------|--|--|---------------|-------------|
| DD-1 | Political Influences | <ul style="list-style-type: none"> <li>Are decisions politically motivated?</li> </ul> | <p>DD-0323-01: Internal politics have some influence on the project, relative to a somewhat siloed divisional relationship. There is also external influence from the Governor and Chief Justice as well as legal services providers.</p> <p><i>Recommendation #1: Engage key representatives from all affected divisions to meet and cover the true objectives and goals are for the project. Leaders from affected divisions should commit to providing clear communication to those they represent at key points of the project.</i></p> <p><i>Recommendation #2: Hold a joint meeting of the Steering Committee and Governance Committee to ensure all understand the objectives and goals of the project.</i></p> | H             | H           |

| ID   | Quality Standard               | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|--------------------------------|--|---|---------------|-------------|
| DD-2 | Convenient Implementation Date | <ul style="list-style-type: none"> <li>Are decisions driven by dates, or by the scope of the project and the availability of staff?</li> </ul> | <p>DD-0323-02: There is no set implementation date at this point. A project schedule will need to be developed. However, the scope, goals and objectives of the project must all be in alignment. There has been good progress in this area in getting executives aligned with scope.</p> <p><i>Recommendation: When the project schedule is developed, ensure it is driven from the ground up and is a realistic set of tasks, dates, and resource commitments. This includes a near-term schedule for procurement activities.</i></p> | M             | H           |
| DD-3 | Short Term Solution            | <ul style="list-style-type: none"> <li>Does the solution meet short term needs without serious compromise to long term outlook?</li> </ul>     | <p>DD-0323-03: A solution is still to be selected. Some preliminary research has been done and OPDS believes there are some commercial products that could be a fit. A couple of demonstrations of the public sector eVoucher system were held to look at its functionality, although it is not a product that would be considered due to its proprietary nature.</p> <p><i>Recommendation: N/A.</i></p>  | L             | L           |

### 3.2. Project Management

| ID   | Quality Standard           | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|----------------------------|--|---|---------------|-------------|
| PM-1 | Project Definition / Scope | <ul style="list-style-type: none"> <li>• How well is the Project defined?</li> <li>• How manageable is the scope?</li> </ul>   | <p>PM-0323-01: Project scope has been defined. OPDS Executives have made good progress in being more aligned with the scope and approach.</p> <p><i>Recommendation: For at least the next Governance Committee and Steering Committee meetings, ensure Scope is reviewed and all are reminded of it.</i></p>  | M             | H           |
| PM-2 | Project Objectives         | <ul style="list-style-type: none"> <li>• Are objectives quantifiable?</li> <li>• Are objectives measurable?</li> </ul>   | <p>PM-0323-02: As with scope, project objectives have been laid out and progress has been made in getting leadership aligned.</p> <p><i>Recommendation: For at least the next Governance Committee and Steering Committee meetings, ensure Scope is reviewed and all are reminded of it.</i></p>  | M             | H           |
| PM-3 | Leadership                 | <ul style="list-style-type: none"> <li>• Is there a full-time Project Manager?</li> <li>• Is the Manager solely dedicated to the Project?</li> <li>• Are OPDS Business and IS executives involved at the appropriate level?</li> <li>• Is there an actively engaged Steering Committee?</li> </ul> | <p>PM-0323-03: This project is the top priority for the two Project Managers working FCMS.</p> <p><i>Recommendation: Ensure the PM's are either 100% focused or almost fully focused on just the project when the procurement activities really begin.</i></p> <p>PM-0323-04: OPDS leadership is actively engaged on the project.</p> <p><i>Recommendation: N/A.</i></p> <p>PM-0323-05: The Governance Committee (equivalent of an Executive Steering Committee on some projects) meets monthly and is actively engaged. The Steering Committee (equivalent of a Working Steering Committee) has been re-formed and had a first meeting.</p> <p><i>Recommendation: N/A.</i></p> | L             | L           |

| ID   | Quality Standard           | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|----------------------------|--|---|---------------|-------------|
| PM-4 | Project Mgmt Approach      | <ul style="list-style-type: none"> <li>Are there consistent and effective process planning and controls in place?</li> </ul>                         | <p>PM-0323-06: The Project is finalizing a project management plan.<br/> <i>Recommendation: Provide project management plan to Hittner &amp; Associates for review when it is available.</i></p>  | M             | M           |
| PM-5 | Project Mgmt Communication | <ul style="list-style-type: none"> <li>Does the Project communicate effectively with Exec. Management, Vendors and Stakeholders?</li> </ul>          | <p>PM-0323-07: The Project Team produces a monthly status report which is very useful and contains appropriate information.<br/> <i>Recommendation: Once the procurement phase begins in earnest, the Project should consider increasing the report frequency to bi-weekly.</i></p>   | L             | L           |
| PM-6 | Project Mgmt Experience    | <ul style="list-style-type: none"> <li>Does the Project Manager have appropriate PM experience for a project of this size and complexity?</li> </ul> | <p>PM-0323-08: The Project Managers are newer PM's but are both PMP certified (through Project Management Institute) and Oregon Project Management certified and have been working on the project for over a year now.<br/> <i>Recommendation: Ensure the PM's are included in key decision-making meetings related to the Project.</i></p>   | M             | M           |
| PM-7 | Project Mgmt Authority     | <ul style="list-style-type: none"> <li>Does the Project Mgr. have sufficient and official authority to make decisions?</li> </ul>                    | <p>PM-0323-09: This is OPDS' first real foray into formal project management so there is naturally some resistance to formal project methodology and thus that affects the PM's full authority.<br/> <i>Recommendation: A project kick-off meeting should be held with all key stakeholders that includes an overview of project management and why it is important. Then Executive Leadership must ensure that support and authority is reinforced as needed during the Project.</i></p> | H             | H           |

| ID   | Quality Standard            | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|-----------------------------|---|---|---------------|-------------|
| PM-8 | Support of the Project Mgr. | <ul style="list-style-type: none"> <li>Does the Project Mgr. have sufficient support of Team Members and Senior and Exec. Mgmt.?</li> </ul> | <p>PM-0323-10: The Project Managers have support from Executives but will need ongoing support to complete key documentation and also provide strategic direction as needed.</p> <p><i>Recommendation #1: As the Project moves forward, it will be important for Executives to meet regularly with the PM's to continue to foster communication and support. Also, documentation input/review/feedback must be timely.</i></p> <p><i>Recommendation #2: Participation in both the Steering Committee and Governance Committee must be a priority for the members. Also, it is critical that committee members perform their duties as required (timeline documentation reviews, active participation in meetings, etc.)</i></p> | M             | M           |

### 3.3. Project Parameters

| ID   | Quality Standard       | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|------------------------|--|--|---------------|-------------|
| PP-1 | Project Size           | <ul style="list-style-type: none"> <li>Is the Project of a size and complexity that is manageable by OPDS?</li> </ul>  | <p>PP-0323-01: The Project size is manageable but staffing is minimal. The Project’s complexity is driven mostly by challenges with stakeholder management at this point.</p> <p><i>Recommendation #1: Add at least one Business Analyst as soon as possible to begin working with PM’s on procurement activities.</i></p> <p><i>Recommendation #2: Ensure a Stakeholder Engagement Plan is included as part of the Project Management Plan or Communications Plan.</i></p>                            | H             | H           |
| PP-2 | Hardware Constraints   | <ul style="list-style-type: none"> <li>Are there few hardware constraints?</li> </ul>  | <p>PP-0323-02: No hardware constraints are known at this point.</p> <p><i>Recommendation: This area will be evaluated further as the office is looking for a COTS (Commercial-Off-the-Shelf) solution.</i></p>   | L             | L           |
| PP-3 | Budget & Resource Size | <ul style="list-style-type: none"> <li>Does the Project have sufficient budget?</li> <li>Are there sufficient resources allocated to the Project?</li> </ul> | <p>PP-0323-03: The project has sufficient budget for the remainder of this biennium. A Policy Option Package (POP) has been submitted for the 2023-2025 biennium for project implementation costs, including both internal and external resources. It is difficult to assess the exact cost of an implementation and ongoing hosting services until proposals are received from vendors. There are positive indicators (scheduled for work sessions) for the proposed budget with the Legislature.</p> | H             | H           |

| ID   | Quality Standard                 | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|----------------------------------|--|---|---------------|-------------|
|      |                                  |  | <p><i>Recommendation: During procurement activities, identify if there is a significant delta between budgeted costs and projected costs from proposals.</i></p> <p>PP-0323-04: The project is understaffed for the work ahead of it. Ideally, two business analysts and technical analyst/architect would be available for the work ahead, including procurement activities.</p> <p><i>Recommendation: Ensure sufficient technical expertise is available for procurement activities – from requirements review to RFP assembly to proposal evaluations.</i></p> |               |             |
| PP-4 | Cost Controls                    | <ul style="list-style-type: none"> <li>• Are there well-established cost controls in place?</li> </ul>   | <p>PP-0323-05: The Project tracks budget regularly and reports monthly.</p> <p><i>Recommendation: N/A.</i></p>  | L             | L           |
| PP-5 | Delivery Commitment and Schedule | <ul style="list-style-type: none"> <li>• Does the Project have definitive and firm delivery dates?</li> <li>• Are those dates being met?</li> <li>• Is the schedule feasible?</li> </ul> | <p>PP-0323-06: A formal schedule for procurement activities is still to be finalized.</p> <p><i>Recommendation: Following receipt of this report, the Project should identify any new/modified tasks and then assemble a final procurement schedule or at least list of tasks and the priority for those tasks.</i></p>   | H             | H           |
| PP-6 | Information Security             | <ul style="list-style-type: none"> <li>• Is the Project governed by agreed upon parameters and limitations, meeting relevant industry requirements?</li> </ul>                           | <p>PP-0323-07: The Project will need to include security requirements as part of any solution. Hittner &amp; Associates will evaluate these as they are available.</p> <p><i>Recommendation: N/A.</i></p>   | TBD           | N/A         |

### 3.4. Project Team

| ID   | Quality Standard         | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|--------------------------|---|--|---------------|-------------|
| PT-1 | Team Member Availability | <ul style="list-style-type: none"> <li>• Are team members dedicated to the Project?</li> <li>• Is there limited to no staff turnover?</li> <li>• Is “fire-fighting” limited?</li> </ul>   | <p>PT-0323-01: The Project Managers have the project as their first priority but also are involved in other agency activities. The rest of the team is matrixed with their priorities being operational responsibilities.</p> <p><i>Recommendation: Ensure there is a back-up plan for each resource that has a significant role in the project.</i></p>   | M             | M           |
| PT-2 | Mix of Team Skills       | <ul style="list-style-type: none"> <li>• Do the Project Team and Contractor have the appropriate mix of skill sets to accomplish the scope of work?</li> </ul>  | <p>PT-0323-02: There is no solution contractor yet. The skill set is appropriate for the current phase of the Project.</p> <p><i>Recommendation: N/A.</i></p>  | L             | L           |
| PT-3 | Team Productivity        | <ul style="list-style-type: none"> <li>• Are team members highly productive?</li> <li>• Are team members (including any Solution vendors) onsite an appropriate amount of time?</li> <li>• Are project milestones being met?</li> </ul> | <p>PT-0323-03: Team members continue to work on Project Planning activities, moving towards procurement of a solution. Most of the work is done onsite with some remote meetings, as appropriate.</p> <p><i>Recommendation: N/A.</i></p> <p>PT-0323-04: The next set of milestones will be related to procurement activities. Exact dates are not yet set on those.</p> <p><i>Recommendation: The Project Managers will need to assemble a list of Procurement tasks and their priorities.</i></p> | L             | L           |
| PT-4 | Proper Sense of Urgency  | <ul style="list-style-type: none"> <li>• Do the Project Team, Contractors, and all other project stakeholders have a</li> </ul>   | <p>PT-0323-05: Project participants are all very busy and understand the sense of urgency for this Project.</p>  | M             | M           |

| ID   | Quality Standard                            | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|---|---|--|---------------|-------------|
|      |   | proper sense of urgency for completing tasks on time and striving to meet key milestones?                                   | <i>Recommendation: Ensure input/review/feedback times for documentation are set and adhered to. This is for all stakeholders including leadership, the Project Team, and all vendors.</i>  |               |             |
| PT-5 | Designated Information Security Focal Point | <ul style="list-style-type: none"> <li>Does OPDS have a security lead resource to address all security concerns?</li> </ul> | PT-0323-05: Oregon Judicial Department’s ETSD has been engaged as needed. Due to the sensitive nature of some of the data that will be involved in this Project, this risk rating is Medium until a further examination of solution security can be made during proposal evaluations.<br><br><i>Recommendation: Ensure that information security remains at the forefront of project work.</i> | M             | M           |

### 3.5. Organization Management

| ID   | Quality Standard         | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|--------------------------|--|--|---------------|-------------|
| OM-1 | Organizational Stability | <ul style="list-style-type: none"> <li>• Is the Project stable with few changes?</li> <li>• Is OPDS mgmt. stable with few changes?</li> <li>• Is vendor mgmt. stable with few changes?</li> </ul>                      | <p>OM-0323-01: The organization has stabilized in the past couple months.</p> <p><i>Recommendation: As Legislative direction becomes clear on the potential move to the Executive branch, understand what that may mean for organizational changes, if any.</i></p>                    | M             | H           |
| OM-2 | Executive Involvement    | <ul style="list-style-type: none"> <li>• Is Exec. Mgmt. involved at the sponsor level?</li> <li>• Do Exec. Stakeholders receive regular updates?</li> <li>• Is there visible Exec. Support for the Project?</li> </ul> | <p>OM-0323-02: The Director is very aware of the Project. Other agency executives are very engaged.</p> <p><i>Recommendation: Ensure leadership is actively engaged in the Governance Committee and fully commits to their responsibilities.</i></p>                                   | M             | L           |
| OM-3 | Resource Conflict        | <ul style="list-style-type: none"> <li>• Are Exec. Mgmt. committed to providing resources to complete tasks?</li> </ul>  | <p>OM-0323-03: All personnel are very busy with many different activities and working through the current Legislative session.</p> <p><i>Recommendation: If possible, bring on at least one Business Analyst before the end of June to begin assisting with procurement tasks.</i></p> | L             | L           |

### 3.6. Customer / User

| ID   | Quality Standard    | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|---------------------|--|--|---------------|-------------|
| CU-1 | User Involvement    | <ul style="list-style-type: none"> <li>• Are system users highly involved with the Project team?</li> <li>• Do system users provide significant input in design and requirements?</li> </ul> | <p>CU-0323-01: There has been limited involvement of end users to date.</p> <p><i>Recommendation: Ensure that end users are involved in the project from here on out. Of particular importance is to engage some end users in requirements and business process definition activities. While a set of requirements has been defined, they should be reviewed by a set of stakeholders as identified in the Stakeholder Engagement Plan.</i></p>              | H             | H           |
| CU-2 | User Acceptance     | <ul style="list-style-type: none"> <li>• Do users accept system concepts and details?</li> <li>• Is there an established process to obtain user approval?</li> </ul>                         | <p>CU-0323-02: This area has a high risk due to the varying needs from the public defender services providers.</p> <p><i>Recommendation: As noted above, end users should be involved in the project as much as feasibly possible from here on out. In addition to engaging in key Project activities, there should be regular formal communication with them (likely either bi-weekly or monthly) as directed in the Project's Communications Plan.</i></p> | H             | H           |
| CU-3 | User Training Needs | <ul style="list-style-type: none"> <li>• Are users' training needs being considered?</li> <li>• Is there an established plan for providing training?</li> </ul>                              | <p>CU-0323-03: This will be further defined and evaluated as a solution is chosen.</p> <p><i>Recommendation: N/A.</i></p>  | TBD           | N/A         |

### 3.7. Product Content

| ID   | Quality Standard                     | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|--------------------------------------|--|--|---------------|-------------|
| PC-1 | Requirements Stability               | <ul style="list-style-type: none"> <li>• Are requirements clearly specified and written?</li> <li>• Does the Solution contractor have a clear understanding of the requirements and any gaps?</li> <li>• Does OPDS have an established baseline of requirements?</li> <li>• Does the Solution Contractor or OPDS have a solid requirements traceability process in place?</li> </ul> | <p>PC-0323-01: An initial set of requirements (approximately 700) has been defined.<br/> <i>Recommendation: Further review of these requirements should be considered prior to including in a solution RFP. These requirements should provide a view of what OPDS and its stakeholders would like in a new solution, while considering business processes. Requirements should be prioritized as some variation of “must have”, “very beneficial”, and “nice to have.” The most challenging category is typically the middle category. Hittner &amp; Associates can provide more information on this subject as requested.</i></p> | M             | M           |
| PC-2 | Testability                          | <ul style="list-style-type: none"> <li>• Are requirements easy to test?</li> <li>• Has a comprehensive test plan been developed?</li> </ul>  | <p>PC-0323-02: A comprehensive test plan is still to be developed.<br/> <i>Recommendation: N/A.</i></p>  | TBD           | N/A         |
| PC-3 | Design and Implementation Difficulty | <ul style="list-style-type: none"> <li>• Is the design well defined?</li> <li>• Have all interfaces been identified?</li> </ul>  | <p>This item will be evaluated following Solution selection.<br/> <i>Recommendation: N/A.</i></p>  | TBD           | N/A         |
| PC-4 | System Dependencies                  | <ul style="list-style-type: none"> <li>• Are there clearly defined dependencies?</li> </ul>  | <p>This item will be evaluated in the future.<br/> <i>Recommendation: N/A.</i></p>   | TBD           | N/A         |
| PC-5 | Security Requirements                | <ul style="list-style-type: none"> <li>• Have security requirements been specified and clearly documented?</li> <li>• Does the Solution contractor understand those requirements?</li> </ul>   | <p>PC-0323-04: Some security requirements have been included in the current set of requirements.<br/> <i>Recommendation: Ensure security requirements are reviewed as part of the overall review of requirements prior to release of an RFP.</i></p>   | L             | L           |

### 3.8. Development Process

| ID   | Quality Standard                   | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations  | Report Rating | Last Report |
|------|------------------------------------|---|--|---------------|-------------|
| DP-1 | Quality Assurance Approach         | <ul style="list-style-type: none"> <li>Is a Quality Assurance process in place for the Project?</li> </ul>  | <p>DP-0323-01: Hittner &amp; Associates has begun iQMS work for the project to provide independent quality assurance. LFO has also been involved.</p> <p><i>Recommendation: The project will need to evaluate the Solution contractor's quality assurance process.</i></p> | L             | L           |
| DP-2 | Development Documentation          | <ul style="list-style-type: none"> <li>Is the documentation provided reliable, correct, and available to the Project Team?</li> </ul>                           | <p>This item will be evaluated in the Configuration Phase. This standard may not be applicable.</p> <p><i>Recommendation: N/A</i></p>  | TBD           | N/A         |
| DP-3 | Use of Defined Engineering Process | <ul style="list-style-type: none"> <li>Are a defined development / configuration methodology and process in place and understood by team members?</li> </ul>    | <p>This item will be evaluated in the Configuration Phase. This standard may not be applicable.</p> <p><i>Recommendation: N/A</i></p>  | TBD           | N/A         |
| DP-4 | Early Identification of Defects    | <ul style="list-style-type: none"> <li>Is an effective review process in place?</li> <li>Are peer reviews being consistently conducted?</li> </ul>              | <p>This item will be evaluated in the Configuration Phase.</p> <p><i>Recommendation: N/A</i></p>   | TBD           | N/A         |
| DP-5 | Defect Tracking                    | <ul style="list-style-type: none"> <li>Is a common defect tracking process being utilized?</li> </ul>   | <p>This item will be evaluated in the Testing Phase.</p> <p><i>Recommendation: N/A</i></p>   | TBD           | N/A         |
| DP-6 | Change Control for Work Products   | <ul style="list-style-type: none"> <li>Is a formal change control process being consistently utilized by both the State and the Solution Contractor?</li> </ul> | <p>This item will be evaluated in the Configuration or Testing Phase.</p> <p><i>Recommendation: N/A</i></p>  | TBD           | N/A         |
| DP-7 | Security Coding Techniques         | <ul style="list-style-type: none"> <li>Is the Solution Contractor utilizing established security coding tools and methods?</li> </ul>                           | <p>This item will be evaluated in the Discovery / Configuration Phases. This standard may not be applicable.</p> <p><i>Recommendation: N/A</i></p>   | TBD           | N/A         |

### 3.9. Development Environment

| ID   | Quality Standard                           | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|--|--|---|---------------|-------------|
| DE-1 | Tools Availability                         | <ul style="list-style-type: none"> <li>Are the tools needed to complete the work available to team members?</li> </ul>                                       | <p>This item will be evaluated in the future.<br/> <i>Recommendation: N/A</i></p>                           | TBD           | N/A         |
| DE-2 | Vendor Support                             | <ul style="list-style-type: none"> <li>Does the Project have complete support of all Project vendors?</li> </ul>   | <p>This will be evaluated once a Solution Contractor is fully engaged.<br/> <i>Recommendation: N/A.</i></p> | TBD           | N/A         |
| DE-3 | Contract Fit                               | <ul style="list-style-type: none"> <li>Does OPDS have solid contract(s) in place with its Contractors?</li> </ul>  | <p>This will be evaluated further in the Procurement Phase.<br/> <i>Recommendation: N/A</i></p>             | TBD           | N/A         |
| DE-4 | Disaster Recovery                          | <ul style="list-style-type: none"> <li>Is a comprehensive disaster recovery plan in place?</li> </ul>  | <p>This item will be evaluated in the future.<br/> <i>Recommendation: N/A</i></p>                           | TBD           | N/A         |
| DE-5 | Existing/Planned Security Monitoring Tools | <ul style="list-style-type: none"> <li>Are security monitoring tools in place?</li> <li>Are security monitoring tools being effectively utilized?</li> </ul> | <p>This item will be evaluated in the future.<br/> <i>Recommendation: N/A</i></p>                           | TBD           | N/A         |

### 3.10. Technology

| ID   | Quality Standard       | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|------------------------|---|---|---------------|-------------|
| TE-1 | Maturity of Technology | <ul style="list-style-type: none"> <li>Has the proposed technology been in use previously?</li> </ul> | This will be evaluated as part of the Procurement Phase.<br><i>Recommendation: N/A.</i> | TBD           | N/A         |

### 3.11. Deployment

| ID   | Quality Standard        | Evaluation Question(s) to Consider   | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|-------------------------|--|---|---------------|-------------|
| DP-1 | Customer Service Impact | <ul style="list-style-type: none"> <li>How much change will occur for customers?</li> </ul>  | This will be evaluated later in the Procurement Phase.<br><i>Recommendation: N/A.</i>   | TBD           | N/A         |
| DP-2 | Data Migration Required | <ul style="list-style-type: none"> <li>How much data migration is necessary?</li> </ul>  | This will be evaluated later in the Procurement Phase. Much of the current data is in Microsoft Access and spreadsheets.<br><i>Recommendation: N/A.</i> | TBD           | N/A         |
| DP-3 | Day Zero Security       | <ul style="list-style-type: none"> <li>Is the new system deployed with all security controls and features implemented and tested prior to acceptance?</li> </ul> | This item will be evaluated in the future.<br><i>Recommendation: N/A</i>  | TBD           | N/A         |

### 3.12. Maintenance

| ID   | Quality Standard                  | Evaluation Question(s) to Consider  | Findings and Hittner QA Recommendations   | Report Rating | Last Report |
|------|-----------------------------------|---|---|---------------|-------------|
| MN-1 | Design / Configuration Complexity | <ul style="list-style-type: none"> <li>Is the new system easy to maintain?</li> </ul>                                     | This item will be evaluated once a Solution Contractor has been chosen.<br><i>Recommendation: N/A</i> | TBD           | N/A         |
| MN-2 | Support Personnel                 | <ul style="list-style-type: none"> <li>Is there a solid team of support personnel in place for the new system?</li> </ul> | This item will be evaluated in the future.<br><i>Recommendation: N/A</i>                              | TBD           | N/A         |
| MN-3 | Vendor Support                    | <ul style="list-style-type: none"> <li>Does the new system have complete vendor support?</li> </ul>                       | This item will be evaluated in the future.<br><i>Recommendation: N/A</i>                              | TBD           | N/A         |

## 4. QA Interviews / Documentation Review

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Interviews were conducted with FCMS project team members and stakeholders.

### 4.1. Interviews Conducted

| Name           | Title/Role  |
|----------------|---|
| Ralph Amador   | OPDS Budget Manager                                   |
| Jim Conlin     | OPDS Chief Information Officer                        |
| Brian DeForest | OPDS Deputy Director                                  |
| Eric Deitrick  | OPDS Deputy General Counsel                           |
| Jessica Kampfe | OPDS Director   |
| Brandi Meyer   | FCMS Project Manager                                  |
| Kali Montague  | OPDS Appellate Division, Deputy Chief Public Defender |
| Krystal Styles | FCMS Project Manager                                  |
|                |   |

## **4.2. Artifacts Reviewed / Project Participation**

As part of our Initial Quarterly Quality Status Report #1, Hittner & Associates reviewed the following documents:

- 2023-25 Co-Chair Budget Framework
- 2023-25 PDSC POP Narrative - POP\_FCMS 105
- 2023-25 PDSC POP Narrative - POP\_IT\_OJD
- FCMS Governance, Oversight and Accountability Plan v3.0
- FCMS Business Case v3.0
- FCMS Project Scope v3.0

## 5. Monthly iQMS Risk Report

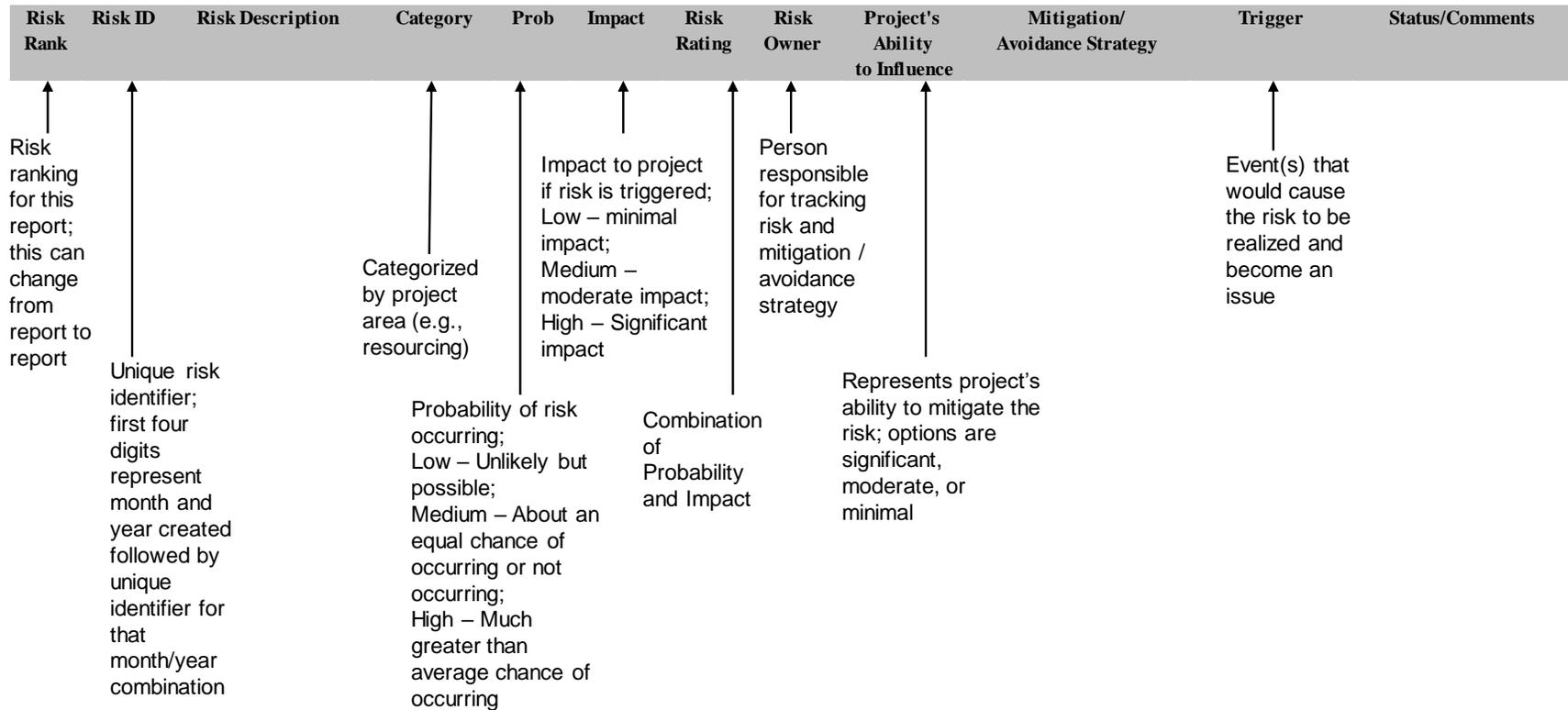
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### 5.1 On-going Risk Notification Report – March 2023

The detailed Risk Assessment Report for March 2023 is provided on the following pages. Hittner updates the report monthly. It is important to note that at times, and for various reasons, there may be differences between the State and the Hittner Team regarding the rating of a Risk/Issue. As an independent QMS Contractor, it is important for Hittner to track its assessment over the course of the risk or issue. When this occurs, Hittner will retain their rating on the QMS Risks and Issues tracking tool as reported here to ensure independence.

Changes from the previous month's risk report will be highlighted in gray and explained in the status column. New risks can be identified in two ways. First, the entire row of a new risk is highlighted in gray. Second, the Risk ID denotes the month and year that the risk originated.

The following graphic explains the columns in the risk log that can be seen on the following pages.



**OPDS FCMS Project Risks - March 2023**

| Risk Rank | Risk ID | Risk Description  | Prob | Impact | Risk Rating | Risk Owner         | Project's Ability to Influence | Mitigation/Avoidance Strategy   | Trigger  | Status/Comments                                       |
|-----------|---------|---|------|--------|-------------|--------------------|--------------------------------|---|--|---|
| 1         | 0223-10 | There is a risk that project milestones are delayed or missed due to project understaffing. In addition to the co-PM's currently working, ideally there would be two Business Analysts and an Information Technology Specialist. They all would be working requirements refinement, stakeholder outreach, RFP creation, coordination and participation in proposal reviews and selection. There are many sub-tasks under each of these main tasks and a significant workload ahead. | 80%  | High   | 80          | Brian D<br>Ralph A | Moderate                       | There are two Operations and Policy Analyst 3 (OPA3) positions included in the 2023-2025 POP, as well as a technical resource (ITS4) position that can serve as an information technology specialist. The two OPA3 positions would carry the current PM's through the implementation and into Operations & Maintenance. Hittner & Associates recommends that two Business Analysts (OPA3) be added as soon as possible. This is for implementation and procurement work. If additional resources cannot be added before July 2023, procurement tasks could take longer than expected. Hittner recognizes the challenges with adding resources in - both from a resource pool standpoint as well as the length of recruitment time for new positions. If OJD can provide another contracted resource (or two) that would be another consideration. | Project tasks (including procurement planning tasks) begin to slip due to project understaffing. | 3/31/23: Request is in the POP.<br>2/28/23: New risk. |

**OPDS FCMS Project Risks - March 2023**

| Risk Rank | Risk ID | Risk Description   | Prob | Impact | Risk Rating | Risk Owner                         | Project's Ability to Influence  | Mitigation/Avoidance Strategy   | Trigger   | Status/Comments   |
|-----------|---------|--|------|--------|-------------|------------------------------------|---------------------------------|---|---|---|
| 2         | 0223-02 | There is a risk that because many providers have their own case management system, they may be reluctant to adopt a new system.  | 60%  | High   | 60          | Jessica K                          | Minimal                         | Engage providers throughout the project. Consider adding providers to the Steering Committee and/or including a small number of providers as Subject Matter Experts (SME's).  | A provider refuses to participate in project.   | 3/31/23: A majority of the PD's would like a new system so they don't have to play for their current random systems. The bigger challenge will be with the hybrid attorneys who serve both public and private and what data can be shared and how that data is shared. 2/28/23: New risk. |
| 3         | 0223-11 | There is a risk that project stakeholders will not have the participation needed. For internal stakeholders, the challenge is that they are very busy with their regular responsibilities and coordinating project activities is naturally a challenge. There are also external stakeholders (legal services providers) over whom OPDS has no control with regards to project participation. | 60%  | High   | 60          | Brandi M<br>Krystal S<br>Jessica K | Moderate (int)<br>Minimal (ext) | Consistent, clear communication of resource expectations will be critical for all stakeholders. This includes any project activities in which their participation is required such as procurement activities, project meetings, documentation creation/review, testing, training, and implementation support. | Project milestones are significantly or consistently delayed due to stakeholders not being available.       | 3/31/23: This risk will be important to mitigate with the review of requirements that will be upcoming. 2/28/23: New risk.  |
| 4         | 0323-01 | There is a risk that a move to the Executive branch could cause less autonomy and OPDS would not be able to use Oregon Judicial Department for certain IT support (e.g., network management, Help Desk, security, etc.) and have to either use DAS or hire more personnel.   | 50%  | High   | 50          | Jessica K<br>Brian D<br>Jim C      | Minimal                         | Ensure Legislature understands the benefits to all Oregonians of the current autonomy for OPDS.   | Legislation is passed that moves OPDS to the Executive branch and includes reduced autonomy for the agency. | 3/31/23: New risk.  |

**OPDS FCMS Project Risks - March 2023**

| Risk Rank | Risk ID | Risk Description  | Prob | Impact | Risk Rating | Risk Owner                               | Project's Ability to Influence | Mitigation/Avoidance Strategy   | Trigger  | Status/Comments   |
|-----------|---------|---|------|--------|-------------|--|--------------------------------|---|--|---|
| 5         | 0323-02 | There is a risk of lack of involvement by key OPDS personnel in project processes and decisions.  | 50%  | High   | 50          | Jessica K<br>Brian D<br>Jim C<br>Ralph A | Significant                    | Ensure all project stakeholders from OPDS understand their role and responsibilities  | Milestones are delayed due to lack of expected involvement from OPDS personnel.                            | 3/31/23: New risk.  |
| 6         | 0223-01 | There is a risk of a lack of agreement on the needs of external users.  | 50%  | High   | 50          | Brandi M<br>Krystal S                    | Moderate                       | Ensure requirements are reviewed with a small set of representative provider organizations.   | Project tasks are delayed due to decisions that are delayed due to lack of agreement on requirements.      | 3/31/23: The new steering committee has met initially and will be going through scope before the next meeting.<br>2/28/23: New risk.  |
| 7         | 0223-06 | There is a risk that no solutions on the market are sufficient to meet OPDS' needs without significant modification.  | 50%  | High   | 50          | Jim C<br>Brandi M<br>Krystal S           | Minimal                        | Ensure requirements are at a low enough level that proposers have a clear understanding of what is being asked of them and ambiguity is minimized as much as possible.  | Proposals show more gaps than anticipated in functional fit.   | 3/31/23: OPDS knows of at least four or five solutions on the market that have been used in the public defense area.<br>2/28/23: New risk.                                  |
| 8         | 0223-07 | There is a risk that the requirements are not at a low enough level to ensure proposers have a clear understanding of what is required with a new solution. | 50%  | High   | 50          | Krystal S<br>Brandi M                    | Significant                    | Ensure requirements are at a low enough level that proposers have a clear understanding of what is being asked of them and ambiguity is minimized as much as possible. Also, ensure that requirements prioritization / categorization have been very thoughtfully considered and the vast majority are not "must have's". | Significant number of questions for clarity come from proposers around requirements during proposal phase. | 3/31/23: The FCMS Project team plans on taking another run through these with the business stakeholders. Also, creation of some use cases could help.<br>2/28/23: New risk. |

**OPDS FCMS Project Risks - March 2023**

| Risk Rank | Risk ID | Risk Description  | Prob | Impact | Risk Rating | Risk Owner         | Project's Ability to Influence | Mitigation/Avoidance Strategy  | Trigger   | Status/Comments   |
|-----------|---------|---|------|--------|-------------|--------------------|--------------------------------|--|---|---|
| 10        | 0223-09 | There is a risk that security requirements are not sufficient for this solution as there is very sensitive data involved.                             | 45%  | High   | 45          | Jim C              | Significant                    | Ensure there are security requirements and that vendor solutions can define security roles to the level necessary to handle the varying roles needed.  | Proposals do not sufficiently address security requirements.  | 3/31/23: This will be an important area to review as part of the requirements review.<br>2/28/23: New risk.   |
| 11        | 0223-03 | There is a risk that due to limited involvement of end users, the system may not adequately serve its intended audience.                              | 40%  | High   | 40          | Krystal S Brandi M | Moderate                       | Ensure that end users are involved in the project. Of particular importance is to engage some end users in requirements refinement. Consider holding a series of meetings with providers (town halls) in which a presentation on the project can be provided and allow providers to ask questions. | Design or testing reveals inadequate coverage for end users.  | 3/31/23: The project will be reaching out to end users for requirements review. The project is also considering holding quarterly town halls.<br>2/28/23: New risk. |
| 12        | 0223-05 | There is a risk that inflationary increases to solution implementation and hosting costs are greater than proposed as part of the FCMS 2023-2025 POP. | 40%  | High   | 40          | Jim C              | Moderate                       | Ensure LFO and key Legislative Committee members are kept apprised of any identified changes to planned project and hosting costs. This will be difficult to do until proposals are received.  | Proposals reveals costs that are greater than 10% overage on the budget.  | 3/31/23: There will be limited updates to this risk until vendor proposals are received.<br>2/28/23: New risk.  |
| 13        | 0223-08 | There is a risk that the requirements are not representative of what is needed by all stakeholders.   | 40%  | High   | 40          | Krystal S Brandi M | Moderate                       | Ensure requirements are reviewed with a small set of representative provider organizations, including categorization / prioritization of those requirements (e.g., "must have", "very beneficial", and "nice to have" or similar categories.   | Fit-Gap and Design sessions show unexpected significant gaps in expectations of end users and system capabilities | 3/31/23: Review of requirements with end users will be a key task in the coming months.<br>2/28/23: New risk.   |

**OPDS FCMS Project Risks - March 2023**

| Risk Rank | Risk ID | Risk Description  | Prob | Impact | Risk Rating | Risk Owner                                | Project's Ability to Influence | Mitigation/Avoidance Strategy   | Trigger   | Status/Comments   |
|-----------|---------|---|------|--------|-------------|---|--------------------------------|---|---|---|
| 14        | 0223-12 | There is a risk that the amount of work necessary to release an RFP is greater than planned for by the project. Among other big tasks, there is a need to review requirements and ensure they have proper input / buy-in as well as being defined at the right level for proposers. Also, review/feedback times from key procurement stakeholders could take longer than normal due to a severe backlog at DAS and DOJ, should assistance from either be requested. | 35%  | High   | 35          | Brian D<br>Jim C<br>Brandi M<br>Krystal S | Moderate                       | Identify the full set of tasks (and associated durations and resources) needed for full procurement cycle through to contract execution | The overall procurement schedule slips due to the amount of work being greater than planned for the resource utilization. | 3/31/23: The project will be assembling a preliminary procurement task list.<br>2/28/23: New risk.  |
| 15        | 0223-04 | There is a risk that the Legislature may not approve funds for the project to move forward  | 10%  | High   | 10          | Jessica K<br>Brian D<br>Jim C             | Minimal                        | Ensure LFO and key Legislative Committee members are kept apprised of project progress and needs.                                       | Legislature cuts or disapproves funding.  | 3/31/23: The legislative session continues. All indications are that funding will be received from the Legislature. The FCMS Project is part of a legislative work session.<br>2/28/23: New risk. |