

## ANALYSIS

### Public Defense Commission Financial Case Management System

---

**Analyst:** John Borden

**Request:** Acknowledge receipt of a report on the Financial Case Management System.

**Analysis:** The budget report for SB 5506 (2023), the omnibus budget measure, included the following budget note for the Public Defense Commission (PDC):

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 prior to the 2024 legislative session on the status of the Financial/Case Management System (F/CMS) information technology project. The Commission's reports to the Legislature shall include: (a) updates on project scope, schedule, budget, and total cost of ownership; (b) current project risks, likely impacts, and mitigation strategies; (c) independent quality assurance reporting; (d) stakeholder/provider involvement in the planning and governance of the project; and (e) other information that helps inform the Legislature on the status of the project or issues that have arisen as the result of the project. The Commission is to follow the Joint Stage Gate or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight.

The genesis of the budget note is related to the fact that a financial and case management system is seen as vital to providing PDC with a comprehensive information technology application to provide oversight and financial accountability over the state's public defense system.

#### Background

The Financial and Case Management System (FCMS) objective is to acquire a cloud hosted commercial-off-the-shelf (COTS) solution to replace, according to PDC, a "...series of in-house built Microsoft Access databases and Microsoft Excel spreadsheets to electronically manage business processes and store data." PDC notes that "The lack of integrated tools makes PDSC unable to track, monitor, or analyze contract data or reimbursements in an effective or efficient manner." Of note is that FCMS is needed not only for provider contract, but trial-level state employees.

#### History

FCMS and related efforts that date back to the 2017-19 biennium. The 2019 legislature provided \$2 million General Fund with a budget note like the HB 5202 (2022) budget note above. PDSC, however, was only able to make negligible process to warrant any additional funding. The 2021 Legislature expressed doubt in PDC's ability to undertake any further FCMS efforts after the agency had dis-banded its Information Technology Section (ITS) and the agency possessed no internal IT staff to manage or oversee such an effort. The 2021 legislature reestablished ITS as a predicate for PDC to move to a new FCMS.

The 2022 legislature provided \$743,588 General Fund and authorized the establishment of two positions (1.26 FTE) for the re-initiation of the planning phase of the FCMS; however, later, at the request the

agency, \$475,000 General Fund was rebalanced in order to resolve deficit spending in the Parent Child Representation Program and the unrepresented defendant/persons crisis (HB 5045). The 2023 Legislature provided \$7.9 million General Fund and five limited duration positions (5.00 FTE) to complete FCMS.

### Report and Memorandum

Currently, PDC has placed FCMS on “pause.” This action was supported by a December 2023 third-party assessment of the agency’s Request for Proposals (RFP) that identified major deficiencies in the RFP and triggered the need for “...conducting a comprehensive process mapping of requirements to better define priorities,” according to a memorandum received by the Legislative Fiscal Office officially announcing the project’s pause. PDC further stated that “The result [of the assessment] was a recommendation to not proceed with the RFP, with cited concerns that the document did not fully meet state standards and that it was lacking significant elements to allow vendors to provide effective proposals.”

PDC’s decision to pause FCMS was also due to the retirement of the agency’s chief information officer(CIO) in December 2023 and whose replacement was only recently hired and yet-to-be onboarded. In addition, PDC reported ongoing staff turnover and vacancies in the project. There has also been instability with the FCMS executive sponsor, which has also experienced turnover. Recently, the chief financial officer has been assigned the role of the executive sponsor.

PDC has been statutorily exempt from many common statutes governing operations that apply to Executive Branch agencies, such as information technology oversight. Under the current or pre-SB 337 (2023) statutory construct, the oversight responsibility for PDSC fell exclusively to the Legislature. Under SB 337, however, the transfer of the Commission from the judicial branch to the executive branch of government on January 1, 2025, will remove most statutory exemptions for the former Commission and the agency will become subject to the statutory requirements of executive branch agencies under the control of the Governor, including information technology oversight. With that said, PDC has been partnering with the Department of Administrative Services - Enterprise Information Services for limited project support.

FCMS is being overseen by an independent quality management vendor (IQMS). As of November 2023, IQMS categorizes the overall project health as having a medium-high risk profile. The report further notes that “The Governance committee meetings will continue; however, the steering committee is currently not functioning, and its responsibilities are being absorbed by the governance committee and other small work groups or individuals, as needed.”

The PDC report notes that “Although at a macro level our current schedule would indicate that the project has made positive progress, that progress appears insufficient in the “Solution Analysis and Planning” phase which is Stage 2 of the DAS Stage gate process; therefore, the schedule will have to be pushed by three months to allow time for a new CIO and the contracted information technology staff to redraft another request for information (RFI) or request for proposal (RFP)...” The report goes on to state “The overall lack of project understanding/agreement and communication within the agency poses a continued threat in the project meeting required timelines.”

Regarding the project’s budget, PDC reported that “The previously reported total cost of ownership has not significantly changed from the initial estimates from the submitted business case. Since neither an RFI nor an RFP have been solicited, it remains premature to change any of the initial estimates.”

Lastly, the report notes that “OPDC does recognize that stakeholder and provider involvement will be

crucial to the overall success of this project. Vendors, providers, and stakeholders will be the most affected by the changes that will occur. The agency acknowledges that the level of involvement from these parties has not been sufficient and needs work.”

### Analysis

PDC’s report offers a candid self-assessment the status of the FCMS project. While PDC has stated repeatedly that FCMS is of the highest priority to the agency, after more than three biennium, there is negligible evidence to support this statement. The scope, schedule, and cost of FCMS remains indeterminate with no clearly articulated remediation plan in place. This is at odds with PDC’s current plan to procure a FCMS over the course of the next few months and prior to agency’s transition to executive branch.

**Legislative Fiscal Office Recommendation:** The Legislative Fiscal Office recommends that the Joint Committee on Ways and Means acknowledge receipt of the report with instruction that the Public Defense Commission report to the Emergency Board in May of 2024 on the status of the Financial Case Management System.

# Oregon Public Defense Commission

## Gehringer

---

**Request:** Report on Senate Bill 5506 (2023) budget note regarding the status of the Financial/Case Management System information technology project.

**Recommendation:** The Oregon Public Defense Commission is not under Executive Branch budgetary authority.

**Discussion:** As part of a budget note in the budget report for Senate Bill 5506 (2023), the Public Defense Services Commission (PDSC) was directed to report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means prior to the 2024 Legislative Session on the status of the Financial/Case Management System (FCMS) information technology project. The report was directed to include updates on project scope, schedule, budget, and total cost of ownership; current project risks, likely impacts, and mitigation strategies; independent quality assurance reporting; stakeholder/provider involvement in the planning and governance of the project; and other information that helps inform the Legislature on the status of the project or issues that have arisen as the result of the project.

It's worth noting, Senate Bill 337 (2023) changed the name of PDSC to the Oregon Public Defense Commission (OPDC), in the law clarifying that OPDC "is a continuation of the Public Defense Services Commission and not a new authority." Therefore, the agency will be referred to as OPDC hereafter.

The FCMS project aims to replace OPDC's aging, in-house database with a cloud-hosted commercial-off-the-shelf financial and case management system. The scope includes comprehensive data collection, case management, attorney reimbursement, and reporting. Currently, the project is on pause due to the retirement of the chief information officer and the resignation of both project managers. OPDC is working with the Office of the State Chief Information Officer (OSCIO) to hire a new CIO and information technology staff. Schedule revisions are being made, and the project is expected to resume after the hiring process.

The project remains within budget, with savings primarily in personal services due to vacant positions. OPDC has spent approximately \$752,500 out of the \$8.6 million appropriated by the Legislature. Project costs incurred include \$422,000 on staffing and a quality assurance contractor in the 2021-23 biennium and \$330,500 in the 2023-25 biennium for personal and contractors.

The report acknowledges challenges in project leadership, lack of focus, and urgency. OPDC is making efforts to address these issues with the support of the Department of Administrative Services OSCIO. The independent quality assurance vendor reports a medium-high risk profile for the project, emphasizing the need for a new CIO and project manager. Stakeholder and provider involvement are deemed crucial for project success. OPDC acknowledges the need to improve involvement and plans to hire a communications specialist. The letter also mentions legislative changes and their potential impact on project resources.



# Oregon

## Oregon Public Defense Commission

198 Commercial St. SE, Suite 205

Salem, Oregon 97301-3489

Telephone: (503) 378-2478

Fax: (503) 378-4463

[www.oregon.gov/opdc](http://www.oregon.gov/opdc)

January 16, 2024

The Honorable Elizabeth Steiner, Co-Chair  
The Honorable Tawna Sanchez, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairs:

### Nature of the Request

The Oregon Public Defense Commission (OPDC) requests that the committee accept the report attached hereto about the Financial/Case Management System project.

This report is in response to the budget note provided in the budget report and measure summary to Senate Bill 5506 (2023):

FCMS Report: 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 prior to the 2024 legislative session on the status of the Financial/Case Management System (F/CMS) information technology project. The Commission's reports to the Legislature shall include:

- (a) updates on project scope, schedule, budget, and total cost of ownership;
- (b) current project risks, likely impacts, and mitigation strategies;
- (c) independent quality assurance reporting;
- (d) stakeholder/provider involvement in the planning and governance of the project; and
- (e) other information that helps inform the Legislature on the status of the project or issues that have arisen as the result of the project.

The Commission is to follow the Joint Stage Gate or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight.

### Agency Action

Scope, schedule, budget, and total cost of ownership.

*Scope* - The purpose of this project is to replace OPDC's end of life, in-house built database structure with a cloud hosted commercial-off-the-shelf (COTS) financial and case

management system. Oregon's public defense has been lacking a solution that not only provides timely payments to the contract/provider community but one that also has the capability to capture comprehensive data on public defense.

With the successful implementation of the F/CMS, OPDC will should be able to meet Oregon's public defense needs with the following system capabilities:

- Financial Management
  - Attorney/Provider reimbursement claims
  - Payment schedule
  - Audit functions
  - Payment tracking
  - Paperless system
- Case Management
  - Comprehensive Data Collection
  - 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).
  - Legal work performed outside of contract
- 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 OPDC for the first time with modern operational capabilities. The F/CMS would also afford the agency the ability to produce detailed and structured reports as requested by the legislature and stakeholders. OPDC desires a transparent and effective public defense model and believes that starts with modernizing operational technologies.

*Schedule* – The project is currently on pause at this time for various reasons. One being that the chief information officer has tendered his retirement effective December 31, 2023, and both of project managers resigned from the agency in mid-November. The commission is currently working with the Office of the State Chief Information Officer for guidance and assistance as we navigate the hiring of a chief information officer (target date of March 2024) and hire information technology contract staff for project management work and business analysis. The commission is also working with the Department of Administrative Services'

(DAS) procurement office and has been assigned a policy analyst to provide procurement oversight as we move through the procurement phase of the project.

Revisions are being made to all schedules that have been put forward. Although at a macro level our current schedule would indicate that the project has made positive progress, that progress appears insufficient in the “Solution Analysis and Planning” phase which is Stage 2 of the DAS Stage gate process; therefore, the schedule will have to be pushed by three months to allow time for a new CIO and the contracted information technology staff to redraft another request for information (RFI) or request for proposal (RFP), whichever is most appropriate.

*Budget* - Through the fiscal month that ended November 30, 2023, the F/CMS operating budget remains within its lawful appropriation. There are significant savings in personal services as three of the five positions are now vacant. The only other project expenditures are for the quality assurance vendor and for the consultant that was hired to help the project team develop a prospective RFP.

A full accounting of the F/CMS budget through November 30, 2023, demonstrates that of the \$8.6 million the legislature has appropriated to this project since the 2021 biennium, OPDC has spent approximately \$752,500. \$422,000 on staffing and a quality assurance contractor in the 21-23 biennium, and \$330,500 in the 23-25 biennium, consisting of \$266,000 for personnel and \$65,300 for contractors: a quality assurance and compliance contractor and vendor who provided a draft request for proposal that was ultimately rejected before being posted.

The previously reported total cost of ownership has not significantly changed from the initial estimates from the submitted business case. Since neither an RFI nor an RFP have been solicited, it remains premature to change any of the initial estimates. Beyond the final completion date of the project and the warranty period, it is reasonable to assume that there will be ongoing costs associated with the solution such as periodic maintenance and operation costs.

#### Current risks, impacts and mitigation strategies.

The primary objective of this effort is to provide and facilitate a seamless transition and implementation of a cloud-hosted commercial off-the-shelf (COTS) financial and case management system to replace the OPDC’s aging, in-house database structure.

This fall it became clear that F/CMS was not headed in the right direction. This revelation aligned with a restructuring of the agency’s executive team, and upon realizing that F/CMS was not headed in the right direction, the new executive team asked for and received support from DAS’ Enterprise Information Services. Staff at EIS advised that we pause the project while they assist us in hiring a new CIO and to secure experienced contracted resources for the project to then solidify a plan to move the project forward with minimal delay. We are listening to that advice and thankful for the support that DAS is providing.

Many factors that have led to the current state of the project, the main culprits being project leadership and the lack of focused attention and urgency, while many agency resources were focused on Oregon’s unrepresented persons. Currently, the agency does have a strong

executive team in place to lead this project moving forward with the support of DAS EIS while we recruit for a new CIO. F/CMS is now the top priority for OPDC, and with the appointment of a new Commission as of this January, and a new CIO and project team on the horizon, the agency is looking forward to getting the project back on track and is confident that it will be achievable with DAS EIS support.

#### Independent quality assurance reporting.

The OPDC has secured a contract with Hittner and Associates (Hittner) to perform the role of independent quality assurance. Below is the most recent periodic quality status report (PQSR) for November 2023.

“As of November 2023, Hittner continues to rate the overall project health as having a medium-high risk profile. 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.

“Significant organizational changes are coming for the project as the co-project managers (PM) left the agency in the first half of November. Also, the chief information officer will be retiring at the end of December. A new project manager (either contractor or employee) and a new leader of the IT team will need to be brought in as soon as possible.

“The Governance committee meetings will continue; however, the steering committee is currently not functioning, and its responsibilities are being absorbed by the governance committee and other small work groups or individuals, as needed. As noted in previous reports, it is very important for the project team to work well in advance of meetings to find meetings times that will work for the broadest group and provide agendas well in advance so participants can understand their role and the amount of preparation they may need to accomplish.

“Key legislation passed (SB 337 and SB 5506) by the legislative assembly includes direction for the agency to become part of the executive branch. Planning for this has already begun. While not having a direct effect on the project in the near term, this activity could have an indirect impact on the project by taking resource time away from project activities to focus on transition activities. Also, a pilot is being implemented for some in-house trial attorneys (split between southern Oregon and the Portland metro area) and that may require an interim case management solution for these attorneys. Coordination of this with the F/CMS Project is very important as some resources may be asked to work on both activities.”

While it is not the role of the quality control and assurance vendor to halt a project, it is the responsibility to provide an accurate picture as presented to them, and that job has been done.

#### Stakeholder/provider involvement.



OPDC does recognize that stakeholder and provider involvement will be crucial to the overall success of this project. Vendors, providers, and stakeholders will be the most affected by the changes that will occur. The agency acknowledges that the level of involvement from these parties has not been sufficient and needs work. The commission is hiring a communications specialist to help with this issue and anticipates that the new project managers will ensure that changing the current level of involvement is a top priority.

The steering committee met three times over the last year in March (the kickoff), May and June. There are minutes for one of the meetings. External partners included both members from two large non-profit public defender offices, a member from the rural counties, a consortia member, a private law firm member, a commission member, and a service provider. Internal members included two from accounting, one from policy, three from the appellate division, and two from what was known as the trial division.

There was one additional committee that was initiated that appears to have had only one meeting in June 2022. This committee, the information technology subcommittee (IT Committee) was made up of commission members and was staffed by the Deputy Director, CIO, and the project managers (project team). The goal of the subcommittee was to provide input to the project. At this meeting the commissioners provided input on the project goals and outcomes, scope, business case and benefits document.

The IT Committee with the Project Team decided that when structuring the steering committee, a strong presence from each type of public defense entity (contractors, providers, consortia, and private attorneys) be present as a voting member. Additionally, commissioners wanted to be present for meetings in which the governance committee and steering committee members met; it was decided that we would make this group the stakeholder group. The stakeholder group would consist of the three committees, but also allow for interested parties to be present and the meetings would be informational.

There does not appear to be any documentation about the establishment of a stakeholder group or any of the proposed subcommittees for this group. There also does not appear to be any further documentation of any additional IT Committee meetings.

#### Other information.

The commission is actively partnering with the office of the state chief information officer for guidance and assistance as we navigate the hiring a chief information officer (target date of March 2024) and bringing on contract staff for project management work and business analysis. Work is underway to revise project schedules to facilitate a success, this will be the first objective of the contract IT project manager when hired.

The commission is committed to the success of this project. The OPDC cannot continue to serve all the legislative mandates and requirements in SB 337 (2023), SB 5532 (2023), and SB 5506 (2023) without updating its data and information systems. There is no path to success utilizing the many volatile legacy systems, continuing to patch and rebuild those systems as they

limp along. There is a limited future as software companies discontinue support for these outdated systems.

**Action Requested**

The Oregon Public Defense Commission (OPDC) requests that the committee accept the attached Financial/Case Management System project update.

**Legislation Affected**

No legislation is affected.

Sincerely,



Jessica Kampfe  
Executive Director

Attachment: OPDC F/CMS Report *version 2*

cc:

Amanda Beitel, Legislative Fiscal Officer  
Sean McSpaden, Principal Legislative IT Analyst, LFO  
Kate Nass, Chief Financial Officer  
Zachary Gehringer, Policy and Budget Analyst, CFO

# **Oregon Public Defense Commission**

---

**FINANCIAL/CASE MANAGEMENT SYSTEM**

January 16, 2024

VERSION 2

## NATURE OF THE REPORT

The budget report to Senate Bill 5506 (2023) provides in a budget note stating:

“The Commission is directed to report to the Joint Legislative Committee on Information Management and Technology and the Joint Committee on Ways and Means prior to the 2024 legislative session on the status of the Financial/Case Management System (F/CMS) information technology project. The Commission’s reports to the Legislature shall include:

- (a) Updates on project scope, schedule, budget, and total cost of ownership.
- (b) Current project risks, likely impacts, and mitigation strategies.
- (c) Independent quality assurance reporting.
- (d) Stakeholder/provider involvement in the planning and governance of the project; and
- (e) Other information that helps inform the Legislature on the status of the project or issues that have arisen as the result of the project.”

The Commission is to follow the Joint Stage Gate, or a similar disciplined process related to information technology projects, including development of key artifacts and independent quality assurance oversight.”

The following report outlines the work and the progress to date by the Public Defense Services Commission (PDSC) on this project. The success of this project will help the agency work towards a unified goal: to restore credibility in the Commission as an efficient and effective administrator of Oregon's public defense system by stabilizing agency administration to fulfill the agency’s mission to ensure constitutionally competent and effective legal representation for persons eligible for a public defender.

The Commission approves the submission of the report to meet legislative timelines, however, the Commission has had inadequate time to consider the contents of these reports due to its constitution on January 1, 2024.

## CONTENTS

Nature of the Report .....	2
Executive Summary .....	4
Scope, Schedule, Budget & Total Cost of Ownership.....	6
Project Scope.....	8
Assumptions and Constraints .....	9
Current State.....	10
Framework Issues.....	11
Schedule .....	14
Budget .....	16
F/CMS Proposed Total Cost of Ownership.....	16
Project Risks, Likely Impacts & Mitigation Strategies .....	18
Independent Quality Assurance Reporting .....	23
Executive Summary .....	23
Project Status and Health.....	23
Risk Assessment.....	25
Quality Planning.....	26
Quality Control.....	27
Quality Assurance .....	29
On-going Risk Notification Report- November 2023 .....	29
Stakeholder/Provider Involvement .....	31
F/CMS Project Steering Committee Charter .....	31
Steering Committee Work.....	31
Other Project Information.....	33

## EXECUTIVE SUMMARY

**Current State:** The agency has put the Financial/Case Management System (F/CMS) on a brief hold while the agency works with the Department of Administrative Services Enterprise Information Services (DAS EIS) on a strategy to secure experienced contracted resources for the project and solidify a plan to move the project forward with minimal delay.

This pause is necessary after a series of personnel changes brought to light the risks inherent in the F/CMS and an obvious need to bring in outside expertise to prevent any further loss of resource. Of the \$8.6 million the legislature has appropriated to this project since the 2021 biennium, we have spent approximately \$752,500. \$422,000 on staffing and a quality assurance contractor in the 21-22 biennium, and \$330,500 in the 23-25 biennium, consisting of \$266,000 for personnel and \$65,300 for contractors: a quality assurance and compliance contractor and vendor who provided a draft request for proposal that was ultimately rejected before being posted.

Leading up to this project pause the Commission had a series of personnel changes. The Deputy Director, who was the project's executive sponsor, left the agency in September. A new Deputy began in October. Also in October, the Chief Information Officer tendered his retirement effective December 31, 2023 and shortly thereafter both project managers on this project tendered their resignations effective November 9 and 15, 2023. This left the project with only two of five remaining limited duration staff: one information technology specialist 4 and one operations policy analyst 2 business analyst.

Upon notification of the CIO departure, the Commission's new Deputy Director, on or around October 19, sought assistance from the State CIO office to hire a new CIO, and for help overseeing the F/CMS project. Assistance was requested and arranged with DAS procurement for overwatch on the development of the RFP. Upon the resignation of the project management team further conversation and assistance was arranged with the ASCIO office to help arrange for IT project management for both this project and to help with the IT services transfer project as the Commission transfers from the Judicial Branch to the Executive Branch.

On November 6, 2023, members of the project governance team met with the project team to discuss the project's status and to discuss putting the project on a brief hold.

**Next Steps:** The Commission is committed to the success of this project. The OPDC cannot continue to serve all the legislative mandates and requirements in SB 337 (2023), SB 5532 (2023), and SB 5506 (2023) without updating its data and information systems. There is no path to success utilizing the many volatile legacy systems, continuing to patch and rebuild those systems as they limp along. There is a limited future as software companies discontinue support for these outdated systems.

The commission is actively partnering with the office of the state chief information officer for guidance and assistance as we navigate the hiring a chief information officer (target date of March 2024) and bringing on contract staff for project management work and business analysis. Work is underway to revise project schedules to facilitate a success, this will be the first objective of the contract IT project manager when hired.

The commission acknowledges that there are many factors that have led to the current state of the project, the main culprit being leadership on various levels and the lack of focused attention and urgency. The newly restructured executive team takes their role as public servants and stewards of public funds seriously and is committed to building a team that brings forward the highest levels of technical knowledge and support to this project. The team understands gravity of the moment and the importance of making this project the commission's number one priority.

## SCOPE, SCHEDULE, BUDGET & TOTAL COST OF OWNERSHIP

The purpose of this project is to replace PDSC's end of life, in-house built database structure with a cloud hosted Commercial-off-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/provider community and has the capability to capture comprehensive data on public defense.

The PDSC has adopted the following guiding principles related to the development and implementation of the F/CMS solution. The guiding principles are:

1. Be guided by mission and vision, to ensure that eligible individuals have timely access to legal services, consistent with Oregon and national standards of justice and to maintain a sustainable statewide public defense system that provides quality representation to eligible clients in trial and appellate court proceedings.
2. Subject to #1 above, system business processes will be the first consideration. Customization will only occur if required by the law.
3. Organizational change management (OCM) is critical to success and requires on-going investment.
4. Rapidly providing quality products to internal and external customers is critical to the success of the solution.
5. Timely unified decisions need to be made to implement a uniform solution.
6. It is imperative to learn and understand the product prior to configuration.
7. Configuration team membership requires broad representation, and a substantial amount of concentrated time must be allocated by participants.
8. The perspective for implementation should be from the "outside in" to streamline customer interactions.
9. The vendor has significant expertise, and their advice should be carefully considered.
10. The system is a business reengineering tool that supports the PDSC mission, vision, and infrastructure needs; therefore, the program falls within the overall PDSC governance structure for assuring congruence of PDSC policy and practice.
11. Communication with the vendor should be in a clear, consistent, and uniform approach and only as provided in the contract provisions.

With the implementation of the F/CMS, PDSC will meet Oregon public defense needs with the following system capabilities:

- Financial Management
  - Attorney/Provider reimbursement claims
  - Payment schedule
  - Audit functions
  - Payment tracking
  - Paperless system



- Case Management
  - Comprehensive Data Collection
  - 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).
  - Legal work performed outside of contract
  
- 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 F/CMS would also afford the agency the ability to produce detailed and structured reports as requested by the legislature and stakeholders. PDSC desires a transparent and effective public defense model and believes that starts with modernizing operational technologies.

## PROJECT SCOPE

The project's scope serves as baseline definition for the F/CMS project. All project work should occur within the framework of the project scope and directly support the project outcomes. The scope in conjunction with the business case defines the following:

- Scope description
- High-level project requirements
- Project strategy
- Project constraints
- Project assumptions

Any changes to Scope must be approved by the project governance committee. The projected completion date for this project is July 1, 2025.

---

## IN-SCOPE

- Procure a new integrated financial and case management system (F/CMS).
- Procure associated hardware to support F/CMS.
- Procure a system able to ingest large amounts of external data.
- Establish a data share agreement with Oregon Judicial Department (OJD).
- Establish a data share with Department of Administrative Services (DAS) R\*STARS system for vendor payments.
- Establish a change management plan (i.e., communication; prepare for, manage, reinforce change).
- Procure project management services for F/CMS.
- Develop F/CMS business processes documentation (i.e., "as is"; "to be").
- Perform data migration for data elements in F/CMS (PDSC/Provider as applicable).
- Document, audio, and video management and storage for case discovery / court exhibits (i.e., short term / long term storage dynamics to be determined through course of project).
- Create end user training of the F/CMS for PDSC and providers.
- Procure external quality assurance engagement.
- Establish robust internal / external project communication.
- Deliver regular project reports to LFO.
- Maintain current technical tools (i.e., databases; spreadsheets) with limited or no changes until F/CMS becomes operational.
- Develop a configuration management process.
- Develop an engaged governance structure (i.e., steering committee; executive sponsors).
- Ensure F/CMS assessable to authorized internal and external users.
- Ensure F/CMS stakeholder engagement.
- Coordinate internal email / instant messages for communications within F/CMS.
- Create integration with Microsoft communication systems and F/CMS.

---

## OUT-OF-SCOPE

- The ability to electronically file circuit or appellate court documents directly from F/CMS.
- The ability for ODSC to maintain a vendor or migrate to an employment relationship when there is a provision of indigent defense.
- Any system generated budget projections, payroll management, supply procurement, personnel management, and payments.
- The F/CMS system will not analyze outcomes of collected data.
- Responsibility for non-F/CMS related stakeholder engagement.
- Any preparation and/or presentation of legislative concepts not related to F/CMS.
- Any policy related provisions of public defense services.
- Any definition of case management standards.
- Any development and negotiation of new contracts with providers.
- Any identification of contract rates for providers.
- The management of the legal contractual dynamic between PDSC and vendors.
- Any system determination of attorney qualifications on case assignments.
- Any consideration of client satisfaction of legal representation.
- An F/CMS system based on artificial intelligence (e.g., F/CMS system will not be able to determine whether a person received adequate representation).
- A completely automated vendor payment system.
- Any new or redesigned office spaces, office furniture, and facilities.
- Any new hardware / software not directly related to new F/CMS.
- Any other projects not directly related to the procurement, configuration, and deployment of a new F/CMS system.

## ASSUMPTIONS AND CONSTRAINTS

All stakeholders must be mindful of the assumptions identified for the F/CMS Project as they introduce some level of risk to the project until they are confirmed to be true. While the project is in a planning cycle, every effort must be made to identify and mitigate any risks associated with these assumptions:

- F/CMS is the official system for PDSC staff and contracted providers.
- Sufficient staff from PDSC and the selected vendor are available to fully support the F/CMS project.
- Decisions are made in a timely manner by the agency's leadership.
- Project team has the authority to approve deliverables for the project.
- Technology complies with information security standards adopted by PDSC.
- Operational leadership team will assist in review of formal project documentation.
- PDSC and the selected vendor assist in coordination of interface testing efforts with stakeholders.
- PDSC and the project's steering committee participate in F/CMS user acceptance testing.
- PDSC team members respond promptly to F/CMS correspondence requests; participate in F/CMS training; and actively engage in go-live activities.

- The project's steering committee respond promptly to F/CMS correspondence requests; participate in F/CMS training; and engage in go-live activities.
- Oregon legislature funds the project.

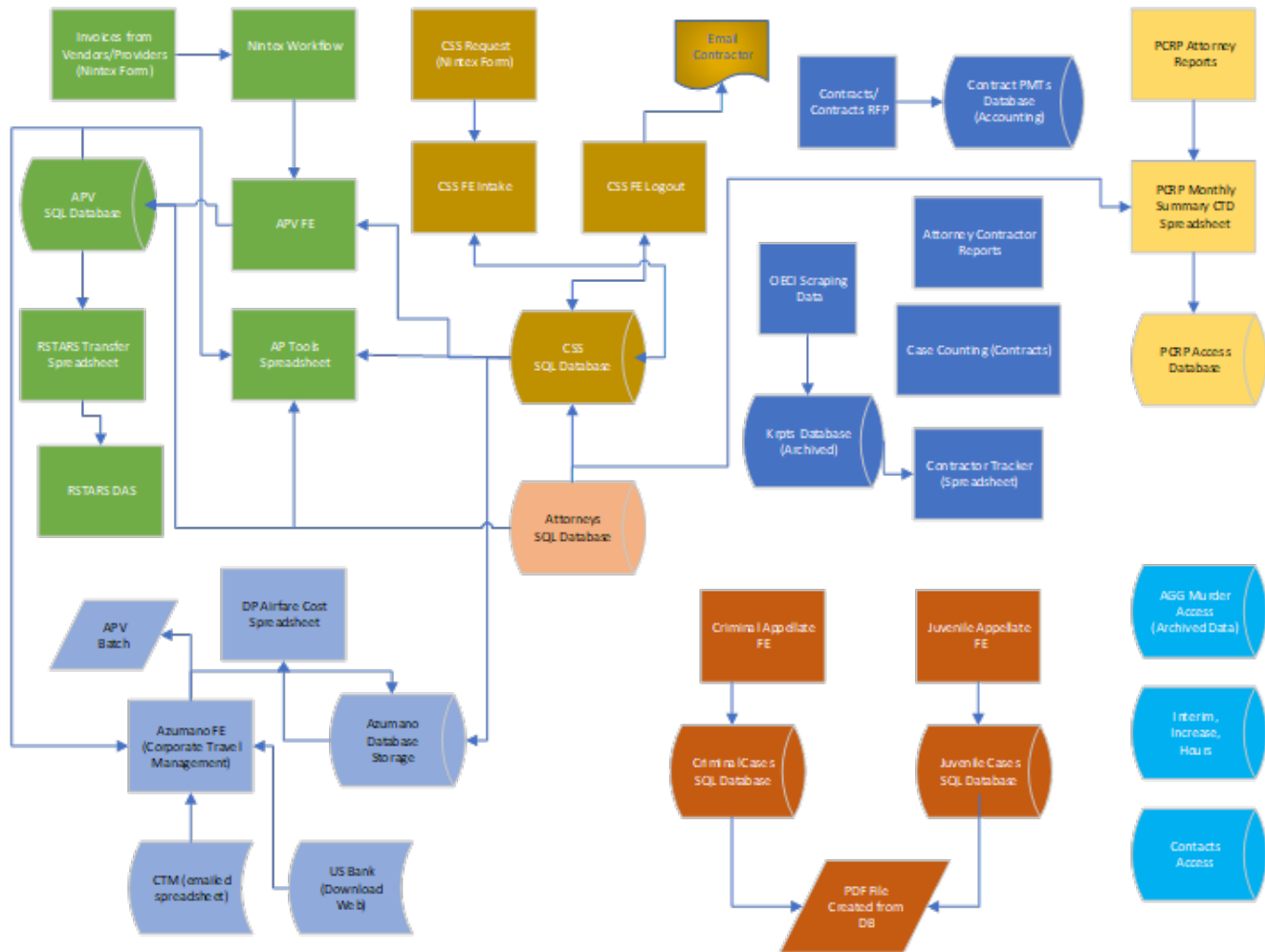
It is imperative that considerations be made for the identified constraints of the F/CMS Project throughout the project's lifecycle. Stakeholders must remain mindful of these constraints to prevent any adverse impacts to the project's schedule, cost, or scope. The following constraints have been identified:

- Current technical tools must be maintained until a system is in place for financial management, contract administration, and case data tracking.
- Staffing availability of PDSC.
- COVID impacts are dynamic and will have to be included in any discussion on capabilities, constraints, and timelines.

## CURRENT STATE

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 the figure below. The lack of integrated tools makes PDSC unable to track, monitor, or analyze contract data or reimbursements in an effective or efficient manner.

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, provide legal representation, or otherwise work within the public defense system.



## FRAMEWORK ISSUES

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 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.

- Limited user and role-based access 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 now more than ever, specifically with the reorganization efforts called out in House Bill 5030 (2021) and the changes outlined in Senate Bill 5532 (2023), Senate Bill 5506 (2023) and directed by Senate Bill 337 (2023). Each division within the commission utilizes some more 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 criminal and juvenile (including Parent Child Representation Program) contracts, research analytics of public defense outcomes, and conduct internal audits of agency operations and procured services. These functions cannot be executed with the current technology and will require a robust, secure, and highly functioning system to successfully produce the requirements noted above.

Listed below are requirements, at a high level, that the system will need to consider:

<b>High-Level Requirements</b>		
<b>Number</b>	<b>Category</b>	<b>Requirement</b>
<b>1</b>	<b>Role of Party</b>	Defendant / Parent / Guardian / Child / Attorney
<b>2</b>	<b>Client Information</b>	<ul style="list-style-type: none"> <li>• First Name</li> <li>• Last Name</li> <li>• SSN*</li> <li>• DOB</li> <li>• Criminal History*</li> <li>• Primary Language</li> <li>• Child Placement</li> </ul>
<b>3</b>	<b>Client Demographics*</b>	<ul style="list-style-type: none"> <li>• Ethnicity*</li> <li>• Race*</li> <li>• Gender Identity*</li> <li>• Income*</li> </ul>
<b>4</b>	<b>Case Information</b>	<ul style="list-style-type: none"> <li>• County</li> <li>• Case Name*</li> <li>• Case Number</li> <li>• Case Open Date*</li> <li>• Case Outcomes*</li> <li>• Case Type*</li> <li>• Case per Contract/Provider*</li> <li>• Case Events*</li> </ul>

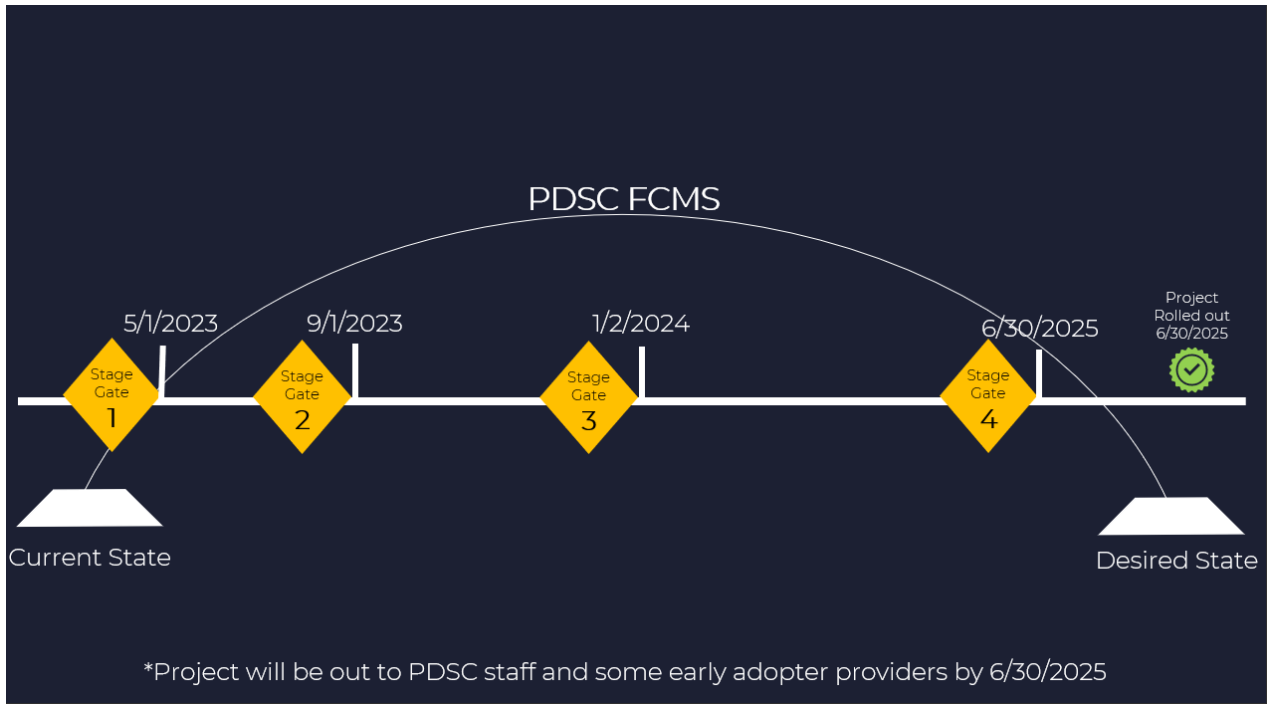
		<ul style="list-style-type: none"> <li>• Hearing Dates*</li> <li>• Incident Date*</li> <li>• Information about Mitigating Factors*</li> <li>• Outcomes of Cases with Requested Services*</li> <li>• Services*</li> <li>• Supporting Documents*</li> </ul>
5	<b>Activity</b>	<ul style="list-style-type: none"> <li>• Activity Date</li> <li>• Activity Outcome*</li> </ul>
6	<b>Charge Information</b>	<ul style="list-style-type: none"> <li>• Charge*</li> <li>• Charge Class*</li> <li>• Initial Charge*</li> <li>• Final Charge*</li> <li>• Information about Alternative Sentencing*</li> <li>• ORS Charges/OPDS Case Types*</li> <li>• Judgment Dates*</li> <li>• Ruling*</li> </ul>
7	<b>Attorney/Provider Information</b>	<ul style="list-style-type: none"> <li>• First Name</li> <li>• Last Name</li> <li>• Bar Number ID</li> <li>• Date Appointed or Retained/Assigned*</li> <li>• Appointment or Retained Type</li> <li>• Hourly Rate</li> <li>• Hours Spent with Client*</li> </ul>
8	<b>Service Providers</b>	<ul style="list-style-type: none"> <li>• Investigator Used</li> <li>• Case Manager Used</li> <li>• Psychologist Used</li> <li>• Interpreters Used</li> <li>• Transcriber Used</li> </ul>
9	<b>Attorney Case Information*</b>	<ul style="list-style-type: none"> <li>• Number of Cases Served by Each Contract*</li> <li>• Number of Clients Who Require an Interpreter*</li> <li>• Number of Requests Per Case Type*</li> <li>• Percent of Case Prep Work*</li> <li>• Percent of Time in Court Appearances*</li> <li>• Percent of Time Provider Allocates to Public Defense*</li> <li>• Percent or Number of Cases Resulting in FTA*</li> <li>• Track Number of Times Specific Providers Request Categories of Services*</li> <li>• Weighted Number of Cases Served by Provider by Case Type*</li> </ul>
10	<b>Billing Information</b>	<ul style="list-style-type: none"> <li>• Authorization Number</li> <li>• Authorized By</li> <li>• Amount Requested*</li> <li>• Amount Approved</li> </ul>

		<ul style="list-style-type: none"> <li>• Payment Number</li> <li>• Payment Request Status</li> <li>• Case Cost</li> <li>• Case Financial Information*</li> <li>• Cost per Case-by-Case Type*</li> </ul>
--	--	---

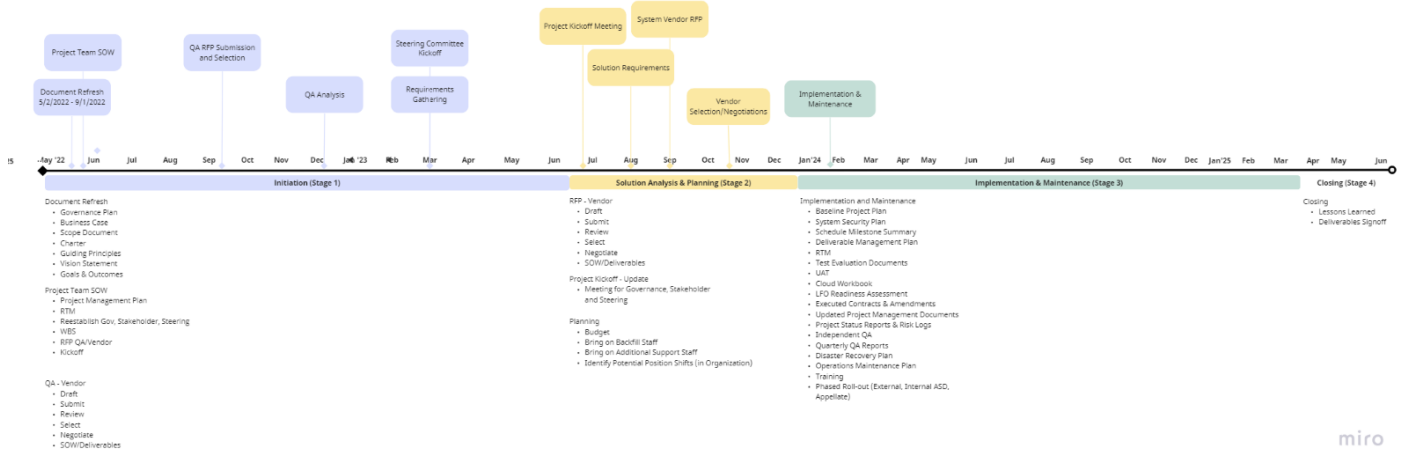
Note: These high-level solution requirements were used as criteria for Section 3, *Alternative Analysis*. Data currently collected by OPDS exists in disparate financial and case management tools. Requirements denoted with an asterisk (\*) indicate data and capabilities that OPDS does not currently receive 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.

## SCHEDULE

Below is a high-level stage gate overlay, and the second chart provides a more 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.







Currently, the entire project is being placed on a brief hiatus as the chief financial officer assumes the role of the executive sponsor for the project; the chief information officer has tendered his retirement effective December 31, 2023; both project managers have resigned from the agency; one business analyst accepted a position in another agency; and one business analyst is completing an extended leave of absence and will return in January 2024.

The commission is currently working with the office of the state chief information officer for guidance and assistance as we navigate the hiring of a chief information officer (target date of March 2024) and bringing on contract staff for project management work and business analysis. The Commission is also working with the Department of Administrative Services (DAS) procurement office and has been assigned a policy analyst to provide procurement oversight as we move through the procurement phase of the project. Revisions are being made to all schedules that have been put forward. Utilizing the more detailed schedule the high-level schedule indicates that insufficient progress was made in the “Solution Analysis and Planning” (Stage 2) phase; therefore, the schedule will have to be pushed forward up to three months to allow time to contract information technology project staff and redraft another request for information (RFI) or request for proposal (RFP), whichever is most appropriate.

Since March 2022, the project team has been using the Asana platform to track the scheduled events and to create a work breakdown structure. The use of this tool was to provide the team with the ability to monitor tasks, milestones, and accomplishments to avoid critical delays and keep tasks moving on schedule. During this time, the agency never provided the necessary support or cooperation with the project team; and as the agency was faced with other crisis situations, all staff including the project team were tasked with higher priority issues. The agency did not have the ability to dedicate the appropriate level of staffing to move forward on the project.

In early 2023 and through the rest of the year, the F/CMS project continued to compete with multiple conflicting and higher-level priorities that consumed the limited resources the agency had at its disposal and relied on other staff, causing conflict, disruption, and stress in those units. Despite new leadership, the attrition and appointment of managers and staff, coupled with an overwhelming number of outside pressures, the project was not prioritized according to its urgency and gravity. Those circumstances

further stressed the project team and all other staff, resulting in the resignation of the project managers. Of note, an overall detailed line by line draft project schedule was never approved or developed which is another contributor as to why the project was stalling and definitively contributed to further complicate the viability of an RFP.

**BUDGET**

<b>FCMS Operating Budget</b>				
	Budget	Year 1 Actuals	Year 2 Actuals	Variance
<b>Personal Services</b>				
<b>Total</b>	<b>1,246,630</b>	<b>252,313</b>	<b>-</b>	<b>(994,317)</b>
<b>Administrative Services and Supplies</b>				
	151,940	5,757	-	(146,183)
<b>Total</b>	<b>151,940</b>	<b>5,757</b>	<b>-</b>	<b>(146,183)</b>
	Budget	Year 1 Actuals	Year 2 Actuals	Variance
<b>Project Cost</b>	<b>23-25</b>			
<b>Total</b>	<b>5,933,925</b>	<b>65,295</b>	<b>-</b>	<b>(5,868,630)</b>
Contingency 10% of cost	686,730	-	-	(686,730)
Personal Services	1,246,630	252,313	0	(994,317)
Personal Services - S&S	151,940	5,757	0	(146,183)
Project Costs	5,933,925	65,295	0	(5,868,630)
<b>Project Total Costs</b>	<b>8,019,225</b>	<b>323,366</b>	<b>0</b>	<b>(7,695,859)</b>

Through the fiscal month ended November 2023, the F/CMS operating budget remains largely within in its lawful appropriation. There are significant savings in personal services as three of the five positions are now vacant. The only project associated expenditures are for the quality assurance vendor and for the consultant that was hired to help the project team develop a prospective RFP.

**F/CMS PROPOSED TOTAL COST OF OWNERSHIP**

Item	July 2023	July 2024	Biennium 2023/25	July 2025	July 2026	Biennium 2025/27	TOTAL
	June 2024	June 2025		June 2026	June 2027		
Core Case Management System (CMS) – Vendor	\$ 504,400	\$ 504,400	\$ 1,008,800	\$ 504,000	\$ 504,000	\$ 1,008,000	\$ 2,016,800
Implementation	\$ 75,000	\$ 75,000	\$ 150,000	\$ 20,000	\$ 10,000	\$ 30,000	\$ 180,000
Data Migration	\$ 50,000	\$ 50,000	\$ 100,000	\$ 10,000	\$ 10,000	\$ 20,000	\$ 120,000
Hosting & Support	\$ 50,000	\$ 50,000	\$ 100,000	\$ 50,000	\$ 50,000	\$ 100,000	\$ 200,000
Project Management Vendor	\$ 151,938	\$ 151,938	\$ 303,876	\$ 151,938	\$ 151,938	\$ 303,876	\$ 607,752
System Architecture	\$ 321,550	\$ 321,550	\$ 643,100	-	-	\$ -	\$ 643,100
Report Management Configuration/Customization – Vendor RSTARS	\$ 155,325	\$ 155,325	\$ 310,650	-	-	\$ -	\$ 310,650
Network Infrastructure	\$ 68,150	\$ 68,150	\$ 136,300	-	-	\$ -	\$ 136,300
Possible Integration Work	\$ 272,500	\$ 272,500	\$ 545,000	\$ 40,000	\$ 15,000	\$ 55,000	\$ 600,000
OPDS Hardware (New Requirements/Lifecycle)	\$ 50,000	\$ 50,000	\$ 100,000	\$ 50,000	\$ 50,000	\$ 100,000	\$ 200,000
QA Vendor	\$ 375,000	\$ 375,000	\$ 750,000	\$ 50,000	\$ 25,000	\$ 75,000	\$ 825,000
Technical Team – OPDS (2-OPA3 / 1-ITS 4 / 2 OPA 2)	\$ 699,285	\$ 699,285	\$ 1,398,570	\$ 699,285	\$ 699,285	\$ 1,398,570	\$ 2,797,140
Training – Vendor/OPDS	\$ 200,000	\$ 200,000	\$ 400,000	\$ 30,000	\$ 10,000	\$ 40,000	\$ 440,000
Travel – Vendor/OPDS	\$ 50,000	\$ 50,000	\$ 100,000	\$ 5,000	\$ 5,000	\$ 10,000	\$ 110,000
Overhead - \$30k/year	\$ 30,000	\$ 30,000	\$ 60,000	\$ 30,000	\$ 30,000	\$ 60,000	\$ 120,000
Change Management Vendor (Project and Organization)	\$ 200,000	\$ 200,000	\$ 400,000	\$ 200,000	\$ 200,000	\$ 400,000	\$ 800,000
<b>Total All Funds</b>	<b>\$ 3,253,148</b>	<b>\$ 3,253,148</b>	<b>\$ 6,506,296</b>	<b>\$ 1,840,223</b>	<b>\$ 1,760,223</b>	<b>\$ 3,600,446</b>	<b>\$ 10,106,742</b>
<i>Contingency – 10% of project costs</i>			\$ 650,630			\$ 360,045	\$ 1,010,674
<i>Total Funds with Contingency</i>			\$ 7,156,926			\$ 3,960,491	\$ 11,117,416

The proposed total cost of ownership has not significantly changed from the initial estimates of the submitted business case. Since neither the RFI nor the RFP has been solicited, it remains premature to change any of the initial estimates. Beyond the final completion date of the project and the warranty period, it is reasonable to assume that there will be ongoing costs associated with the solution such as periodic maintenance and operation costs. The PDSC should assume that there will be regular system updates and future upgrades needed to keep the system compliant, secure, and versatile. The PDSC can also assume that there will be a permanent need for a system architect, business analysts, and other technical staff to maintain the system and provide support to all users internally and externally. Once a vendor is selected, the PDSC will be able to provide an updated total cost of ownership.

## PROJECT RISKS, LIKELY IMPACTS & MITIGATION STRATEGIES

The overall project faces a significant amount of risk. The risk can be attributed to a lack of resources (staffing), a loss of project knowledge and the external pressures that continue to redirect the sparse agency resources towards other higher priority issues. The agency is working on a mitigation strategy to address the loss of staffing and project knowledge and is constantly working to better align available resources.

In addition to the loss of resources, the agency has not made critical advancements in addressing risks/issues as pointed out by the QA vendor and project team in their status reports. In addition, the project team has continually failed to find a way to successfully communicate and meaningfully interact with staff on a continual basis which has caused further disfunction. For example, at October's governance committee meeting, the committee had accepted the need for a risk and issue management team to be created, but there are no additional agency resources to place on this team, so the governance committee agreed to take on this role.

The agency recently procured a vendor to support the agency in the development of an RFP. The vendor was however selected on advice given to the project team in lieu of procurement vetting or best practice, and unfortunately the vendor did not have the knowledge necessary to deliver a project that installed the necessary confidence that it conformed to the State of Oregon's procurement guidelines for an RFP. The vendor allowed for internal customer participation and during this time staff raised concerns about the requirements for the project and that were not encompassed or were lacking in the proposal. The project team engaged these concerns on multiple instances to attempt to mitigate these concerns but could not satisfy the concerns. The overall lack of project understanding/agreement and communication within the agency poses a continued threat in the project meeting required timelines. The vendor presented the prospective RFP to an audience that included the director, deputy director, CIO, selected staff, the assistant state chief information officer for public safety, and the assigned policy analyst from the state's procurement office. The result was a recommendation to not proceed with the RFP, with cited concerns that the document did not fully meet state standards and that it was lacking significant elements to allow vendors to provide effective proposals.

Below is a chart that list the project risks as reported by the QA/QC vendor through November 2023.

**OPDS FCMS Project Risks - November 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	0223-11	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.	70%	High	70	Jessica K Ralph A PM (vacant)	Moderate (int) 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.	11/20/23: An internal PM was brought to help coordinate the Legislatively-mandated changes. 9/30/23: Raised from 60% to 70% as the Legislatively-mandated changes will increase competition for resources' time and focus. 8/18/23: It will be important to include stakeholders throughout procurement. 6/30/23: Hittner would like to see the pace of requirements reviews increase. 5/18/23: The project has begun reviewing requirements and defining current business processes with Accounts Payable. 3/31/23: This risk will be important to mitigate with the review of requirements that will be upcoming. 2/28/23: New risk.

2	0223-12	There is a risk that the amount of work necessary to release an RFP is greater than planned for by the project. 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.	60%	High	60	Jim C Ralph A PM (vacant)	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.	12/20/23: A draft RFP was created by an outside consultant (Louis Omdorff) and will be reviewed internally in late November and early December. 9/30/23: Raised from 50% to 60%. The new IT Procurement Specialist should help the procurement efforts focus and accelerate. 8/18/23: This remains one of the top risks. 6/30/23: Raised from 35% to 50%. A full procurement schedule should now be assembled. 5/18/23: An initial procurement task list has been created and is being reviewed and revised. 3/31/23: The project will be assembling a preliminary procurement task list. 2/28/23: New risk.
3	0223-02	There is a risk that as 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 as Subject Matter Experts (SMEs).	A provider refuses to participate in project.	11/20/23: No change this month. 8/18/23: Hitner will continue to monitor stakeholders engagement. 6/30/23: No change this month. 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.
4	1123-02	There is a risk that a replacement for the retiring CIO is not found before the end of December, resulting in knowledge transfer overlap with the current CIO and thus affecting technical leadership for the FCMS Solution procurement process.	50%	Medium	25	Jim C Ralph A Emese P	Minimal	Consider bringing the current CIO on a temporary contract position until a new CIO has been onboarded with appropriate knowledge transfer.	No offer to a new CIO is made before Christmas.	11/20/23: New risk.
	0223-01	There is a risk of a lack of agreement on the needs of external users.	50%	High	50	PM (vacant)	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.	Project tasks are delayed due to decisions that are delayed due to lack of agreement on requirements.	11/20/23: No change this month. 8/18/23: This remains a risk to monitor. 6/30/23: The project should lay out the full schedule for requirements reviews and communicate this to those involved. 5/18/23: No change to this risk. 3/31/23: The new steering committee has met initially and will be going through scope before the next meeting. 2/28/23: New risk.
6	0223-06	There is a risk that no solutions on the market are sufficient to meet OPDS' needs without significant modification.	50%	High	50	PM (vacant)	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.	11/20/23: No change this month. 9/30/23: This risk will be monitored as procurement activities increase their pace. 6/30/23: No change to this risk. 3/31/23: OPDS knows of at least four or five solutions on the market that have been used in the public defense area. 2/28/23: New risk.

7	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	PM (vacant)	Significant	Ensure requirements are at a detail level that proposers have a clear understanding of what is being asked of them and ambiguity is minimized. 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.	11/20/23: This risk remains through the procurement. 9/30/23: The IT Procurement Specialist will likely review the requirements for appropriate level of detail. 8/18/23: Requirements are going through one final review in August/September before the release of the RFP. 6/30/23: No change to this risk this month. 5/18/23: Work has begun on reviewing requirements and defining business processes. 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. 2/28/23: New risk.
8	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.	11/20/23: No change this month. 9/30/23: This will be an important risk to monitor when vendor proposals are received. 6/30/23: No change to this risk. 3/31/23: This will be an important area to review as part of the requirements review. 2/28/23: New risk.
9	0323-02	There is a risk of lack of involvement by key OPDS personnel in project processes and decisions.	45%	High	45	Jessica K Jim C 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.	11/20/23: The challenge in this area will remain throughout the project and organizational transition activities. 9/30/23: This remains a key risk, particularly with the increased transition activities. 8/18/23: The project must ensure key stakeholders are involved in the procurement evaluation and selection. 6/30/23: No change to this risk this month. 5/18/21: Lowered from 50% to 45% as the Governance Committee and Steering Committee are both now meeting regularly. 3/31/23: New risk.
10	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.	11/20/23: It is unclear (as of mid-November) when the RFP might be released. 9/30/23: Procurement activities are behind the planned schedule and a new procurement schedule should be produced in October. 8/18/23: Proposal evaluations should take place in late 2023 or early 2024. 3/31/23: There will be limited updates to this risk until vendor proposals are received. 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.	35%	High	35	PM (vacant)	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.	11/20/23: End user participation should be reviewed as the procurement activities continue. 8/18/23: One final review of requirements will be taking place prior to release of the RFP. 6/30/23: The project is reviewing requirements with the Appellate Division. 5/18/23: Lowered from 40% to 35%. Outreach work has begun with Accounts Payable. Several end users are members of the Steering Committee. Quarterly town halls are being considered. 3/31/23: The project will be reaching out to end users for requirements review. The project is also considering holding quarterly town halls. 2/28/23: New risk.

12	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.	30%	High	30	Jessica K Emese P Ralph A 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.	11/20/23: The approach to this transition is still being formulated. 9/30/23: Early transition planning is taking place. 8/18/23: Lowered from 50% to 30% mainly due to timing as the project should be able to finish prior to the full execution of the move to the Executive branch. 6/30/23: The Legislature has approved the move. Now the agency must assess how best to move forward with transition plans. 5/18/23: This remains a risk with the Legislative session ongoing. 3/31/23: New risk.
13	0823-02	There is a risk that the folding of the current Steering Committee into the Governance Committee slows the project down due to increased inaction at the stakeholder or leadership level.	30%	High	30	Jim C Jessica K	Moderate	Ensure clear direction is given to the Governance Committee on needs from the project. Also, sufficient advance notice is given to the Committee regarding action items.	Project tasks are delayed due to Committee inaction.	11/20/23: No changes this month. 9/30/23: Hittner will continue to monitor this risk. 8/18/23: New risk.
14	0223-10	There is a risk that project milestones are delayed or missed due to project understaffing. With the budget being approved by the Legislature, this risk is around the hiring of the ITSA position and then also ensuring that the staff are focused on project activities and not pulled off onto other agency work.	20%	High	20	Jim C Ralph A Emese P	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.	Project tasks (including procurement planning tasks) begin to slip due to project understaffing.	9/30/23: Hittner will monitor this risk as project activities intensify through procurement. 8/18/23: No change to this risk. 6/30/23: Reworded the risk now that the budget and positions have been approved. Lowered from 60% to 20%. 5/18/23: Lowered from 80% to 60%. A new BA has started work on the project and another will start in early June. 3/31/23: Request is in the POP. 2/28/23: New risk.
15	1123-01	There is a risk that the recruitment of a project manager is not completed in a timely manner or results in a failed recruitment and further delays to the FCMS Solution procurement.	50%	High	50	Jim C Ralph A Emese P	Extensive	By early December, decide if a contract or employee hire approach will be utilized for the PM position	A project manager is not hired by the end of December.	11/20/23: New risk.

These issues raised above are indicative of the lack of resources the agency has overall, and the serious impacts not only to the project but the agency with regards to the ability to accomplish the vast number of projects, to meet legislative expectations to include a move to the executive branch that have been brought about by Senate Bill 337 (2023). The agency is taking the time to go through each risk and develop a mitigation strategy as needed to address each risk and if possible, eliminate the risk or minimize the impact.

The overall impact to the project from loss of personnel and lack of agency resources is that the project timeline will be delayed with a possibility that it could be extended by months to possibly a year depending on the path the agency takes.

The agency is working with DAS' Enterprise Information Services on a strategy to secure experienced contracted resources for the project and solidify a plan to move the project forward with minimal delay.



## INDEPENDENT QUALITY ASSURANCE REPORTING

The PDSC has secured a contract with Hittner and Associates (Hittner) to perform the role of independent quality assurance. Below is the information from periodic quality status report (PQSR) for November 2023.

### EXECUTIVE SUMMARY

This is the PQSR for the Financial and Case Management System (F/CMS). It contains the results of our independent evaluation of project health, as well as an ongoing compilation by Hittner of activities in the project.

The project health measurements and assessments for the F/CMS Project 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>Low-Medium</b>	This project exhibits a relatively even mix of low and medium risk cues.
<b>Medium</b>	This project exhibits the medium risk cue, or something similar in threat.
<b>Medium-High</b>	This project exhibits a relatively even mix of medium and high-risk cues.
<b>High</b>	This project exhibits the high-risk cue, or something similar in threat.
<b>N/A</b>	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
Risk Decreasing	Activities are improving
Stable	Activities are remaining steady
Risk Increasing	Activities are deteriorating

### PROJECT STATUS AND HEALTH

<b>Project Health</b>			
<b>Current Rating</b>	M-H	<b>Trending</b>	<b>Risk Increasing Slightly</b>
<b>Previous Rating</b>	M-H		

As of November 2023, Hittner continues to rate the overall project health as having a medium-high risk profile. On the following pages, we provide our ratings for several high-level areas.

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. A procurement consultant was hired to assist in the assembly of a draft request for proposal (RFP). The draft RFP was provided to the agency on November 17 and is being reviewed internally.

Significant organizational changes are coming for the project as the co-project managers (PM) left the agency in the first half of November. Also, the chief information officer will be retiring at the end of December. A new project manager (either contractor or employee) and a new leader of the IT team will need to be brought in as soon as possible.

Governance committee meetings continue; however, the steering committee is no longer an entity with its responsibilities being absorbed by the governance committee and other small work groups or individuals, as needed. As noted in previous reports, it is very important for the project team to work well in advance of meetings to find meetings times that will work for the broadest group and provide agendas well in advance so participants can understand their role and the amount of preparation they may need to accomplish.

Key legislation passed (SB 337 and SB 5506) by the legislative assembly includes direction for the agency to become part of the executive branch. Planning for this has already begun. While not having a direct effect on the project in the near term, this activity could have an indirect impact on the project by taking resource time away from project activities to focus on transition activities. Also, a pilot is being implemented for some in-house trial attorneys (split between southern Oregon and the Portland metro area) and that may require an interim case management solution for these attorneys. Coordination of this with the F/CMS Project is very important as some resources may be asked to work on both activities.

Another change is the reformation of the commission, which is scheduled to be completed by January 2024.

Following are breakdowns of specific measurement areas evaluated by Hittner for the F/CMS Project.

<b>Budget</b>			
<b>Current Rating</b>	M	<b>Trending</b>	<b>Stable</b>
<b>Previous Rating</b>	M		

The project budget was approved by the legislature. Hittner 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 2024.

<b>Schedule</b>			
<b>Current Rating</b>	H	<b>Trending</b>	<b>Stable</b>
<b>Previous Rating</b>	H		

Hittner continues to rate this area as a high risk as of November 20, 2023.

The project team will need to lay out a complete schedule for the procurement process that includes all tasks, necessary resources, and durations. With project funding secured for the biennium, this schedule should be put in place as soon as possible but certainly no later than sometime in the middle of December.

<b>Scope/Quality</b>			
<b>Current Rating</b>	M	<b>Trending</b>	<b>Stable</b>
<b>Previous Rating</b>	M		

The scope is understood by the agency's staff. Requirements review will be an important part of the draft RFP review in the coming month to ensure requirements are at an appropriate level of detail and prioritization to allow potential vendors to clearly describe how well their proposed solution satisfies the agency's needs with a new system. Hittner will monitor this area very closely in the next two months.

<b>Resources</b>			
<b>Current Rating</b>	H	<b>Trending</b>	<b>Risk Increasing</b>
<b>Previous Rating</b>	M-H		

Hittner raises the risk to medium-high for this period.

The co-project managers (PM's) left OPDS in the first half of November. A replacement will be hired but the agency will have to decide if a contract PM will be utilized in place of a permanent hire.

The chief information officer will be retiring at the end of the year. The agency will need to decide their approach for filling this position as well.

## RISK ASSESSMENT

The Risk Assessment Task defines the iQMS Contractor tasks to support the F/CMS Project’s overall risk management efforts. The F/CMS Project Team has the primary responsibility for executing the Project’s risk management activities, with Hittner & Associates providing a supporting function. Within the Hittner & Associates’ scope of providing quality management, quality assurance and quality control on the State Team’s and Solution Contractor’s plans, process, and products, the Hittner Team will also identify risks and provide recommendations for risk mitigation strategies. Hittner has performed an initial risk assessment (Deliverable 1.1 P1) on the F/CMS Project and submitted it in January 2023.

The periodic risk report, showing the top risks identified and tracked by Hittner, is in Section 3.1 of this report.

**Initial Risk Assessment Deliverable (Deliverable 1.1 P1)**

<b>Deliverable Title</b>	<b>Latest Version</b>	<b>Status</b>
Project Risk Assessment Report	1.0	Submitted 3/16/23 (Approved)

**Upcoming activities for December**

Risk management and monitoring is an ongoing activity for Hittner and will continue throughout the life of the project. Hittner creates an Ongoing Risk Notification Report (see Section 3.1) and includes it with the Periodic Status Report and the Quarterly Status and Improvement Report.

**QUALITY PLANNING**

Hittner’s quality planning approach relies heavily on our experience supporting large IT development and implementation projects. To develop a project plan and schedule, our planning efforts include decomposing all contract tasks to the activity level. The quality planning segment of the project establishes the groundwork for the tasks ahead by creating the Quality Standards – Operational Definition (2.1), Quality Management Plan (2.3), and Baseline QMS Work Plan (2.4).

**Quality Planning Deliverables**

<b>Deliverable Number</b>	<b>Month</b>	<b>Latest Version</b>	<b>Status</b>
2.1	Quality Standards – Operational Definitions Report	1.0	Submitted 3/16/23 (Approved)
2.3	Quality Management Plan	1.0	Submitted 3/16/23 (Approved)
2.4	Baseline QMS Work Plan	1.0	Submitted 6/5/23 (Approved)
2.5	Internal/External Presentations and Special Request		
2.6	Lessons Learned Report		

## Upcoming activities for December

No Task 2 activities are planned for December.

## QUALITY CONTROL

The focus of the quality control task is the review of key project deliverables.

The table below identifies the quality control reviews of documents that Hittner currently has responsibility for reviewing. Each report the table will be updated with the status of Hittner's analysis of the applicable deliverables.

### Quality Control Deliverables

Deliverable Number	Month	Latest Version	Status
3.1.1 P1	QC Review of Business Case	1.0	Submitted 3/16/23 (Approved)
3.1.2 P1	QC Review of Project Scope	1.0	Submitted 3/16/23 (Approved)
3.1.3 P1	QC Review of Project Governance Plan		
3.1.4.1 P2	QC Review of Project Charter		
3.1.4.2 P2	QC Review of Project Management Plan		
3.1.4.3 P2	QC Review of Communications Plan		
3.1.4.4 P2	QC Review of Change Management Plan		
3.1.4.5 P2	QC Review of Detailed Project Plan		
3.1.4.6 P2	QC Review of Requirements Traceability Matrix		
3.1.5 P2	QC Review of Project Management Plan and Schedule		
3.1.6 P2	QC Review of RFP components (including SOW, Requirements)		

3.1.7 P2	QC Review of Solution Contractor's Implementation Plan		
3.1.8 P2	QC Review of Solution Contractor's System Testing and UAT Testing Plan and Results		
3.1.9 P2	QC Review of Fit-Gap Analysis		
3.1.10 P2	QC Review of Solution Architecture		
3.1.11 P2	QC Review of Software Build and Release Plan		
3.1.12 P2	QC Review of System Interfaces and Integration Plan		
3.1.13 P2	QC Review of Data Migration and Conversion Plan		
3.1.14 P2	QC Review of Escalation Plan		
3.1.15 P2	QC Review of Disaster Recovery Plan		
3.1.16 P2	QC Review of Training Plan and Training Materials		
3.1.17 P2	QC Review of Operations and Maintenance Plan		
3.1.18 P2	QC Review of Contractor Staffing Plan		
3.2.1	Security Review and Sampling Plan		Option Reserved to the State
3.2.2	Security Review and Sampling Report(s)		Option Reserved to the State
3.3.1	Monthly Quality Status Report – January 2023	1.0	Submitted 3/16/23 (Approved)

3.3.2	Monthly Quality Status Report – February 2023	1.0	Submitted 6/6/23 (Approved)
3.3.3	Six-Week Quality Status Report – May 2023	1.0	Submitted 6/6/23 (Approved)
3.3.4	Six-Week Quality Status Report – August 2023	1.0	Submitted 9/28/23 (Approved)
3.3.5	Six-Week Quality Status Report – November 2023		

Upcoming activities for November/December

Hittner & Associates will submit deliverable 3.3.5 (this report) in November.

## QUALITY ASSURANCE

Hittner provides overall project quality review, periodically examine quality control review results, and project status, and summarize the results for executive review and oversight throughout the life of the Project. The Hittner Team will create and deliver quarterly quality assurance status and improvements reports summarizing the overall Project status, performance, risks, and recommendations for process improvement to the F/CMS Project.

### Quality Assurance Deliverables

Deliverable Number	Month	Latest Version	Status
4.1.1	Quarterly Quality Assurance Report – March 2023	1.0	Submitted 4/20/23 (Approved)
4.1.2	Quarterly Quality Assurance Report – June 2023	1.0	Submitted 8/22/23 (Approved)
4.1.3	Quarterly Quality Assurance Report – September 2023	1.0	Submitted 11/2/23 (Approved)
4.1.4	Quarterly Quality Assurance Report – December 2023		

### Upcoming activities for December

Hittner will begin scheduling quarterly interviews (to take place in late December and early January).

## ON-GOING RISK NOTIFICATION REPORT- NOVEMBER 2023

*(See risk section above in this report)*



## STAKEHOLDER/PROVIDER INVOLVEMENT

### F/CMS PROJECT STEERING COMMITTEE CHARTER

The primary method of stakeholder and provider involvement was to start with Project Steering Committee. The primary function of the F/CMS project Steering Committee (Steering Committee) is to take responsibility for the feasibility, business case, and the achievement of outcomes of the F/CMS project. The Steering Committee will monitor and review the project status, as well as provide oversight of the project and project deliverable rollout.

The Steering Committee provides a stabilizing influence so organizational concepts and directions are established and maintained with a visionary view. The Steering Committee provides insight on long-term strategies in support of legislative mandates. Members of the Steering Committee ensure business objectives are being adequately addressed and the project remains under control.

The membership of the Steering Committee was to include seven staff members and four external stakeholders, and the committee is to stand for the duration of the project, meeting monthly or every six weeks. The intent of the committee is to leverage the experiences and expertise of key individuals committed to professionalism in project management and execution.

Committee members should:

- Understand the strategic implications and outcomes of initiatives being pursued through outputs.
- Appreciate the significance of the project for some or all major stakeholders and represent their interests.
- Be genuinely interested in the project and be an advocate for broad support for the outcomes being pursued in the project.
- Have a broad understanding of project management issues and approach being adopted.

In practice, this means they:

- Review the status of the project.
- Ensure the project and projects' outputs meet the requirements of the business requirements and key stakeholders.
- Help balance conflicting priorities and resources.
- Provide guidance to the project team and users of the project outputs.
- Consider ideas and issues raised.
- Check status of projects and activities within the agency.
- Foster positive communication outside of the committee regarding the project's progress and outcomes.

### STEERING COMMITTEE WORK

The steering committee met three times over the last year in March (the kickoff), May and June. There are minutes for one of the meetings. External partners included both members from two large non-profit public defender offices, a member from the rural counties, a consortia member, a private law firm member, a commission member, and a service provider. Internal members included two from accounting, one from policy, three from the appellate division, and two from what was known as the trial division.

There was one additional committee that was initiated that appears to have had only one meeting in June 2022. This committee, the information technology subcommittee (IT Committee) was made up of commission members that included Steve Wax, Mark Hardin, and Lisa Ludwig, and was staffed by the Deputy Director, CIO, and the project managers (project team). The goal of the subcommittee was to provide input to the project. At this meeting the commissioners provided input on the project goals and outcomes, scope, business case and benefits document.

The IT Committee with the Project Team decided that when structuring the steering committee, a strong presence from each type of public defense entity (contractors, providers, consortia, and private attorneys) be present as a voting member. Additionally, commissioners wanted to be present for meetings in which the governance committee and steering committee members met; it was decided that we would make this group the stakeholder group. The stakeholder group would consist of the three committees, but also allow for interested parties to be present and the meetings would be informational.

There does not appear to be any documentation about the establishment of a stakeholder group or any of the proposed subcommittees for this group. There also does not appear to be any further documentation of any additional IT Committee meetings.

## OTHER PROJECT INFORMATION

The commission is actively partnering with the office of the state chief information officer for guidance and assistance as we navigate the hiring a chief information officer (target date of March 2024) and bringing on contract staff for project management work and business analysis. Work is underway to revise project schedules to facilitate a success, this will be the first objective of the contract IT project manager when hired.

The Commission is committed to the success of this project. The OPDC cannot continue to serve all the legislative mandates and requirements in SB 337 (2023), SB 5532 (2023), and SB 5506 (2023) without updating its data and information systems. There is no path to success utilizing the many volatile legacy systems, continuing to patch and rebuild those systems as they limp along. There is a limited future as software companies discontinue support for these outdated systems.

Going forward, the OPDC has identified these next steps towards moving forward:

- Report out to legislative subcommittees in January 2024.
- Extend constructive whiteboard session with key agency staff to identify and prioritize work across the agency and begin using that information to layer the agency's existing work, new work associated with changes to the agency and the public defense delivery system and work critical to moving the F/CMS project forward.
- Continue to identify significant gaps in policy, prioritize policy needs, develop written policies where they are lacking, and refine existing policies.
- Get project dedicated staff to work on project work first in lieu of filling holes that are lesser priority.
- Have system architect map all systems and create a vision for what F/CMS is desired for. Currently very limited system mapping exists. System architect will produce maps to illustrate current systems to better inform the future state.
- Work with ASCIO office to hire project manager, business analysts, and other key positions.
- Repurpose the duties of the current limited duration business analyst to that of a project coordinator role.
- Repackage the RFP and decide if this is the best methodology.
- Prepare to meet with vendors and talk with stakeholders to create collaborative involvement.

- Agency is currently recruiting for a communication specialist who could provide invaluable assistance to contracted project staff.
- Revisit the steering committee to ensure proper representation by interested parties.
- Consult with new commission about reinstating the IT committee and identify members.
- Propose the F/CMS become a standing report at least once monthly at an executive team meeting.
- Propose that F/CMS become a standing report at least quarterly at a commission meeting.