



Oregon

Tina Kotek, Governor

Oregon Public Defense Commission

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November 3, 2025

The Honorable Senator Kate Lieber, Co-Chair
The Honorable Representative Tawna Sanchez, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE, H-178
Salem, OR 97301

RE: 2025-27 Agency Reduction Options

Dear Senator Lieber and Representative Sanchez:

The Oregon Public Defense Commission (OPDC), formerly known as the Public Defense Services Commission (PDSC), is responsible for establishing and maintaining a public defense system that ensures the provision of public defense consistent with the requirements of the United States Constitution and Oregon Constitution.

When considering potential reductions, OPDC carefully considered the agency's constitutional obligations and the unrepresented defendant crisis in Oregon and identified programs and funding that, while providing extremely valuable public services, are not strictly constitutionally mandated or do not directly support the resolution of the unrepresented crisis. The agency recognizes that in a constrained budget environment, it must first consider eliminating services that do not directly address the critical numbers of unrepresented people in criminal cases in Oregon or its core, constitutionally mandated responsibilities. OPDC also asserts, however, that many of the reductions contained in this letter could have far reaching negative consequences for individuals facing legal consequences and that the agency did not arrive at any of these recommendations lightly. As such, the recommendations contained in this letter should not be taken as value judgements as to the quality, impact, or importance of any of the identified programs; rather, they represent the agency's best effort to make difficult choices in a suboptimal budget environment.

Broadly, OPDC's proposed reductions may have the following impacts if implemented:

- **Discovery reimbursement.** There is no statutory authority requiring OPDC, or any defense counsel, to pay for discovery, as full, unfettered access to the evidence is part of a defendant's 6th amendment rights. A shift of this type, however, would pass the cost burden for the provision of discovery from the state to the counties.
- **Administrative reductions and cost-containment measures.** These measures will reduce OPDC's ability to provide high quality and timely customer service to public

defense providers, including lawyers, investigators, experts, and the like, potentially slowing down payment times or creating gaps in administrative and legal support provided by OPDC staff.

- **Eliminate non-constitutionally mandated contracts.** Despite funding services that are not constitutionally mandated, these contracts still provide valuable services to lawyers providing public defense in Oregon. Their elimination, therefore, could reduce the quality of public defense in Oregon.
- **Limit contract expansion.** OPDC analyzed the OEA forecast, provider-reported caseloads, and growth areas to optimize contracts and ensure effective coverage statewide for public defense services while also aiming to eliminate the unrepresented persons crisis. Reserve funds within the Adult Trial Division are currently available to bolster contracts in jurisdictions that are predicted to need additional support in 2025-27 biennium. Should these funds be removed, contracts will not be able to be amended to meet future needs, and the unrepresented crisis may grow.
- **Juvenile representation in dependency cases.** Should the Legislature decide to significantly reduce or no longer provide representation for children in permanency and Termination of Parental Rights cases, as well as in some civil proceedings, there will be a significant impact on the outcomes experienced by children in the courts. This may also create additional burdens on other public safety and child welfare agencies, as children will no longer have the counsel of an attorney to mitigate potential negative impacts of the child welfare system.

Finally, OPDC's workload is inherently reactive to the actions of other actors within the justice system. From law enforcement making arresting decisions, to local district attorneys using discretion over the number and type of charges filed, to courts electing to establish expedited dockets, these upstream choices impact the number and type of cases that require a public defender. Other actors within the public safety and criminal justice sphere, therefore, may be able to take proactive measures that would decrease the number of cases OPDC must fund. At a higher level, budget reductions in other public safety, housing, and human service agencies may also impact OPDC's caseload. Reductions in housing, mental health, child welfare, and addiction services increase crimes of poverty, where individuals may resort to illegal activities as a means of survival or due to systemic inequalities.

Proposed Reductions in Detail

County Discovery Payments: Proposed reductions of \$1,750,000 or \$3,500,000

OPDC proposes reducing or eliminating payments to counties for discovery costs. First, a reduction of \$1,750,000 could be achieved by providing stricter guidance as to the types of expenses OPDC will reimburse through the establishment of a rate sheet or other similar approach. Second, OPDC also proposes that the Legislature could elect to end this program by removing all second-year funding for this program totaling \$3,500,000,

Under the Sixth Amendment of the U.S. Constitution, defendants have the right to a fair trial, which includes access to evidence that the prosecution intends to use. This constitutional right is also reflected in Oregon's statutory discovery provisions. ORS 135.805-135.873 clearly outlines the statutory and constitutional requirements for providing discovery to the defendant with no

mention of cost, but as a duty of the prosecution. This reduction should have no effect on the agency's ability to carry out its constitutional and statutory responsibilities, although it would directly impact county budgets.

Governor's Reduction Target: \$1,120,000

The Governor's target can be met with a series of proposed internal agency reductions. These proposed reductions are mostly administrative in nature:

- *Unused Rent.* The Northwest Trial Region initially established an office in Multnomah County as a sublease to a state-occupied building on Interstate Avenue in Portland. As mandated by the Courthouse Improvement projects, space is now available in the Clackamas and Multnomah courthouses for these employees, and the Northwest Trial Region is in the process of moving staff into each of these offices. All staff will be moved as of December of 2025, which will result in savings of \$180,000 in rent for the Interstate Avenue building for the remainder of the biennium. This reduction will have no effect on the Trial Division's ability to perform its mission.
- *Service and Supplies.* The agency identified \$133,000 of funding, on a one-time basis, that could be directed toward budget reduction targets from the Appellate Division and the Oregon Trial Division. This proposed reduction will impact attorney and staff training for continuing education over the remainder of the biennium. Training for staff is required in collective bargaining agreements and consistent with the requirements published by the Oregon State Bar. Staff and Managers will be required to work collaboratively to ensure the needed training is obtained and delivered in the most cost-efficient manner, which will likely include online and local trainings, as opposed to off-site trainings and conferences.
- *Polygraphs.* The agency identified this funding for the 2025-2027 reductions in its Agency Request Budget and the Governor's Budget. The reduction of \$300,000 is based on the following:
 - Scientific unreliability and a high risk of false positives/negatives: these tests measure physiological responses (heart rate, blood pressure, respiration, and skin conductivity) believed to indicate stress or deception. Some individuals may be able to control their physiological responses and others may fail entirely due to anxiety.
 - Lack of standardization: there is no uniform standard for administering or interpreting the test, which leaves results subject to bias, subjective interpretation, and technique.
 - Legal precedent and limited admissibility and undermine the role of the Jury.
 - Ethical and psychological concerns: can be coercive in pre-trial settings and subjects may feel overly pressured to prove innocence which violates presumption of innocence.
- *Personal Services savings.* The agency identified a reduction of \$507,007 in personal services funds, which could be sustained on a one-time basis. To arrive at this amount,

the agency would (i) hold one resource counsel position vacant for three (3) months before rehiring; and (ii) relinquish 18 months of reimbursement funding from another resource counsel position for an employee on rotation with the Oregon Youth Authority working in support of a Governor's Office initiative. This rotation is effective for the remainder of the biennium; however, the position is still occupied, and it prevents the hiring of a replacement until the position is vacated, or the staff member returns next biennium.

Vacancy Savings: \$105,408

The agency is willing to hold one recently vacated Office Specialist 2 position vacant for the next 18 months to provide \$105,408 in savings. The agency requests this reduction be viewed as a one-time reduction due to the impact it will have on other administrative and clerical positions inside the agency. This position works directly with the agency facilities manager and is normally responsible for office clerical work and coordination of meetings. The facilities manager will assume these tasks during the 2025-27 biennium and when the agency begins to grow to meet the state growth requirements outlined in SB 337 (2023), the agency will need this position to meet that mandate.

Services and Supplies: \$50,000

Via reduced spending or the use of potential vacancy savings, the agency identified \$50,000 that could be added to the agency's reduction target. The budget for the Executive Division is quite lean, with most of the available funding used to pay for consultant services, travel by the director and deputy director, and commission expenses including stipends and travel reimbursements. We also use all available funds to pay for Department of Justice fees. Since transferring to the Executive Branch and the elimination of OPDC's General Counsel position in H.B. 5031 (2025), the agency now relies upon the Attorney General's office for representation and collaboration on contracts, of which the agency has hundreds.

Civil Protective Proceedings: \$813,797

This reduction would take effect on July 1, 2026, and eliminate funding for representation for persons whom the court finds eligible for appointed counsel at state expense for civil protection proceedings (pursuant to ORS 133.055). While the commission appreciates the need to pay for representation for those who are eligible in these circumstances, protective hearings of this type fall outside of its constitutional mandate. This amount identified is approximately half of the biennial budgeted amount; therefore, should the reduction occur, the agency would continue to fund appointed counsel in civil protective proceedings until the adjusted budget is exhausted. This reduction should have no effect on the agency's ability to carry out its constitutional and statutory responsibilities, although it will have an impact on those individuals who would otherwise have received these services. This action should not impact the unrepresented crisis given that representation of this type falls outside of constitutional requirements; however, it may leave individuals in these civil proceedings unrepresented. Representation for these individuals will need to be performed on a pro bono basis or through the proceeds from other available resources.

Agency Core Mission Contracts: \$1,200,000

The Adult Trial Division funds all capacity-based contracts for the provision of Constitutionally mandated public defense services by nonprofit defender offices, consortia, and law firms. Within the Adult Trial Division, there are a few contracts that do not directly support the agency's core mission and are not constitutionally required. The agency is proposing the second year of the following two contracts, at roughly \$600,000 per year, be discontinued. This will provide approximately \$1,200,000 toward the agency's reduction target. While this reduction would not have a direct impact on the unrepresented persons crisis, there could be indirect effects, as this reduction would reduce the resources available to assist attorneys as they provide representation to clients. It should be noted, however, that, attorneys will still be able to request similar or equivalent services through the preauthorized expense program on a case-by-case basis.

- *Forensic Justice Project*: The Forensic Justice Project (FJP) is a nonprofit organization that was created in Oregon to challenge the use of faulty and misleading forensic evidence and to otherwise advise public defenders on the use and analysis of forensic evidence. While the agency values the contribution of FJP to the public defense community, it does not believe that it is appropriate to fund this organization with a capacity-based contract. If these services are needed on a case-by-case basis, then they can be requested by individual appointed attorneys using the agency's Preauthorized Expense Program. FJP already has a history of providing services through the Preauthorized Expense Program, so a shift of this kind should be minimally impactful.
- *Oregon Justice Resource Center*: The Oregon Justice Resource Center (OJRC), is a nonprofit organization whose goal is to promote civil rights and improve legal representation for historically underserved communities. OJRC works in collaboration with like-minded organizations to serve underrepresented populations, train future public interest lawyers, and provide education on issues related to civil rights and civil liberties. While the agency values the contribution of OJRC to the public defense community, it does not believe that it is appropriate to continue to fund this organization with a capacity-based contract designed to support direct client services. If these services are needed on a case-by-case basis, then they can be requested by appointed attorneys through the agency's Preauthorized Expense Program. OJRC already has a history of providing services through the Preauthorized Expense Program, so a shift of this kind would be minimally impactful.

Adult Trial Division Contract Funding: \$15,000,000 in \$5,000,000 increments

The Adult Trial Division is the funding that supports all capacity-based contracts for nonprofit public defender offices, consortia, and law firms. Each of these entities carry a defined caseload and have contractual representation responsibilities that are mandated by the Oregon Constitution and Sixth Amendment of the United State Constitution. The Adult Trial Division is subject to a mandated caseload and is budgeted based on anticipated caseload changes for state constitutional or court actions. SB 337 (2023) directed the Department of Administrative Services, Office of Economic Analysis (DAS OEA) to begin providing a Public Defense forecast beginning in April 2025. The agency works in concert with DAS OEA, the Oregon Judicial Department and other partners to develop this forecast. The 2025-27 LAB was the first budget to be fully informed by this forecast and the goal over the next biennium is to have the forecast,

along with other agency mitigating factors direct the budgetary needs of this program. Additionally, a budget note was given to the agency directing it to establish contracts with a goal of 90% MAC utilization.

The agency underwent an extensive analysis of the forecast, the existing caseloads, and expected growth areas to right-size the contracts and provide effective and efficient coverage across the state, with an overarching goal of eliminating the unrepresented persons crisis. The outcome of this extensive exercise has provided the planned coverage, and the organization hopes that the results will be positive. The agency has a legislative requirement to provide a report at the 2026 Legislative Session on the results of the contracting process.

The agency's recently finalized contracts applied both the projected caseload data and 90% utilization rate and OPDC is tentatively well within budget in this division. The reduction identified is based on the assumption that the OEA forecast is accurate, that the agency contracted appropriately to meet the needs projected by the forecast, and that providers perform to the 90% target outlined in their contracts. However, there remains a high degree of uncertainty and the forecast is subject to change. The reduction of these currently unobligated funds is presented as three separate, incremental reductions of \$5,000,000 each, for a total of \$15,000,000, as a hedge against this uncertainty.

The October 2025 public defense forecast remained relatively flat and did not warrant any budgetary action or adjustments. Within its current budget authority, and assuming that the forecast is accurate, the agency believes it could sustain a slight increase in criminal caseloads and continue with efforts to increase the number of contracted providers and potentially decrease the number of hourly providers. This reduction will limit the agency's ability to react to an increase in the unrepresented person's crisis beyond the current forecast. Finally, in the last biennium the agency used unobligated funds in this budget area to offset the immediate need for hourly providers while addressing the unrepresented persons crisis. This reduction would limit the ability of the agency to rebalance funds in order to pay attorney costs across the agency and respond flexibly to unpredicted caseload changes.

Court Mandated Expenses. \$2,750,000

OPDC identified a portion of court mandated expenses funding that could be reduced following the implementation of administrative refinements related to the identification and appointment of hourly providers. These refinements center on greater geographic restrictions in appointment decisions to ensure that providers representing clients do not have to spend as much time traveling to remote locations to meet with and provide services to clients. This reduction has the greatest potential to affect the unrepresented persons crisis. While the agency will work to identify providers and reduce these expenses, it will depend on the willingness of qualified providers to be available and willing to accept these cases.

Representation in Dependency and Termination of Parental Rights Cases.

Under ORS 419B, courts are authorized to appoint counsel for parents involved in dependency petitions and termination of parental rights proceedings (see ORS 419B.205 or ORS 419B.518). Children do not, however, have a constitutional right to court-appointed counsel in these cases under either the Oregon or United States Constitutions. Historically, the agency has contracted with providers to represent both parents and children in these matters (see ORS 419B.195). Data from the Juvenile Trial Division (JTD), reported to the Oregon Public Defense Commission (OPDC) for the 2023–2025 biennium, shows that 37% of cases involved child representation, while 63% involved parental representation. In contrast, the Parent Child Representation Program (PCRP) reported 48% child representation and 52% parent representation.

If the Legislature were to amend the ORS 419B to reduce eligibility for child representation beginning in April 2026, projected cost savings would be substantial:

- **Juvenile Trial Division:** \$4,588,547 general fund and \$2,735,590 other funds.
- **Parent Child Representation Program:** \$3,087,408 general fund and \$3,477,300 other funds.
- **Preauthorized Expenses (PAE):** \$561,339 general fund and \$6,187 other funds.
- **Court Mandated Expenses (CME):** \$1,346,383 general fund and \$226,768 other funds.

Further analysis is needed to accurately assess the potential savings in CME and PAE, as the legal timeline to case disposition typically spans several months and may affect the pace at which child representation cases are phased out. The reduction has the potential to adversely affect the unrepresented crisis as it assumes PCRP providers will continue to represent juveniles at a lower rate of reimbursement, without dedicated case support, and under a different caseload model. This may also result in an increased number of juvenile representations by hourly providers.

Other Funds.

Title IV-E is a federal program that provides financial support for some child welfare services, including legal representation for children and parents involved in child welfare proceedings. OPDC must spend General Funds in order to draw down this Federal funding as reimbursement; they come to the agency as Other Funds through the Oregon Department of Human Services. The Other Fund reductions proposed here are proportionate to both the General Fund expenditures and the number of cases representing children, who do not have a statutory right to counsel in these cases in Oregon, rather than parents, who do have such a statutory right. OPDC receives approximately twenty-five cents in Title IV-E funds for every dollar of General Fund spent. Reducing General Fund expenditures reduces the amount of reimbursement the agency can draw down.

OPDC would like to thank the Legislature for its careful consideration of the agency's proposed response to the difficult budget environment facing us all. OPDC provides funding for essential services for indigent Oregonians statewide who are facing serious challenges that could impact their liberty and their livelihoods. The reductions proposed in this letter will no doubt have an impact on those vulnerable individuals and make it more difficult for the agency to meet its Constitutional mandate as well as its statutory responsibilities and mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Sanchagrin", with a long horizontal flourish extending to the right.

Kenneth Sanchagrin
Executive Director

cc:

Amanda Beitel, Legislative Fiscal Officer

John Borden, Principal Legislative Analyst, LFO

Kate Nass, Chief Financial Officer

Jonathan Bennett, Budget and Policy Analyst, CFO

404 PDC																	
2025-27 Biennium																	
		2025-27 ORBITS LAB		684,849,999		-		40,578,258		-		-		-		725,428,257	
		2025-27 LAB		682,457,776		-		26,663,258		-		-		-		709,121,034	
Detail of Reductions to 2025-27 Legislatively Adopted Budget																	
1	2	3	4	5		6	7	8	9	10	11	12	13	14	15	16	17
Priority (ranked most to least preferred)		Agency	SCR or Activity Initials	Program Unit/Activity Description		GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Gov. Reduction Target Yes / No	One-Time Yes / No	Describe the reduction and associated impact on services and outcomes. Please identify the source of Other Funds reductions.
Dept	Prgm/ Div																
1	1	1	700	County Discovery Reimbursements		1,750,000	0	0	0	0	0	\$ 1,750,000			no	No	The commission will create policies and procedures to standardize and to better control the pament of discovery expenses. This would eliminate a portion of one year of reimbursements for county discovery costs. \$6.3 million total is budgeted for this purpose in 2025-27. This would be reduction 1 of 2.
2	2	1	700	County Discovery Reimbursements		1,750,000	0	0	0	0	0	\$ 1,750,000			no	No	Rather than propose changes to control discovery reimbursement, the Commission would simply eliminates approximately one year of reimbursements for county discovery costs. \$6.3 million is budgeted for this purpose in 2025-27; this would reduction 2 of 2.
3	1	1	475	18 months of Rent		180,000	0	0	0	0	0	\$ 180,000			yes	no	OPDC no longer requires this leased space in Portland. Staff are now housed in county courthouse buildings.
4	2	1	475	Training Reduction		100,000	0	0	0	0	0	\$ 100,000			yes	yes	A one-year, one-time reduction to training budgets. Funding for minimal training required by CBAs remains in the budget.
5	1	1	425	Polygraphs		300,000	0	0	0	0	0	\$ 300,000			yes	no	Eliminates funding for polygraph examinations given validity concerns related to these services.
6	1	1	300	Training Reduction & Travel		33,000	0	0	0	0	0	\$ 33,000			yes	yes	Fund registration for one conference per year, eliminate all funding for travel expenses for training.
	3	1	200	Job Rotation Reimbursement		461,000	0	0	0	0	0	\$ 461,000	1	0.75	Yes	Yes	Savings from 18 months of reimbursement for position costs of a job rotation. There are no plans to backfill this position as the person has not relinquished position ownership as of yet.
8	1	1	200	Resource Counsel Vacancy		46,007	0	0	0	0	0	\$ 46,007	1	0.13	yes	yes	Three months of vacancy savings from holding this position vacant.
9	2	1	200	OS2 Vacancy		105,408	0	0	0	0	0	\$ 105,408	1	0.63	no	yes	Eighteen months of vacancy savings from holding this position vacant for the biennium; will increase workload on other staff and may impact service provision.
10	1	1	100	Services and Supplies Savings		50,000	0	0	0	0	0	\$ 50,000			no	yes	Reducing expenditures on services and supplies in this division.
11	3	1	700	Civil Protective Proceedings		813,797	0	0	0	0	0	\$ 813,797			no	No	Eliminates approximately one year of funding to provide representation to the indigent in civil protective proceedings.

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	Dept	Prgm/ Div															
12	1	1	400	Eliminate 2nd year of Forensic Justice Project (FJP) Contract (ATD)	600,000	0	0	0	0	0	\$ 600,000	0	0.00	no	no	Eliminates funding in the second year of the biennium for this nonprofit, which provides expertise on forensic evidence. The same services can be requested by attorneys through the Preauthorized Expense Program.	
13	2	1	400	Eliminate 2nd year of Oregon Justice Resource Center (OJRC) Contact (ATD)	600,000	0	0	0	0	0	\$ 600,000	0	0.00	no	no	Eliminates funding in the second year of the biennium for the OJRC, a nonprofit focused on improving legal representation for historically underserved populations.	
	14	3	1	400	Adult Trial Division Contract Funding	5,000,000	0	0	0	0	\$ 5,000,000	0	0.00	no	yes	This reduction in funding for contracted providers is tentative and subject to change with updated mandated caseload forecasts by the OEA. This reduction has the potential to increase the number of individuals on the unrepresented persons list, as cuts to this area could impact public defense capacity. This is part of one of three possible reductions.	
15	1	1	450	Court Mandated Expense	2,750,000	0	0	0	0	0	\$ 2,750,000	0	0.00	no	yes	The agency would propose to reduce expenses for hourly attorney costs of approximately 5% or \$2,750,000 by focusing attention on improvements to the case assignment process. This will be accomplished by prioritizing the assignment of cases based on geographic proximity. This has the potential to increase the number of individuals on the unrepresented persons list.	
16	4	1	400	Adult Trial Division Contract Funding	2,500,000	0	0	0	0	0	\$ 2,500,000	0	0.00	no	yes	This reduction in funding for contracted providers is tentative and subject to change with updated mandated caseload forecasts by the OEA. This has the potential to increase the number of individuals on the unrepresented persons list, as it would reduce funding available for attorney capacity. This is part of two of three possible reductions. This second reduction is split in half to meet the 2.5% target that has been requested.	
16	4	2	400	Adult Trial Division Contract Funding	2,500,000	0	0	0	0	0	\$ 2,500,000	0	0.00	no	yes	This reduction in funding for contracted providers is tentative and subject to change with updated mandated caseload forecasts by the OEA. This has the potential to increase the number of individuals on the unrepresented persons list. This is part of twoof three possible reductions. This second reduction is split in half to meet the 2.5% target that has been requested.	

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Dept																Prgm/ Div	
17	5	2	400	Adult Trial Division Contract Funding	5,000,000	0	0	0	0	0	\$ 5,000,000	0	0.00	no	yes	This reduction in funding for contracted providers is tentative and subject to change with updated mandated caseload forecasts by the OEA. This has the potential to increase the number of individuals on the unrepresented persons list. This is part of three of three possible reductions.	
18	1	2	415	Juvenile Trial Contract Funding	4,588,547	0	2,735,590	0	0	0	\$ 7,324,137	0	0.00	no	no	Eliminates appointed counsel for children in dependency cases beginning in April 2026. Statutory change would be required.	
19	1	2	500	Parent Child Representation Funding	3,087,408	0	3,477,300	0	0	0	\$ 6,564,708	0	0.00	no	no	Eliminates appointed counsel for children in dependency cases beginning in April 2026. Statutory change would be required.	
20	2	2	425	Preauthorized Expense	561,339	0	6,187	0	0	0	\$ 567,526	0	0.00	no	yes	Corresponding reduction in PAE services for eliminating appointed counsel for children in dependency cases reduces the need for additional case work. Statutory change would be required.	
21	2	2	450	Court Mandated Expense	1,346,383	0	226,768	0	0	0	\$ 1,573,151	0	0.00	no	yes	Corresponding reduction in CME services for eliminating appointed counsel for children in dependency cases reduces the need for additional case work. Statutory change would be required.	
					0	0	0	0	0	0	\$ -	0	0.00				
					0	0	0	0	0	0	\$ -	0	0.00				
					0	0	0	0	0	0	\$ -	0	0.00				
					0	0	0	0	0	0	\$ -	0	0.00				
				TOTAL	34,122,889	-	6,445,845	-	-	-	40,568,734	3	1.51				
Target (5%)		34,122,889		-		1,333,163					\$ 35,456,052						

Public Defense Services Commission 2025-27 Biennium															
Detail of Programs in the 2025-27 Legislatively Approved Budget that have been established or expanded since 2021-23															
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Agency	SCR	Program Establishment / Expansion		Program Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Implementation Status	
		Biennium	Effective Date												Authorization
404	400	2025-27	7/1/2025	HB 2005 SECTION 65	Civil Commitment Hearings. HB 2005 expanded OPDC's defense of indigent persons to include people undergoing civil commitment proceedings. According to PDC data, there were 7,553 civil commitment cases filed in the 2024 fiscal year and of those, 3,218 were appointed counsel. PDC anticipates approximately half of the cases, in which counsel was not appointed, could now qualify for appointed counsel. The gradual increase of filings would require an additional 2.35 MAC in the 2025-27 biennium, which equates to \$1,111,456 General Fund in the 2025-27 biennium.	1,111,456						\$ 1,111,456	0	0.00	This expansion of OPDC's work on civil cases is reflected in contracts for the 2025-27 biennium.
404	400	2025-27	7/1/2025	HB 5031	Enhanced Provider Capacity Pilot Program. HB 5031 (205) provided \$2.2 million General Fund, on a one-time basis, to fund an Enhanced Provider Capacity pilot program intended to compensate existing contract provider Maximum Attorney Capacity (MAC) who operate at or above MAC standard, while remaining within profession and ethical standards.	2,200,000						\$ 2,200,000	0	0.00	This pilot program for additional capacity through contract providers is reflected in our 2025-27 contracts and will be reported on through the biennium.
404	600	2025-27	7/1/2025	HB 5006	Financial Case Management System. The Subcommittee approved, on a one-time basis, \$13.8 million Other Funds expenditure limitation for the implementation of the Financial Case Management System. General Funds were provided for debt service, cost of issuance, and non-bondable expenses.	2,723,866		13,800,000				\$ 16,523,866	8	7.4	OPDC's FCMS team is currently working through an RFP with vendors for the FCMS system. Bonds supporting FCMS will be sold in Spring 2026.

Public Defense Services Commission 2025-27 Biennium															
Detail of Programs in the 2025-27 Legislatively Approved Budget that have been established or expanded since 2021-23															
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Agency	SCR	Program Establishment / Expansion		Program Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Implementation Status	
		Biennium	Effective Date												Authorization
404	200	2021-23	7/1/2021	HB 5204, SB 5701, HB 5031	Compliance, Audit & Preformance Division. The (CAP) Division, established in 2021, strengthens the Agency’s program management, performance, and oversight. The Division is organized into the following sections: Administration, Trial Criminal Compliance, Juvenile/Parent Child Representation Program Compliance, Research, and Internal Audit, which reports directly to the Commission. The Division provides mutually inclusive services for vendor contract compliance, auditing of expenditures related to vendor contracts, internal auditing of agency expenditures, research and analysis, and development and maintenance of performance measures, including Key Performance Measures and supporting Key Performance Indicators.	8,645,518						\$ 8,645,518	20	20.00	This division was initially established in HB 5204 (2024) and additional funding was provided in SB 5701 (2024). The division is established and fully staffed.
404	475	2023-25	7/1/2023	SB 337, SB 5701, HB 5204, HB 5031	Trial Representation Division. The Trial Representation Division (TRD) is a new division for the 2025-27 biennium that establishes a state-run trial division staffed with state-employed attorneys. TRD exclusively provides representation in criminal cases, with a focus on cases in which an individual is unrepresented despite being financially eligible for appointed counsel. TRD is intended to strengthen the state’s workforce of public defenders in alignment with the requirement in Senate Bill 337 (2023) that at least 30% of appointed trial-level counsel should be employed by the Commission by January 1, 2035.	18,090,808						\$ 18,090,808	46	46.00	Begun as a pilot program in SB 337 (2023) establishing two public defencder offices, expanded in SB 5701 (2024) to establish a third office, and further expanded in HB 5204 (2024) with additional attorneys and staff.
404	700	2025-27	7/1/2025	HB 5204, HB 5031	Law School Partnership Program. Originally funded in HB 5204 (2024) on a one-time basis, this Legislatively-created program provides funding to three law schools in Oregon to "provide training and supervision of court certified law students to undertake misdemeanor cases." This program was funded for a second biennium in HB 5031 (2025).	3,437,460						\$ 3,437,460	0	0.00	Contracts have been executed with the three law schools for the 2025-27 biennium.
404	700	2021-23	1/2/2022	SB 578, SB 5532, HB 5031	Guardianship Program. The 2021 Legislative Assembly passed Senate Bill (SB) 578, which established a pilot program in three counties to provide state-paid counsel to persons subject to protective proceedings (cases seeking appointment of a guardian or conservator) in specified circumstances.	1,627,594						\$ 1,627,594	0	0.00	Contract for 2025-27 was not issued. OPDC is currently working with Oregon Judicial Department and paying for representation on at the standard hourly rate.
												\$ -			
												\$ -			
					TOTAL	37,836,702	-	13,800,000	-	-	-	\$ 51,636,702	74	73.40	

Instructions
Column (5) - Authorization should identify the source of the new program or program expansion, which could include enabling legislation, approved policy option package, or administrative establishment.
Column (6) - Program description should include a summary of the program and the expansion (if applicable), including any partner state agencies.
Column (16) - Current status of program implementation should be summarized, including any future budget requests anticipated upon full program implementation.