

Youth, Rights & Justice

ATTORNEYS AT LAW

**Oregon House of Representatives
Committee on Judiciary
Testimony in Support of HB 3145
April 8, 2019**

Chair Williamson, Vice-Chair Gorsek, Vice-Chair Sprenger and Representatives of the Committee,

Youth, Rights & Justice (YRJ) would like to thank you for the opportunity to submit written testimony in support of HB 3145 and the -2 amendments related to the Public Defense Services Commission (PDSC) composition found in Section 2, and compensation parity between OPDS employees and contractors found in Section 3. In addition, YRJ supports -2 provisions in the amendments to adopt reasonable and appropriate caseload standards and away from fixed fee contracting. Fixed fee contracting was found to be constitutionally suspect in the *Right to Counsel in Oregon* report published by the Sixth Amendment Center¹ in January 2019.

Founded in 1975, Youth, Rights & Justice is a non-profit law firm located in Portland, Oregon, that contracts with OPDS to provide client-centered legal representation for children, youth, and parents in the child welfare and juvenile justice systems. It is our mission to improve the lives of vulnerable children and families in the courts, legislature, schools and community.

YRJ generally supports proposed changes to the composition of the Public Defense Services Commission to include a member or members with juvenile delinquency defense and dependency experience. Nearly one-third of the public defense caseload statewide is made up of dependency cases. Appointment of Commission members with experience in the juvenile law field is essential to having a representative body overseeing public defense in Oregon.

YRJ also supports the proposed provision in Section 3 that ensures that there is compensation and overhead parity between OPDS employees “public defense staff members” and their contracting counterparts such as YRJ. YRJ also approves of the language to protect confidential client information contained in (Section 4 (1) (q)(2)(a)(d)(A). Proposed amendments to HB 3145 call for fundamental changes in the way public defense services are provided and compensated in the State which go a long way in the effort to repair a broken public defense system.

¹ The Right to Counsel in Oregon http://sixthamendment.org/6AC/6AC_Oregon_report_2019.pdf