

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3145

By JOINT COMMITTEE ON WAYS AND MEANS

June 21

1 On page 1 of the printed A-engrossed bill, line 2, after “Commission;” delete the rest of the line
2 and delete lines 3 through 5 and insert “and declaring an emergency.”.

3 Delete lines 7 through 16 and delete pages 2 through 30 and insert:

4 **“SECTION 1. (1) The Task Force on Public Defense is established to review requirements**
5 **and best practices related to the delivery and oversight of public defense services and make**
6 **recommendations to the Legislative Assembly for achieving effective public defense counsel**
7 **in every courthouse in Oregon.**

8 **“(2) The task force consists of 17 members who must be from geographically diverse**
9 **areas and represent culturally diverse communities, appointed as follows:**

10 **“(a) The President of the Senate shall appoint two members from among members of the**
11 **Senate.**

12 **“(b) The Speaker of the House of Representatives shall appoint two members from among**
13 **members of the House of Representatives.**

14 **“(c) The Governor shall appoint seven members as follows:**

15 **“(A) Two persons with experience working as public defense attorneys at a nonprofit**
16 **public defense office.**

17 **“(B) One person with experience working as a public defense attorney at a for-profit**
18 **public defense office.**

19 **“(C) One person with experience administering a public defense consortium.**

20 **“(D) Two persons with experience representing juveniles, parents and children in juvenile**
21 **delinquency and dependency cases.**

22 **“(E) One person representing the Governor’s office.**

23 **“(d) The Chief Justice of the Supreme Court shall appoint six members as follows:**

24 **“(A) One trial court judge with experience in criminal and juvenile law.**

25 **“(B) One person with experience as a court administrator.**

26 **“(C) One person who is a member of the Public Defense Services Commission.**

27 **“(D) One person representing the office of public defense services established under ORS**
28 **151.216.**

29 **“(E) One person representing a civil liberties, civil rights or criminal justice organization.**

30 **“(F) One person representing a civil legal services provider for low-income Oregonians.**

31 **“(3) The task force shall:**

32 **“(a) Review statutes and case law related to the provision of public defense services;**

33 **“(b) Review peer-reviewed literature and policy studies related to public defense delivery**
34 **systems to identify best practices that meet the unique needs of Oregon;**

35 **“(c) Review the outcomes of existing public defense models used locally and in other**

1 states; and

2 “(d) Recommend changes to the existing system of public defense services in Oregon with
3 the aim of providing effective public defense counsel statewide and strengthening quality
4 assurance and financial accountability systems for public defense providers.

5 “(4)(a) The task force shall submit the following reports with its findings and recom-
6 mendations, in the manner provided by ORS 192.245, to the interim committees of the Leg-
7 islative Assembly related to the judiciary and to the interim subcommittee of the Joint
8 Committee on Ways and Means with authority over the budget of the Public Defense Ser-
9 vices Commission:

10 “(A) No later than February 1, 2020, a progress report detailing the work undertaken by
11 the task force to date and any initial recommendations related to caseload standards and
12 reporting requirements; and

13 “(B) No later than December 31, 2020, a final report addressing:

14 “(i) Whether a different public defense services delivery model is needed in Oregon to
15 achieve effective public defense counsel statewide;

16 “(ii) If the task force determines that a different public defense services delivery model
17 is needed in Oregon, the delivery model that the task force recommends to meet the unique
18 needs of Oregon; and

19 “(iii) If the task force determines that a different public defense services delivery model
20 is not needed in Oregon, the changes that can be made to the existing delivery model to
21 improve quality and oversight.

22 “(b) The final report described in paragraph (a)(B) of this subsection shall include a
23 high-level, multiyear plan, formulated in partnership with the Public Defense Services Com-
24 mission and the office of public defense services, to implement all the recommendations of-
25 fered by the task force under paragraph (a) of this subsection and subsection (3) of this
26 section.

27 “(5) A majority of the voting members of the task force constitutes a quorum for the
28 transaction of business.

29 “(6) Official action by the task force requires the approval of a majority of the voting
30 members of the task force.

31 “(7) The task force shall elect one of its members to serve as chairperson.

32 “(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
33 ment to become immediately effective.

34 “(9) The task force shall meet at times and places specified by the call of the chairperson
35 or of a majority of the voting members of the task force.

36 “(10) The task force may adopt rules necessary for the operation of the task force.

37 “(11) The Legislative Policy and Research Director shall provide staff support to the task
38 force.

39 “(12) Members of the Legislative Assembly appointed to the task force are nonvoting
40 members of the task force and may act in an advisory capacity only.

41 “(13) Members of the task force who are not members of the Legislative Assembly are
42 not entitled to compensation, but may be reimbursed for actual and necessary travel and
43 other expenses incurred by them in the performance of their actual duties and in the manner
44 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-
45 tions of the task force shall be paid out of funds appropriated to the Governor for purposes

1 of the task force.

2 “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist
3 the task force in the performance of the duties of the task force and, to the extent permitted
4 by laws relating to confidentiality, to furnish information and advice the members of the task
5 force consider necessary to perform their duties.

6 “SECTION 2. Section 1 of this 2019 Act is repealed on February 1, 2021.

7 “SECTION 3. This 2019 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect
9 on its passage.”

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