



DEPARTMENT OF JUSTICE

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March 3, 2023

Senator Janeen Sollman, Co-Chair  
Representative Paul Evans, Co-Chair  
Joint Committee on Ways and Means Subcommittee on Public Safety  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Senator Sollman and Representative Evans:

On March 1, 2023, the Department of Justice (DOJ) made a presentation to the Subcommittee on Public Safety about the DOJ's 2023-25 budget. The presentation included a caseload data slide for the Division of Child Support (DCS). Co-Chair Sollman asked DOJ to provide information regarding why other divisions within DOJ are unable to provide caseload information in a manner similar to the data provided by the Division of Child Support (DCS).

There are two primary barriers to providing detailed caseload data, particularly for DOJ's legal divisions. First and foremost is a lack of modern technology in the non-DCS portions of DOJ. While DCS has the Origin system, a modern technology tool, the remainder of DOJ is using homegrown case management technology built in the late 1990's. Although the legacy systems used by the non-DCS divisions are all based on the same outdated PowerBuilder platform, each of the twelve instances is customized to the specific business practice of the division or unit of work. This means that each of these twelve systems varies to lesser or greater extent on the data collected and the structure for housing that data.

These legacy case management systems capture limited case-related data and contain rudimentary reporting capabilities predominantly developed for specific limited purposes related to each division's daily operational needs. When these systems were created in the 1990's they did not include case or other statistics-related functions. Creation of new reports from these systems requires a SQL report writer within our Application Development Team to work with the business to determine the criteria that could be applied across all the legacy case management systems. Even where an instance of the system is already capturing sufficient base data, the report writer would then need to modify the report multiple times to account for the differences across the case management silos. In cases where an instance of the system is not capturing all data needed, which is the majority of them, changes to the underlying system must be

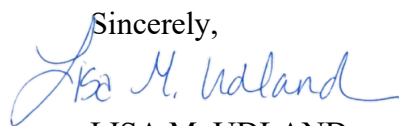
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implemented first. Our experience over recent years has been that when we change the underlying system to accommodate the need to capture additional data, we must then address breaks in the system that often require our employees to spend significant time retooling their work processes to accommodate the changes to the system. Even small changes can cause frustrating delays and downtime for our lawyers and staff, and loss of billable income due to the downtime.

The second significant issue in providing traditional caseload data relates to the utility of measuring a legal “case” and the impact of any particular case on workload. In an area of work such as DCS and the Defense of Criminal Convictions workload (for which we do provide caseload data), the range of time and effort spent on a case can be estimated with regularity and generally falls within a predictable range of effort. Many other legal matters, on the other hand, are highly unpredictable at the case level. For example, when working on a large litigation, we may have multiple attorneys assigned solely to a very small number of cases, or even just one case. Those attorneys are all incredibly busy and working extremely hard, while a report would show very few open cases. At the same time, other attorneys in the division may have 20 cases, 50 cases, or more, and still have capacity for additional work. This is due to that fact that some cases are of a more routine nature, involve smaller claims, represent a limited agency legal question, or may be on hold for various legal reasons. This is all further complicated by the fact that our mix of big, medium, and small cases can vary from month to month, and throughout the divisions. Thus, if we look only at caseload numbers, we are missing the true picture of how much work is required of our attorneys and staff.

Despite these challenges, we agree that budgeting for any agency should include all relevant data allowing the agency to make thoughtful, conservative budget requests based on realistic needs. DOJ is no exception. To address these needs, we have embarked on the Legal Tools program. In addition to providing our employees with critical modern case management tools that will streamline their work and provide the state with savings due to more efficient management of our cases, our team has worked hard to ensure that we are incorporating the need for modern data analytics in the requirements for the new case management system. We anticipate those modern data analytics will go beyond the basic caseload statistics to provide more robust workload data that can be shared with the legislature and our agency partners. For that reason, we hope that the Legislature will support our Legal Tools program and associated budget request.

We appreciate the opportunity to provide this information. Please contact us if other questions arise.

Sincerely,  
  
LISA M. UDLAND  
Deputy Attorney General

cc: William O'Donnell, DOJ Chief Financial Officer  
Jennifer Friesen, DOJ Senior Budget Analyst