



Current State of the Unrepresented Crisis



Nancy Cozine

State Court Administrator

Jessica Roeser

Asst. Deputy State Court Administrator

@ courts.oregon.gov/data

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Bottom line



The crisis is at an all-time high, up 11% in the last month. Now at **4,178** unrepresented individuals and **4,598** cases.



Unrepresented (individuals) is highest in Multnomah (1,172), Marion (756), Jackson (754), Washington (628), Douglas (253), and Coos (99).



Average number days an out-of-custody felony case was unrepresented grew 39% in 2024 to 110 days. There are **731** individuals unrepresented for more than 6 months.

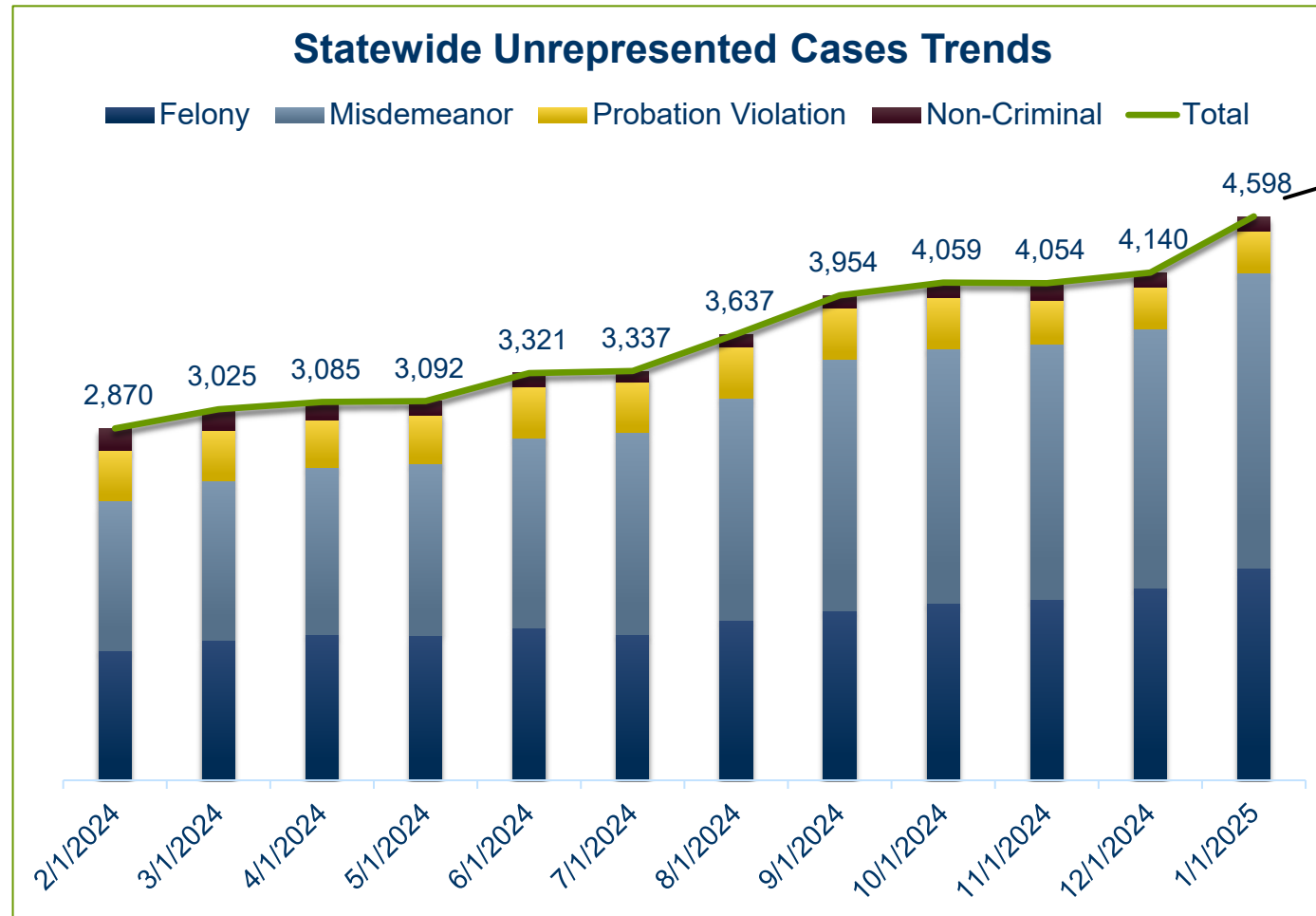


The crisis developed during historically low caseloads - and filings are now increasing.

Data current as of 1/29/2025

[See Unrepresented Dashboard for Daily Updates](#)

Unrepresented cases reach an all-time high



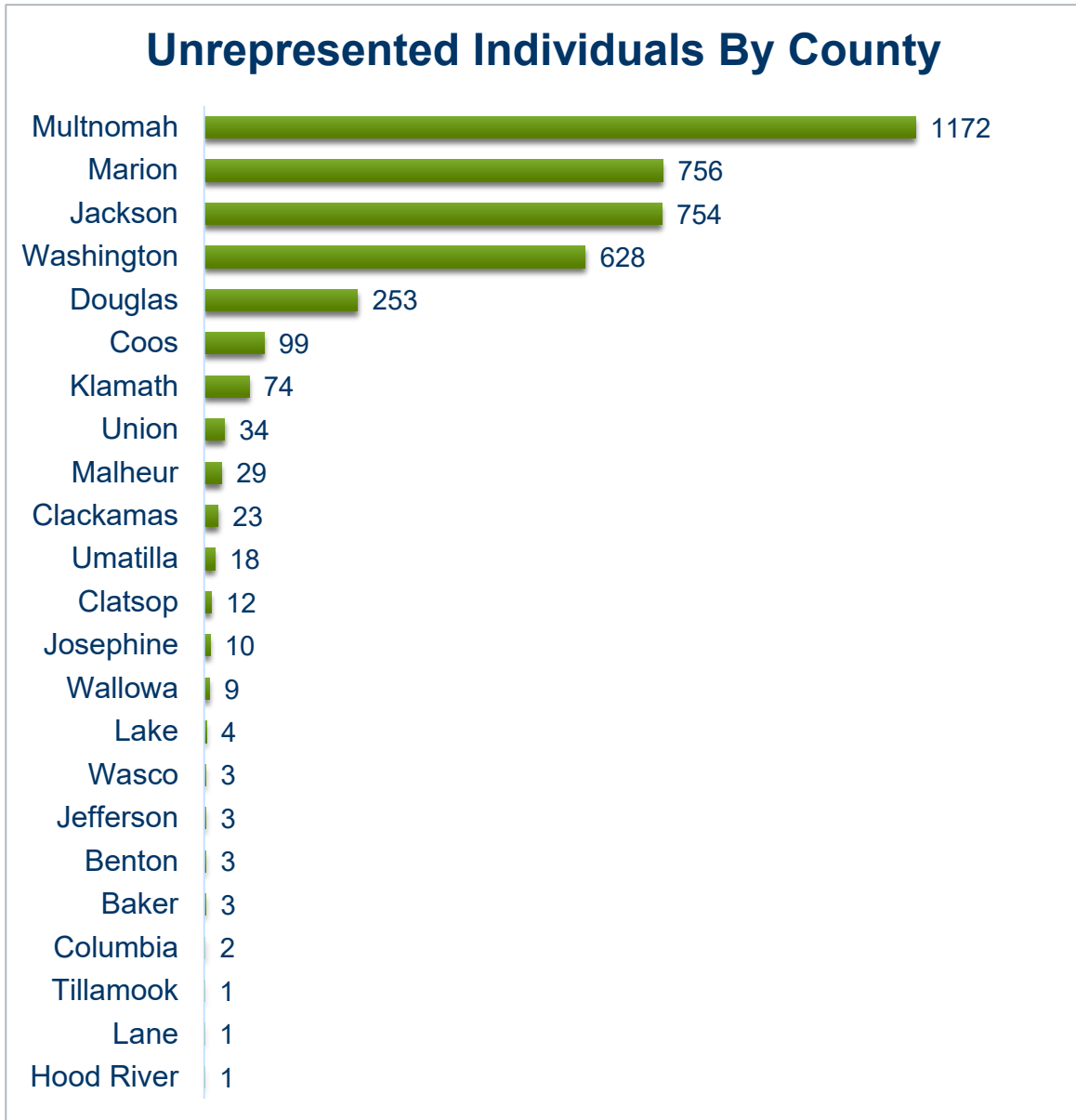
Total Unrepresented Cases on Jan. 1, 2025: **4,598 (a record)**

- 11% increase in the last month
- number of unrepresented cases increased in all case types
- month over month increases in 11 of the last 12 months

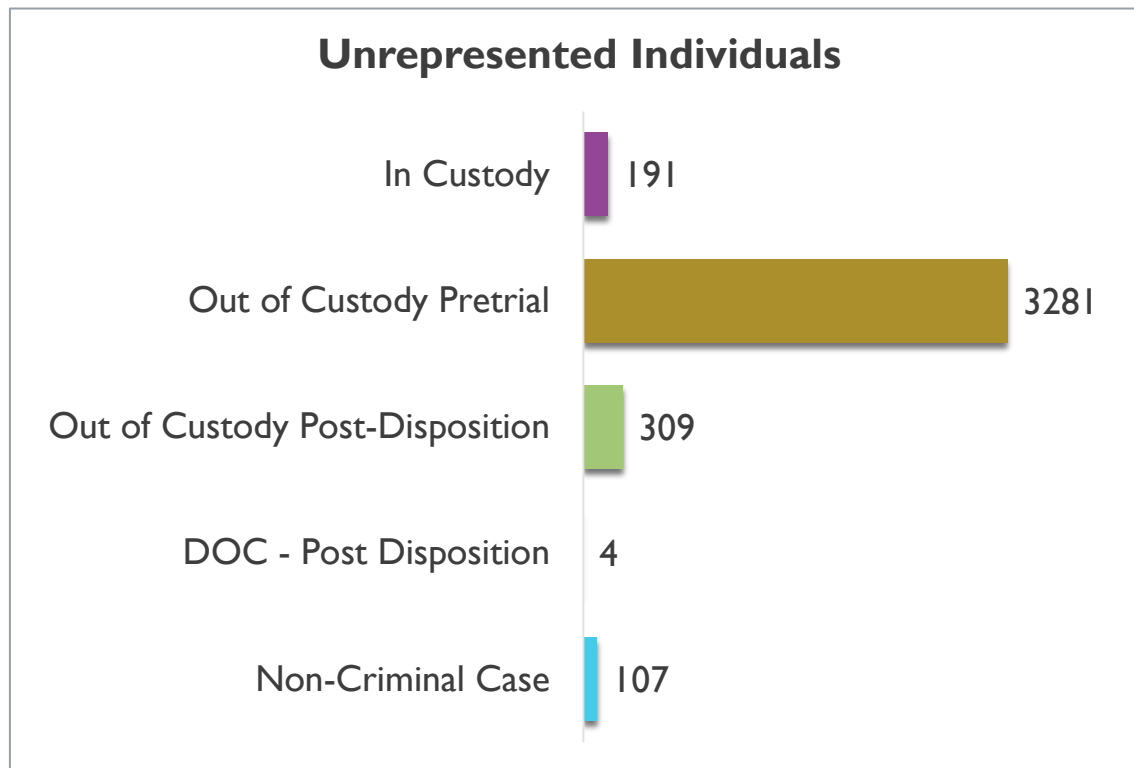
UNREPRESENTED BY COUNTY

The crisis began in Multnomah almost three years ago before OJD started tracking unrepresented cases statewide. Multnomah continues to lead the state in unrepresented cases with no end in sight.

Data current as of 1/29/2025



Most unrepresented are out-of-custody pretrial



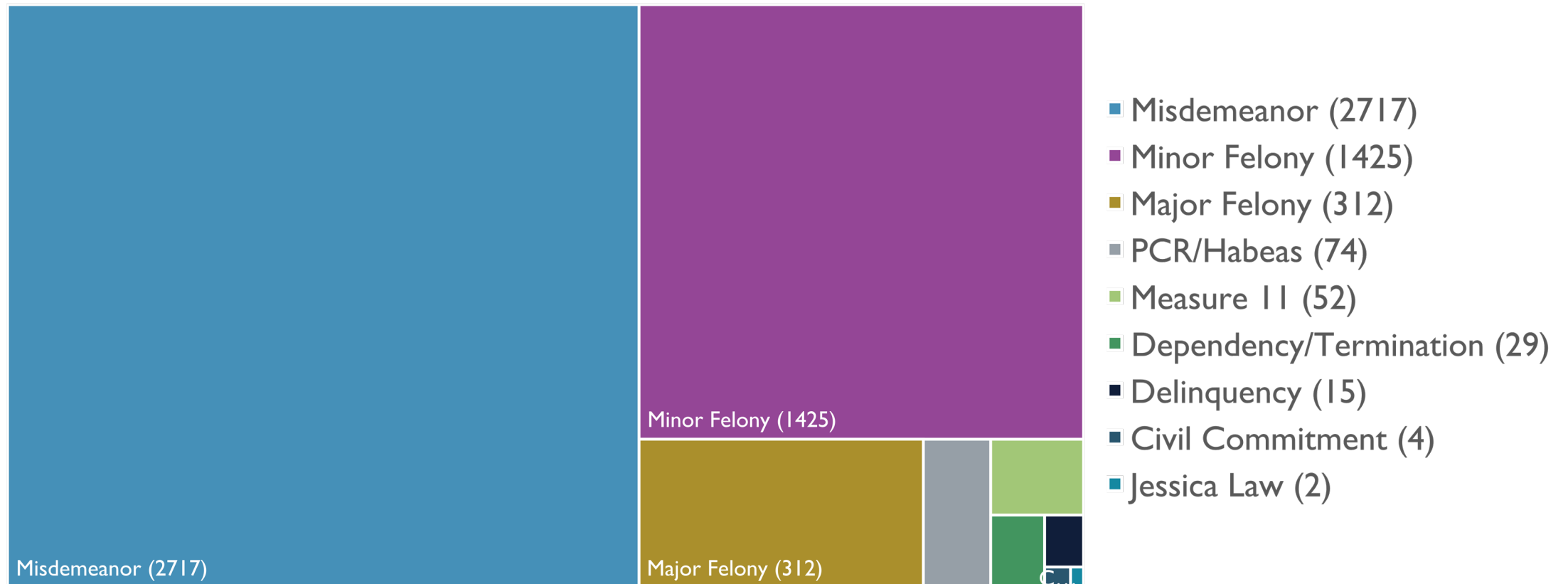
Out-of-custody pretrial

- Most (57%) are misdemeanors
- 19.4% have multiple pending cases
- 14.5% have multiple unrepresented cases

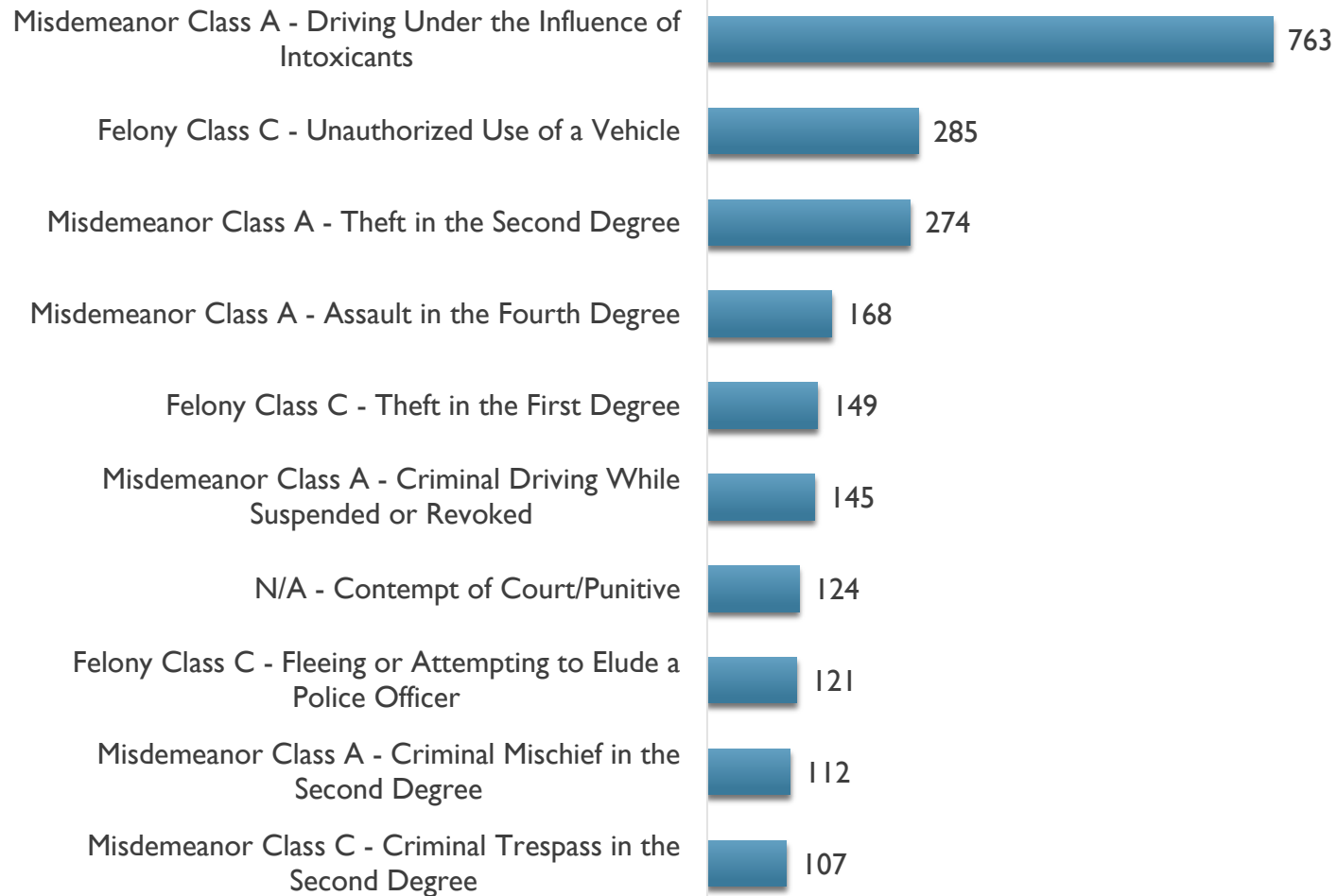
A NOTE ABOUT IN CUSTODY

- Unrepresented individuals can have multiple cases pending, both represented and unrepresented.
- People who are in-custody can be unrepresented either on a single in-custody case, another in-custody case, or one or more out-of-custody case(s). These cases can be in the same county or different counties.
- Because of the variety of circumstances in which being represented and unrepresented in different cases can occur while a person is in custody, this creates complexity in ensuring a person has appointed counsel on all their pending cases.
- If a person is being held in custody for reasons other than the unrepresented case, they may not be prioritized for appointment of counsel by OPDC because they will remain in custody for other reasons.

Most unrepresented cases are misdemeanors and minor felony

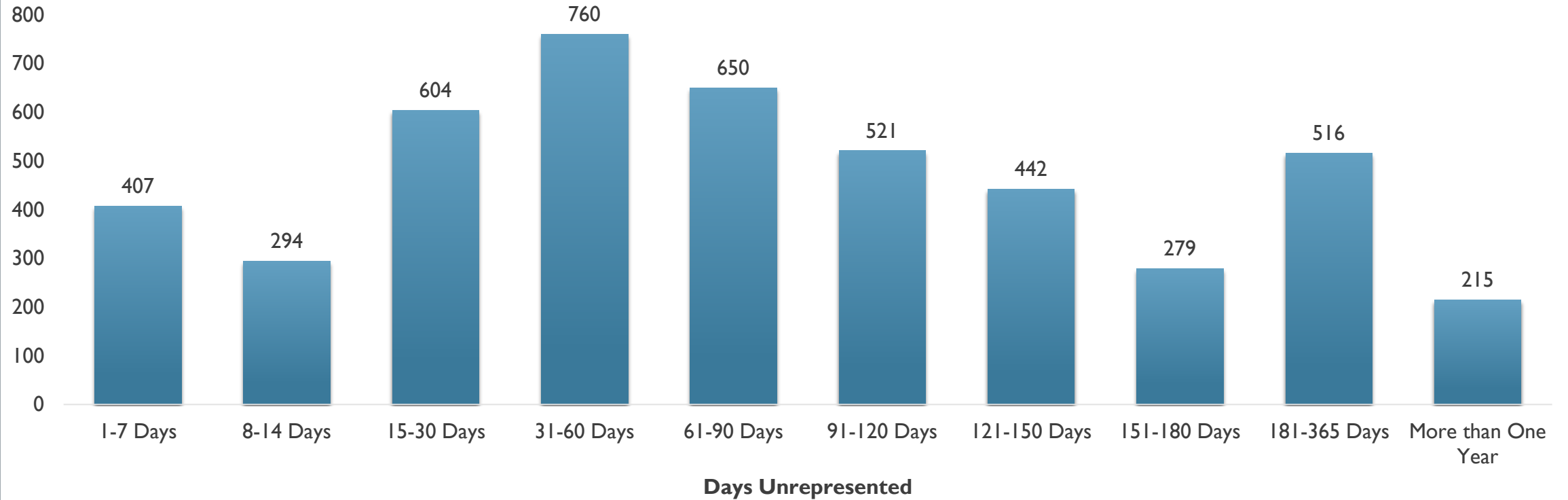


Unrepresented by Top 10 Most Frequent Charges 49% of Total Unrepresented Cases



16.7% of total
unrepresented
cases are DUIs

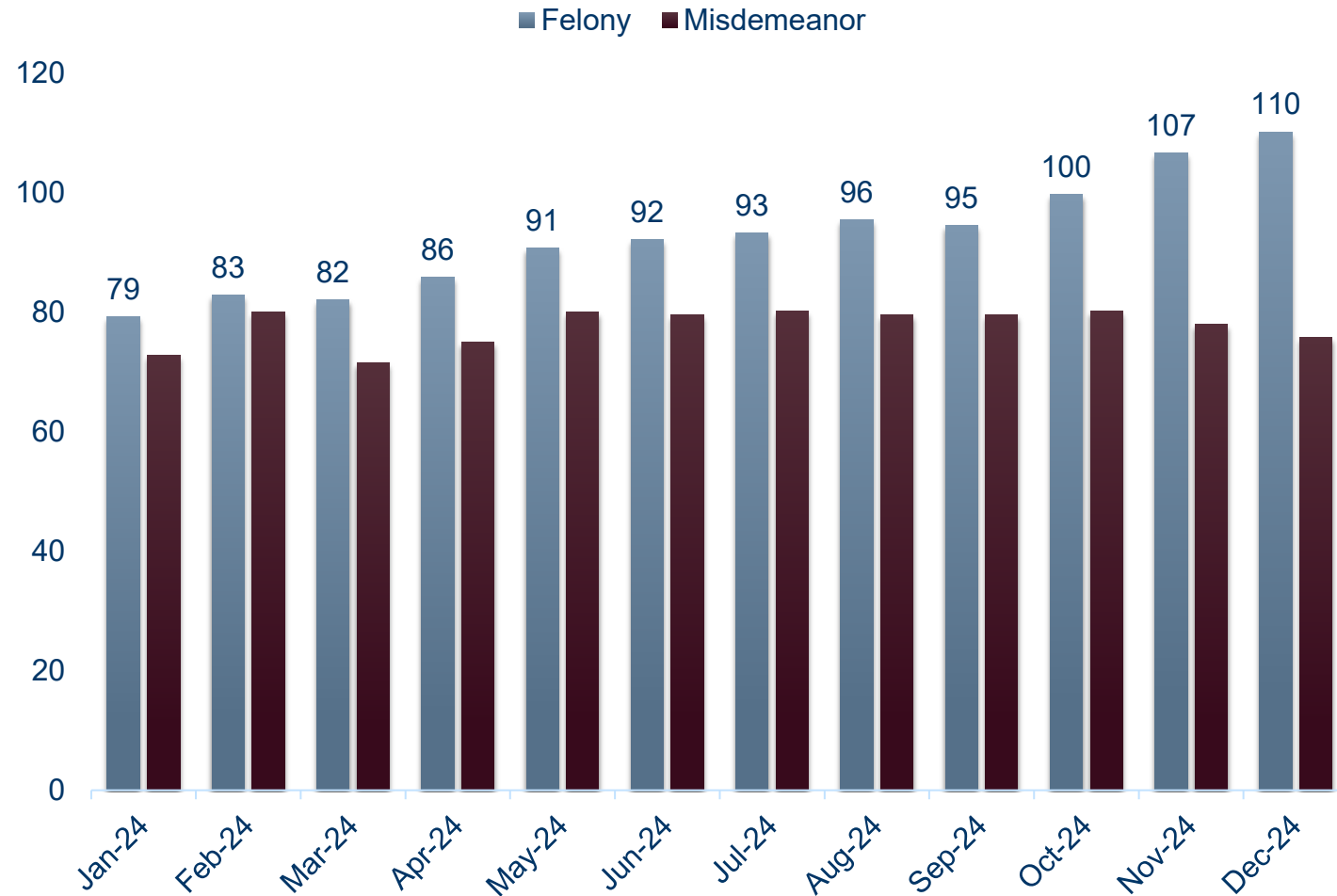
Unrepresented Cases by Days Unrepresented



Data current as of 1/29/2025

16% unrepresented for more than 6 months

Average Days Unrepresented for Out of Custody Pretrial Cases

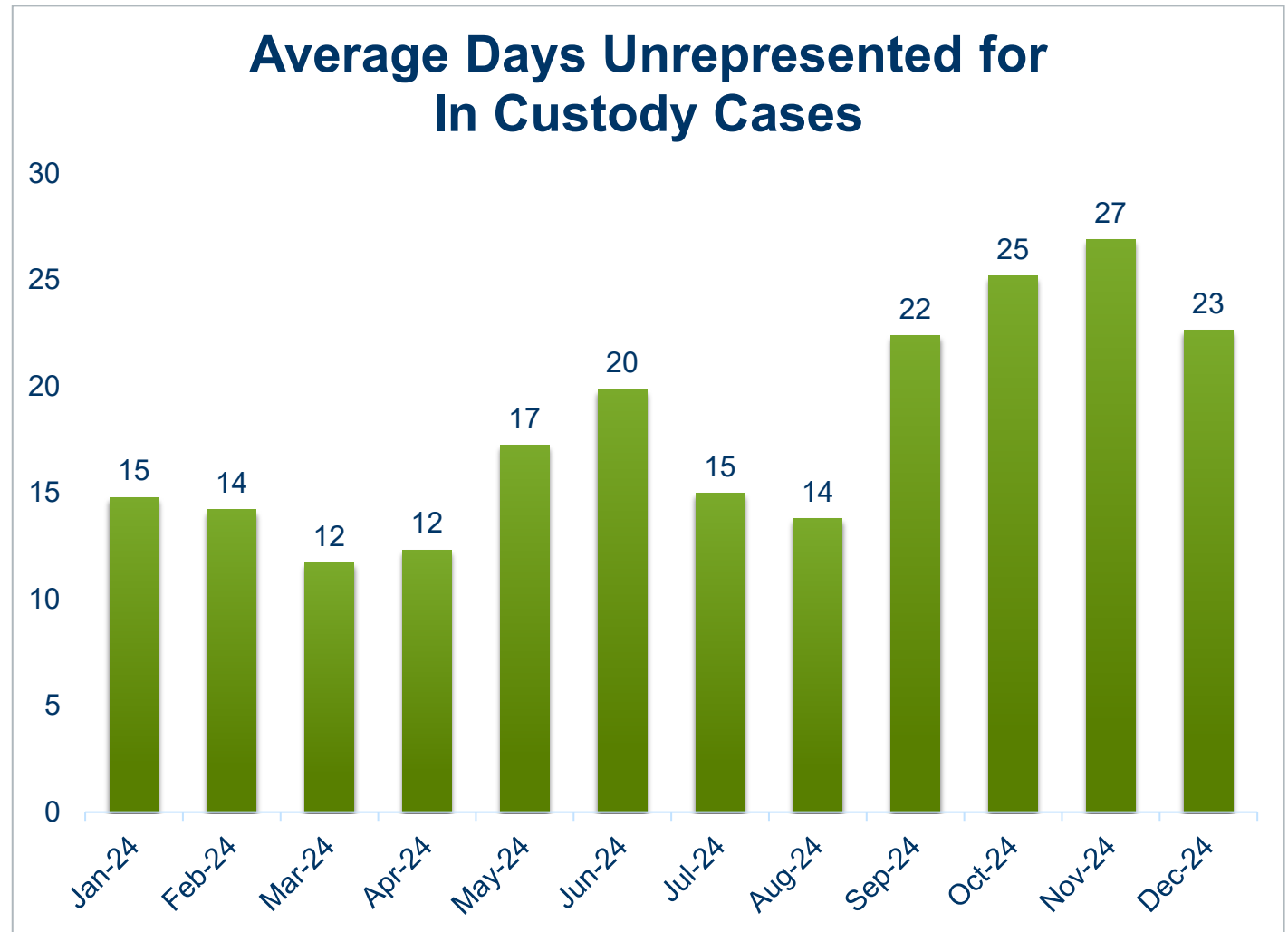


AVERAGE DAYS UNREPRESENTED OUT OF CUSTODY

The average number of days an out-of-custody felony case is unrepresented has increased throughout 2024 to an average of 110 days in December 2024.

AVERAGE DAYS UNREPRESENTED IN CUSTODY

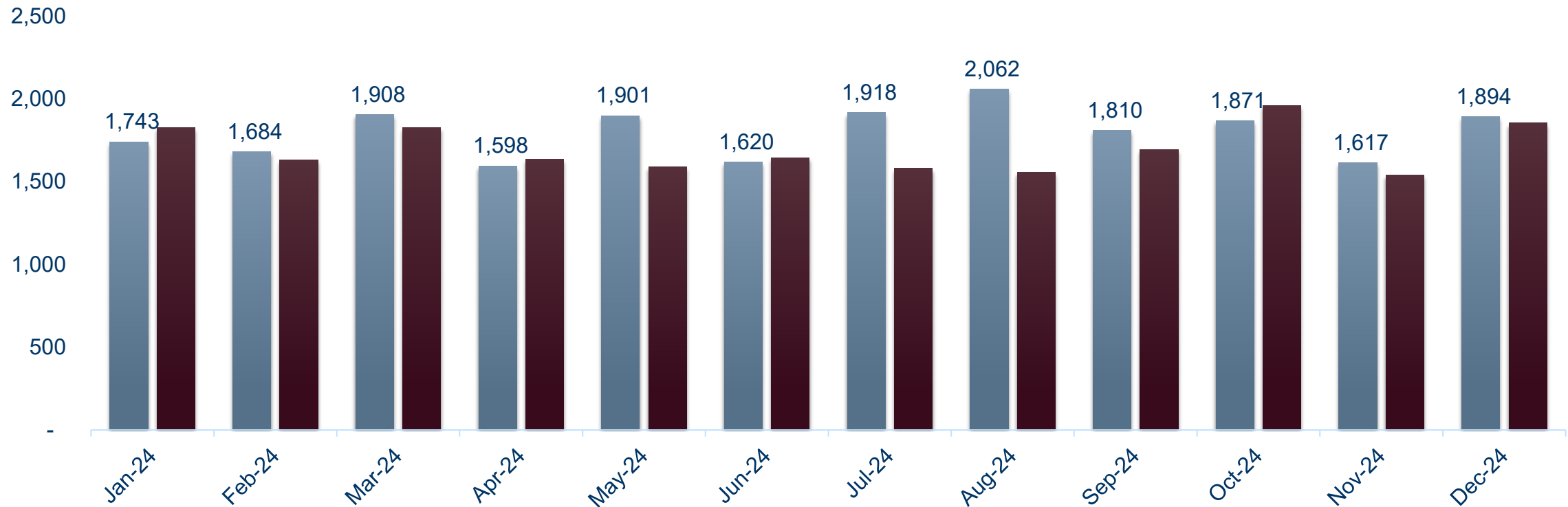
The average number of days an in-custody case was unrepresented increased between September 2024 and November 2024 - but decreased in December 2024 to an average of 23 days.



More cases entered the unrepresented population than exited in 8 of the last 12 months

Cases Entering and Exiting Unrepresented Status

■ Entering Unrepresented Status ■ Exiting Unrepresented Status



Unrepresented Exit Rate = 89%



43,500 cases (**32,099** people) have entered the unrepresented population, some have been unrepresented more than once at different stages (points in time) of a case

34,863 (80%) exited because they were appointed an attorney

1,460 (3%) exited because their case was dismissed while they were unrepresented

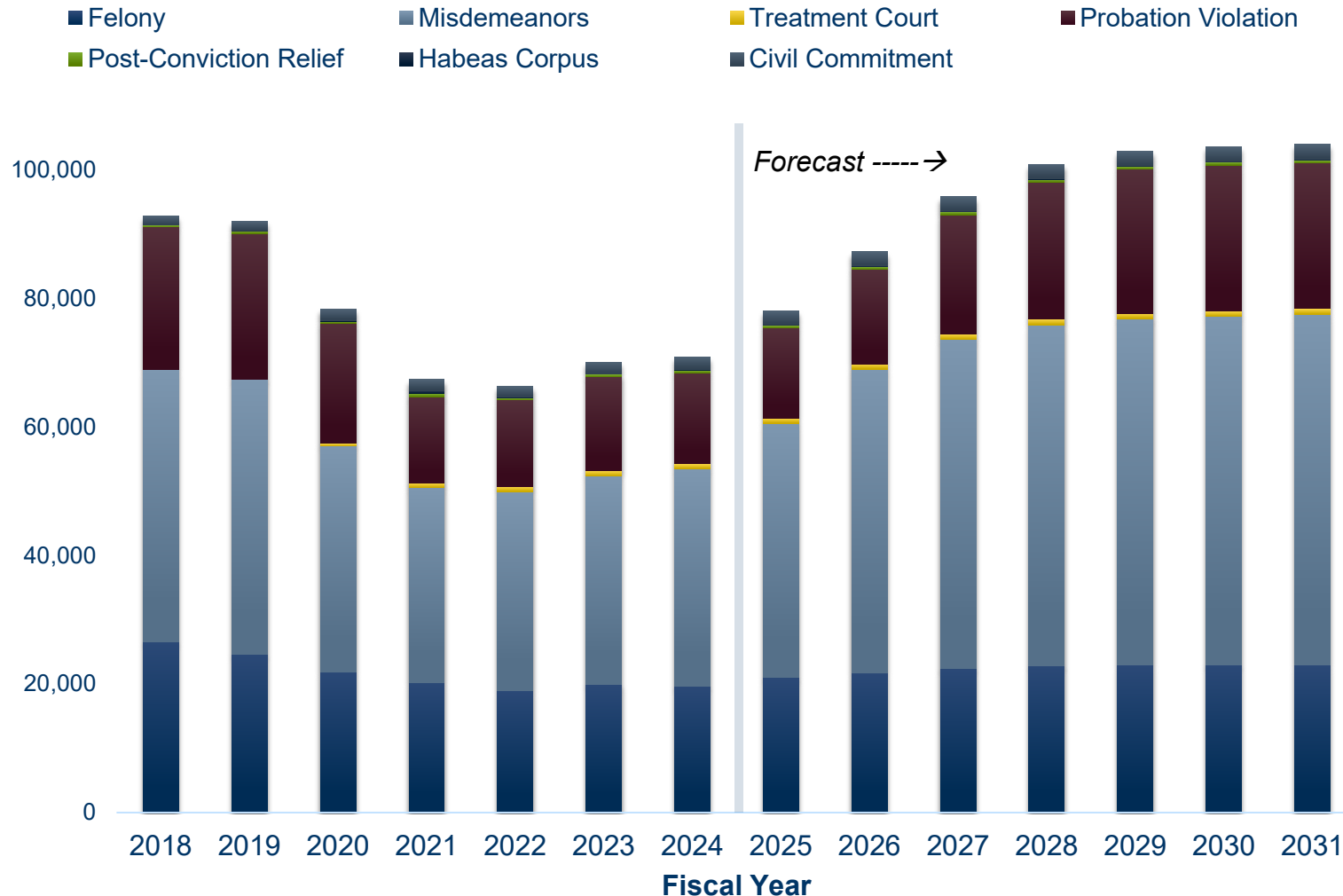
2,580 (6%) exited for other reasons, primarily due to the case being resolved

Average of 5 appearances while unrepresented before exit.

Multiple appearances while unrepresented

-
- Additional hearings for unrepresented cases requires court staff to schedule, prepare court orders and other forms, and record each hearing.
 - Creating special dockets or adding hearings to existing dockets limits the amount of court time available for other hearings.
 - Appearances often occur in the courtroom (remotely or in person) but may also include check-ins with Release Assistance Officers.

Adult Criminal Cases Eligible for Court Appointed Counsel OEA October 2024 Forecast



PUBLIC DEFENSE CASES EXPECTED TO INCREASE

During the unrepresented crisis, public defense cases have been near all-time lows - but the OEA forecast expects total cases eligible for a court appointed attorney to increase 22.4% in 2025-27.

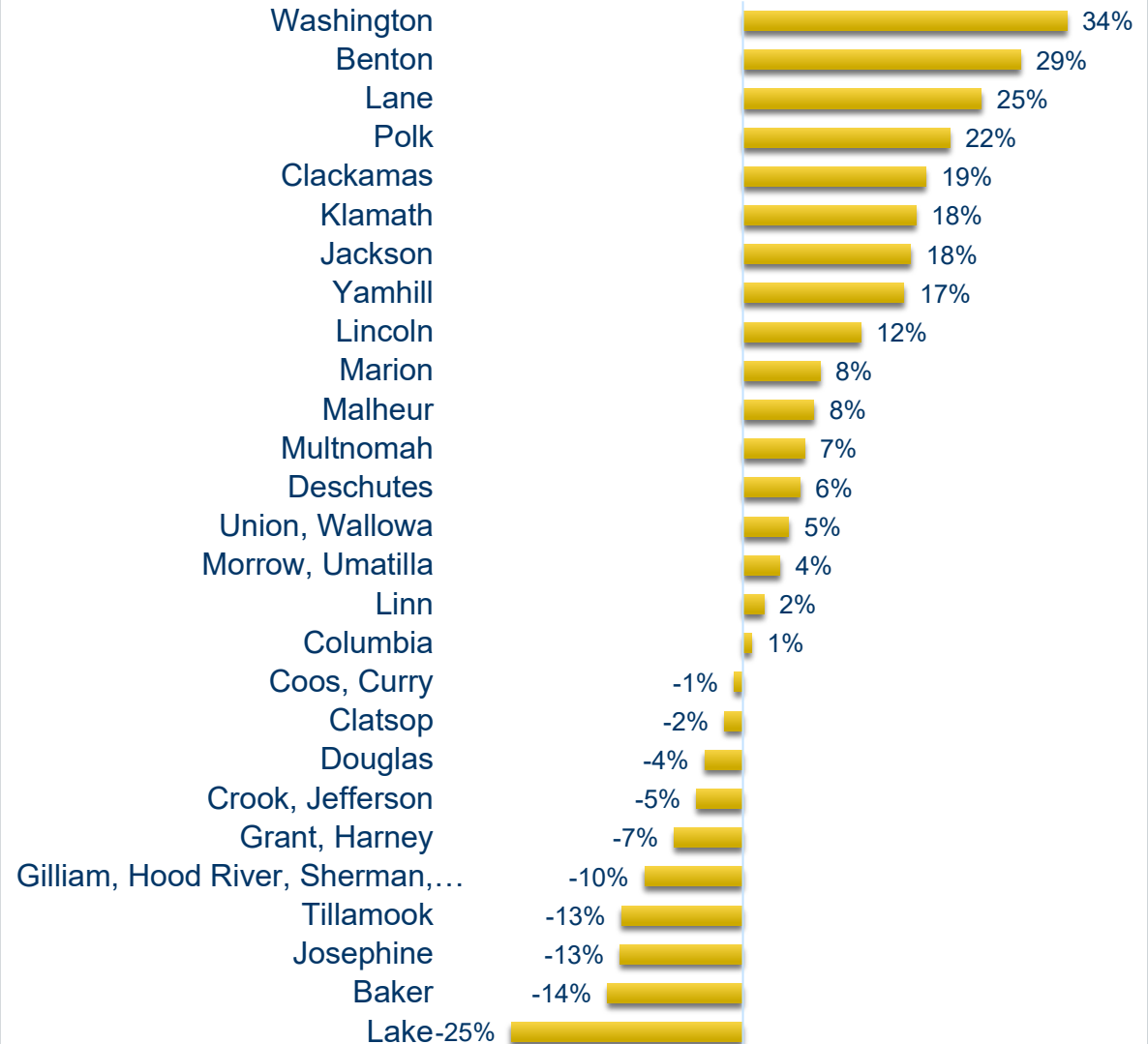
- +34.4% misdemeanors
- +18.2% probation violations
- +8.4% felonies
- +4.6% civil commitments

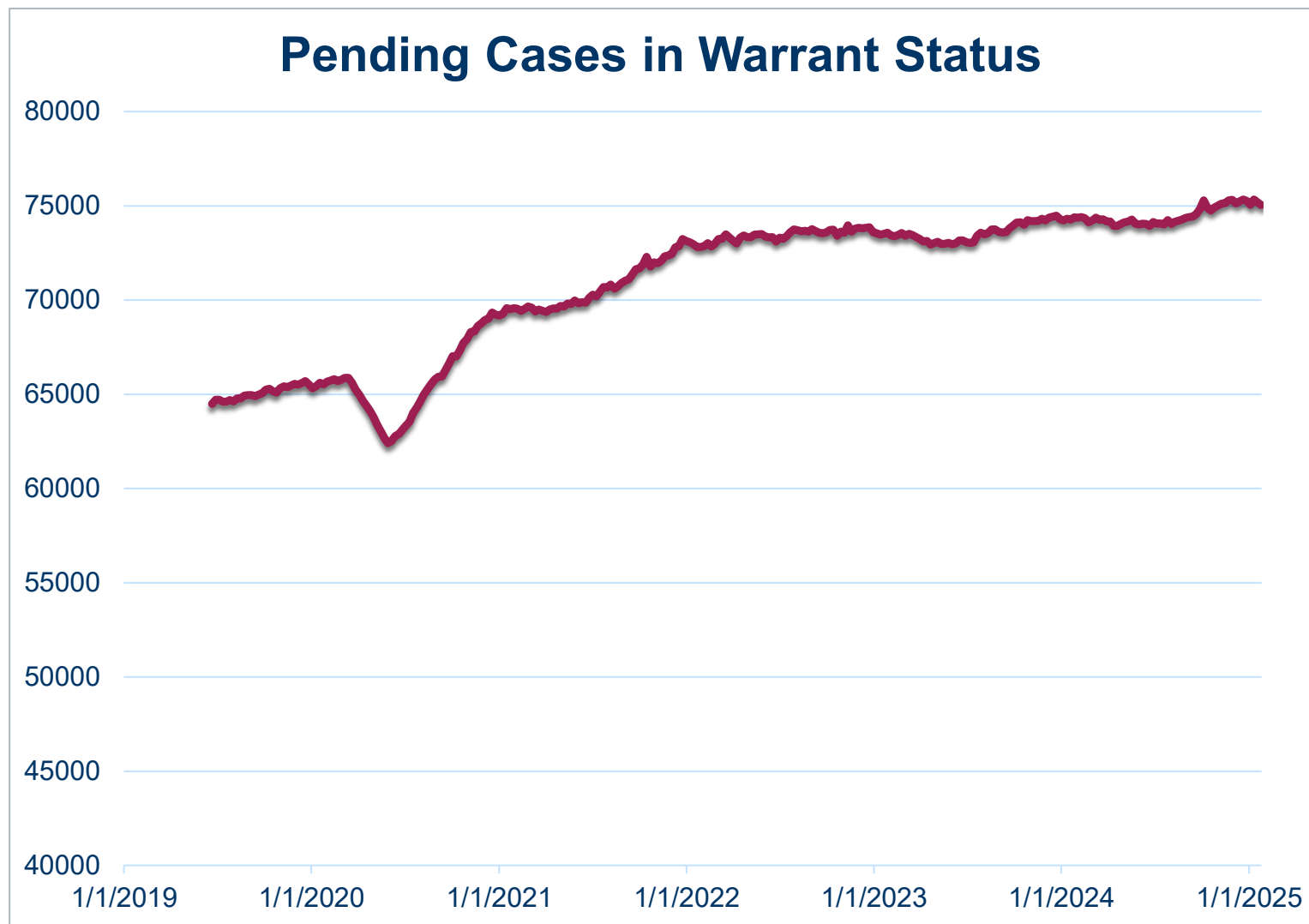
Criminal filings are the biggest driver of public defense demand.

- Filings are up almost **12%** year-to-date in FY 2025

Data current as of 1/29/2025

% Change in Criminal Case Filings by County FY 2025 to Date





Some cases in warrant status will eventually become active cases eligible for a court appointed attorney.

- Warrant cases have steadily increased over the last four years.

HUMAN Costs of Unrepresented Crisis



Defendants

- Job/housing
- Inability to travel
- Extreme ongoing stress



Victims

- Unable to find closure and move forward
- Potential case dismissal
- Fear for safety from violence



Witnesses

- Long waits make their information stale
- Impacts willingness to participate
- Disrupts regular life



Family/Friends

- Time spent supporting victim or defendant
- Emotional and financial support for victim or defendant



Community

- Decreased confidence in the justice system
- Businesses juggling time off for defendants, victims, witnesses, family/friends



Thank You

OJD Government Relations Team

Aaron Knott, director

aaron.knott@ojd.state.or.us

Kimberly McCullough, senior counsel

kimberly.mccullough@ojd.state.or.us

Channa Newell, senior counsel

channa.newell@ojd.state.or.us



Nancy Cozine

State Court Administrator (SCA)

nancy.cozine@ojd.state.or.us

Jessica Roeser

Asst. Deputy SCA

jessica.c.roeser@ojd.state.or.us