

Current State of the Unrepresented Crisis



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Bottom line



The crisis continues to escalate, up 55% since May 2024. Now at **4,397** unrepresented individuals and **4,780** cases.



Most unrepresented (cases) are in eight counties: Multnomah (1,604), Washington (868), Jackson (809), Marion (690), Douglas (312), Coos (108), Klamath (108), and Union (77).



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

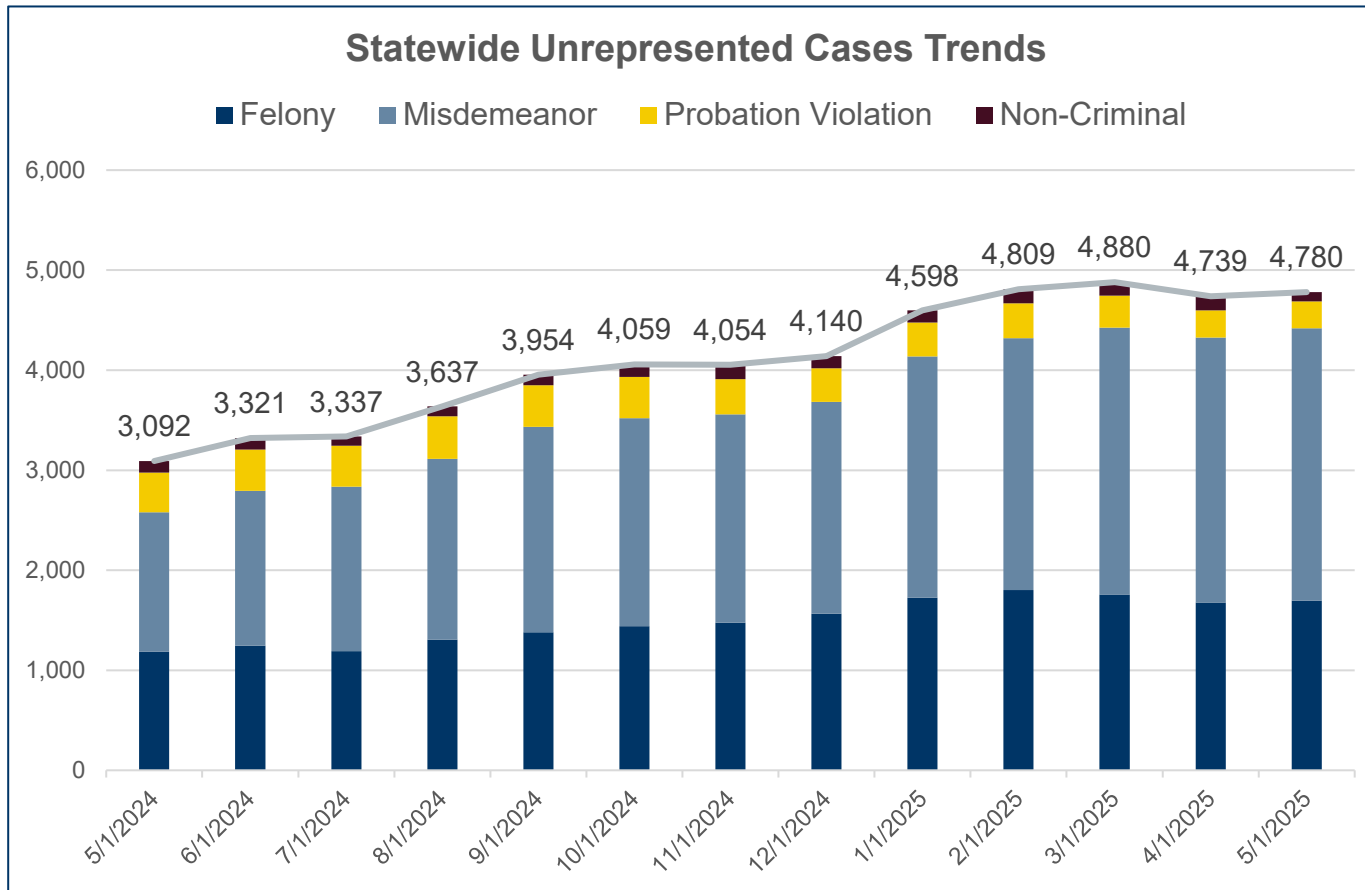


Forecasting, budgeting, and appointment processes would be improved through adoption and enforcement of minimum caseload expectations for contract and OPDC trial division attorneys.

Data current as of 5/01/2025

[See Unrepresented Dashboard for Daily Updates](#)

Current State of the Crisis



May 2025 Unrepresented Cases: 4,780

- **55% increase since May 2024**
 - ✓ 43% increase in felony cases
 - ✓ 95% increase in misdemeanor cases
 - ✓ 32% decrease in probation violations
 - ✓ 19% decrease in non-criminal cases

Structural Changes to Resolve the Crisis

- Adopt and enforce **minimum caseload expectations** for contract and OPDC trial division attorneys.
- Assess providers' ability to exceed the maximum attorney caseload limit – any attorney capacity gained from more timely resolution of cases will continue to run up against the **monthly and annual MAC limits**.
- Track, monitor and report on **caseload targets** to resolve the unrepresented crisis.
- Track, monitor and report on counties that are **over and under contracted (“supply”)** for the total public defense caseload demand in each jurisdiction.
- Track, monitor and report on **quality of representation** measures.
- In counties that are over contracted and have unrepresented cases, figure out **why**. They could have high rates of cases with co-counsel, high rates of attrition, or high rates of newer attorneys who aren't able to take a full caseload.
- Allocate hourly and OPDC trial division resources to “fill the gaps” in counties with **the greatest needs first**.

Public Defense Supply & Demand

2019

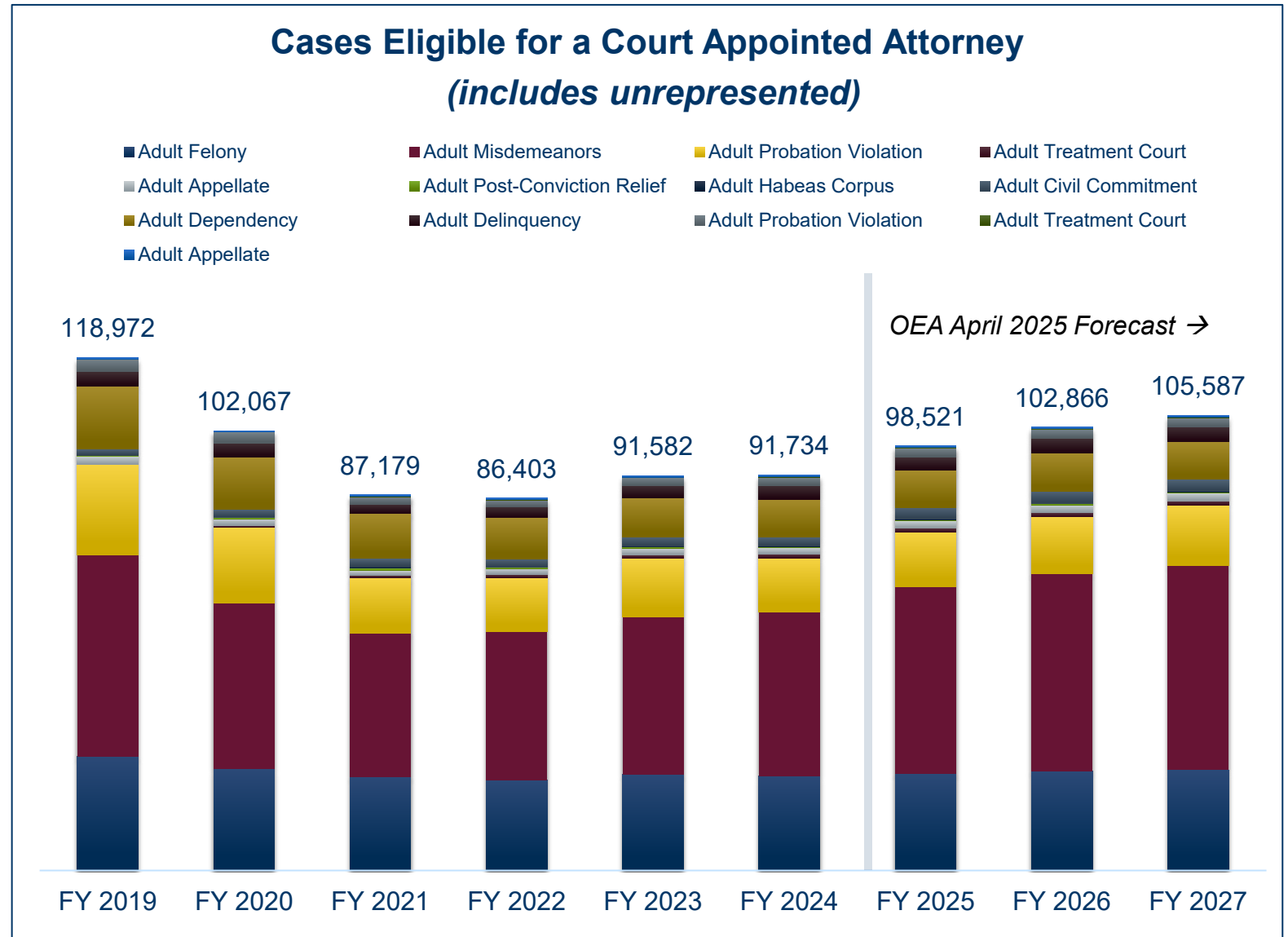
- 672 Contract Attorneys

2025

- 984 Attorneys
 - 651 Contract
 - 313 Hourly
 - 20 OPDC Trial

2019 attorney resources from [OCDLA 2019 Membership Directory.pdf](#).

2025 attorney resources from OPDC response to Joint Subcommittee on Public Safety questions [295466](#).

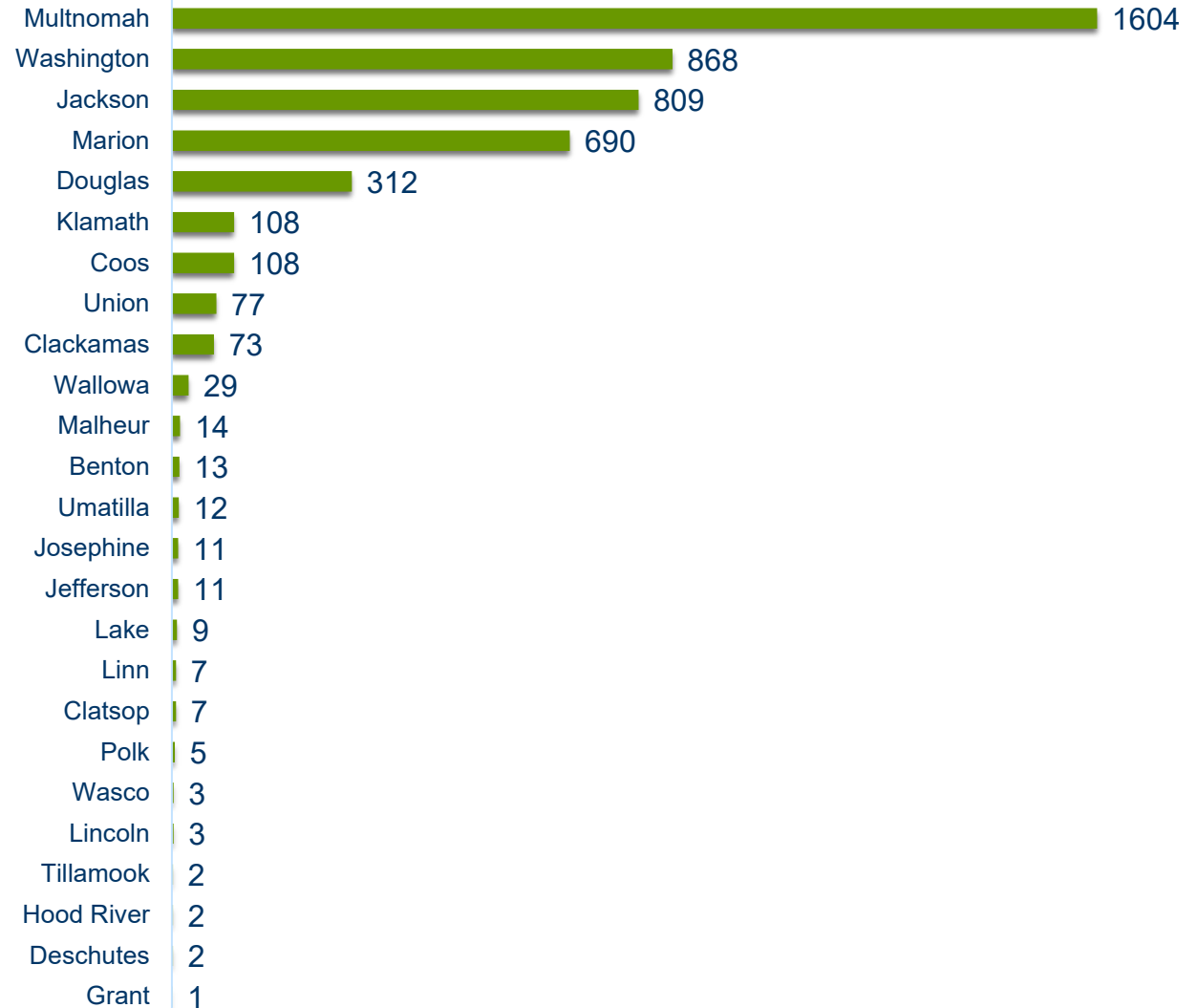


Unrepresented by County

- 22.03 Attorney MAC in unrepresented caseload
- Over 90% in 8 counties

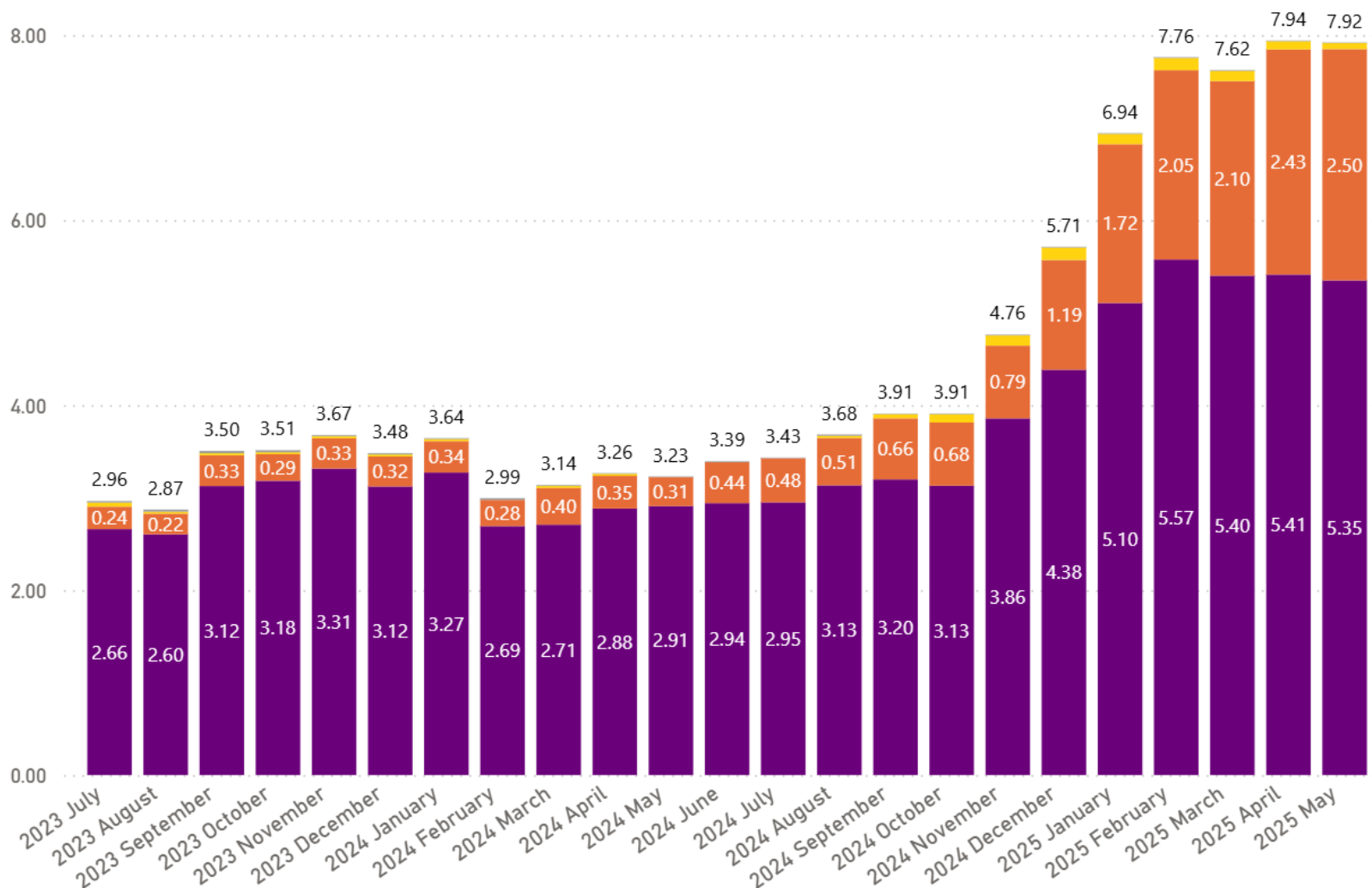
Data current as of 5/01/2025

Unrepresented Cases as of 5/01/2025



Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

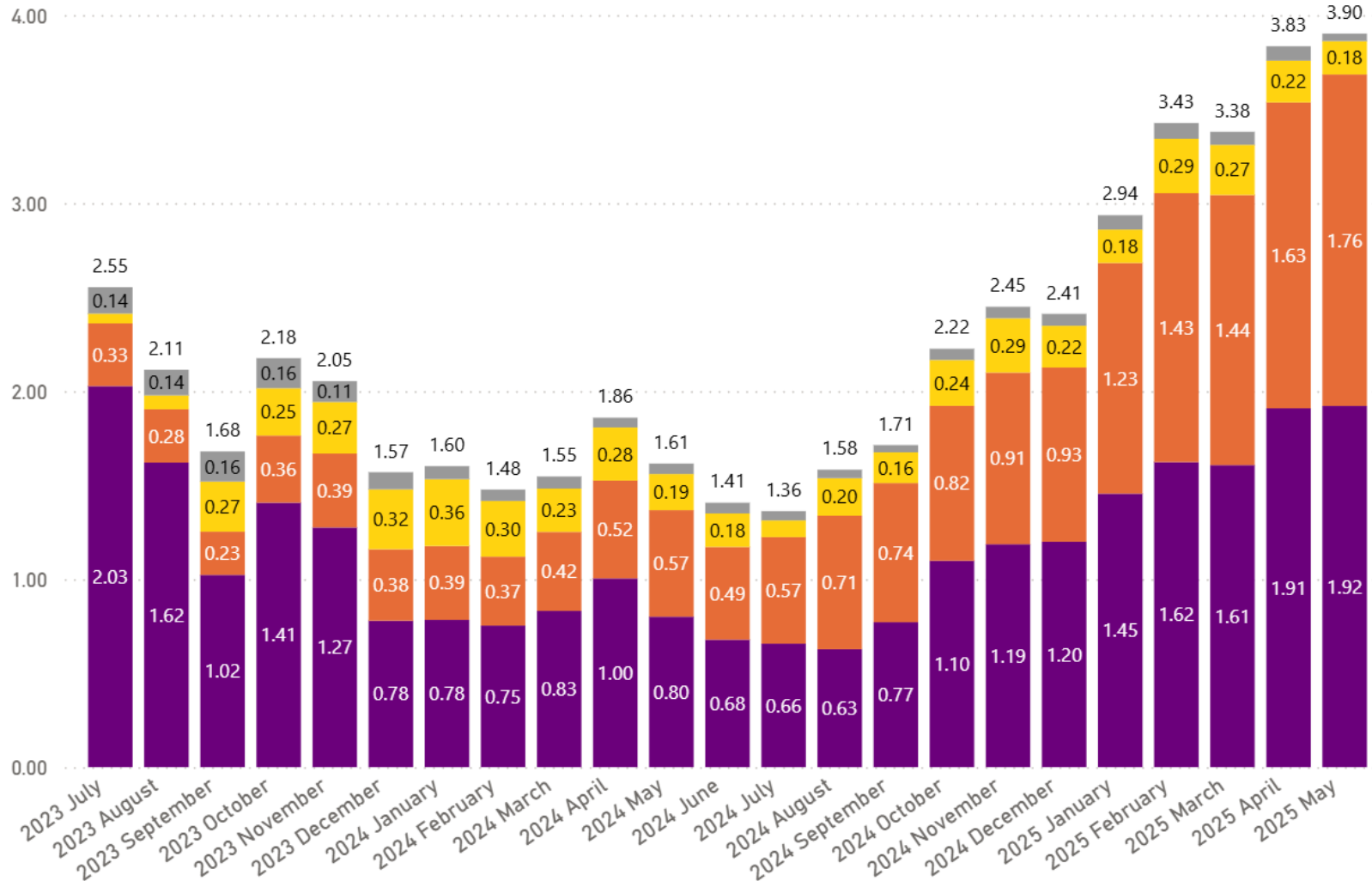


MULTNOMAH

- Cases Filed FY24 +22.2% and FY25 +2% YTD (misdemeanors increasing)
- Net loss of 3 contract attorneys since July 2023
- 17.21% of appointments (in MAC) taken as hourly cases (not all THIP)
- 1.42% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **4.92%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **88.4%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

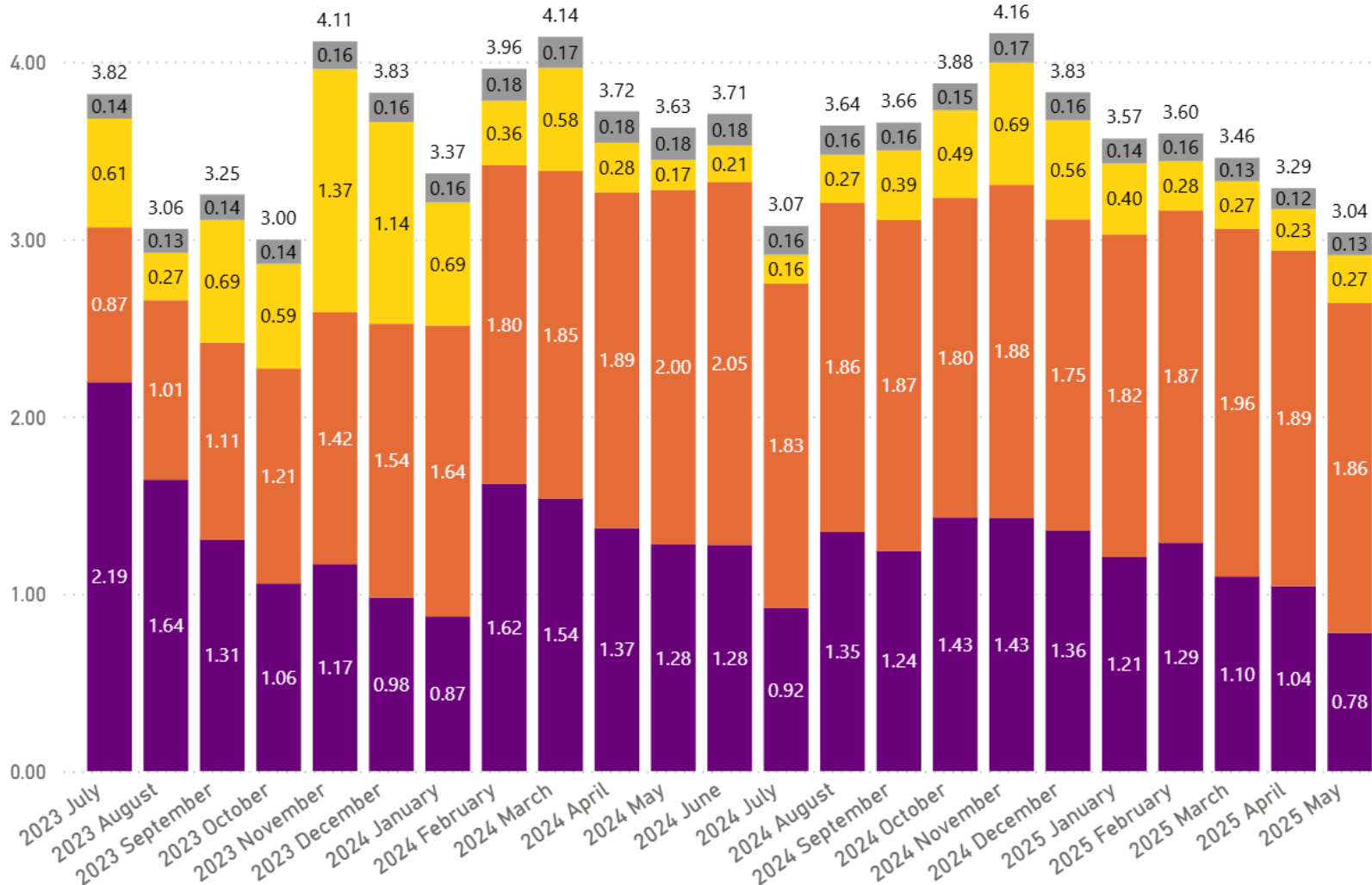


WASHINGTON

- Cases Filed FY24 -0.4% and FY25 +28.44% YTD (both misdemeanors and felonies increasing)
- Net gain of 5 contract attorneys since July 2023
- 14.68% of appointments (in MAC) taken as hourly cases (not all THIP)
- 3.12% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **4.73%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **96.18%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

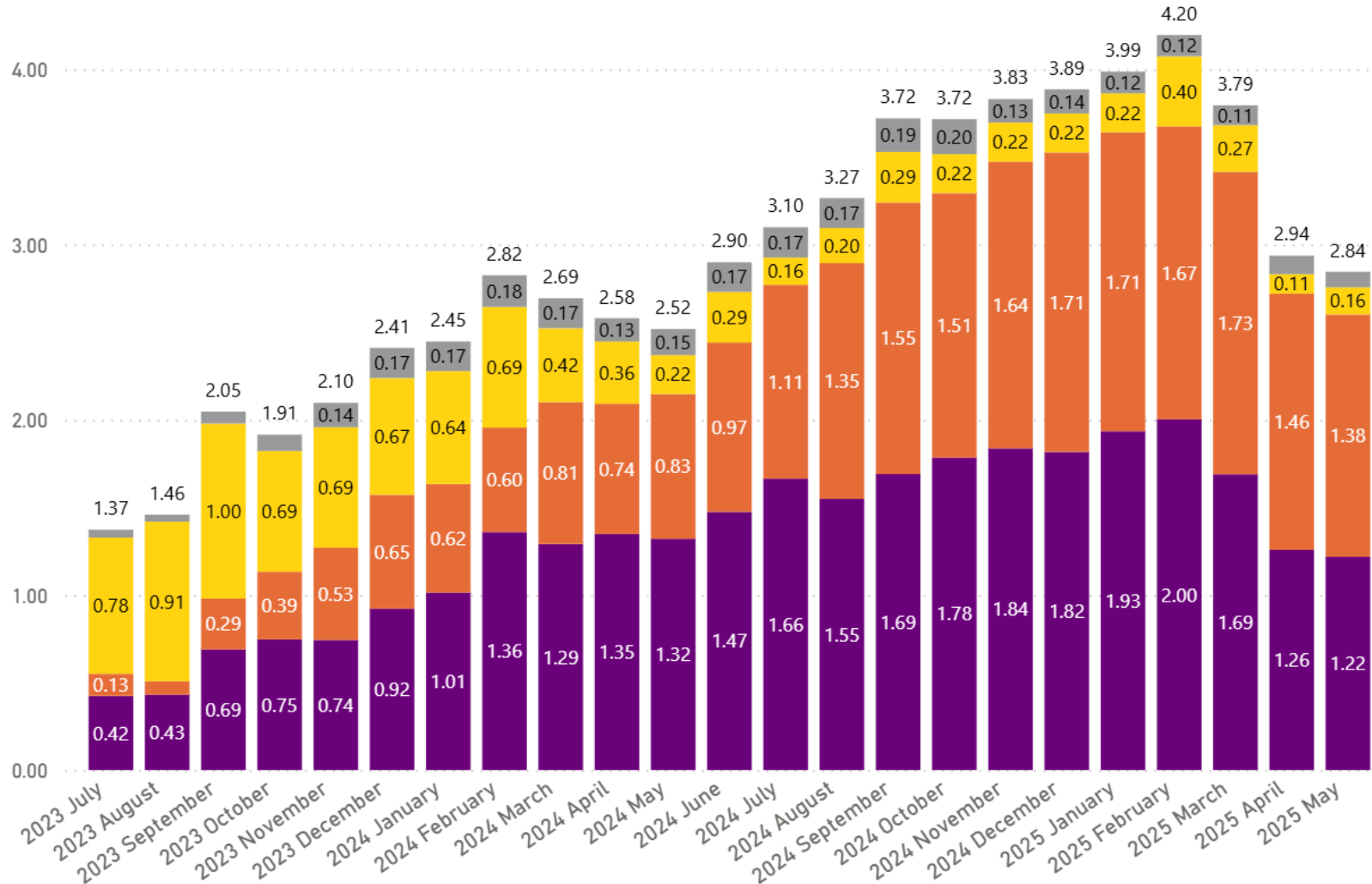


JACKSON

- Cases Filed FY24 -1.6% and FY25 +16.09% YTD (misdemeanors increasing)
- Net gain of 5 contract attorneys since July 2023
- 2.52% of appointments (in MAC) taken as hourly cases (not all THIP)
- 7.43% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **7.32%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **91.5%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

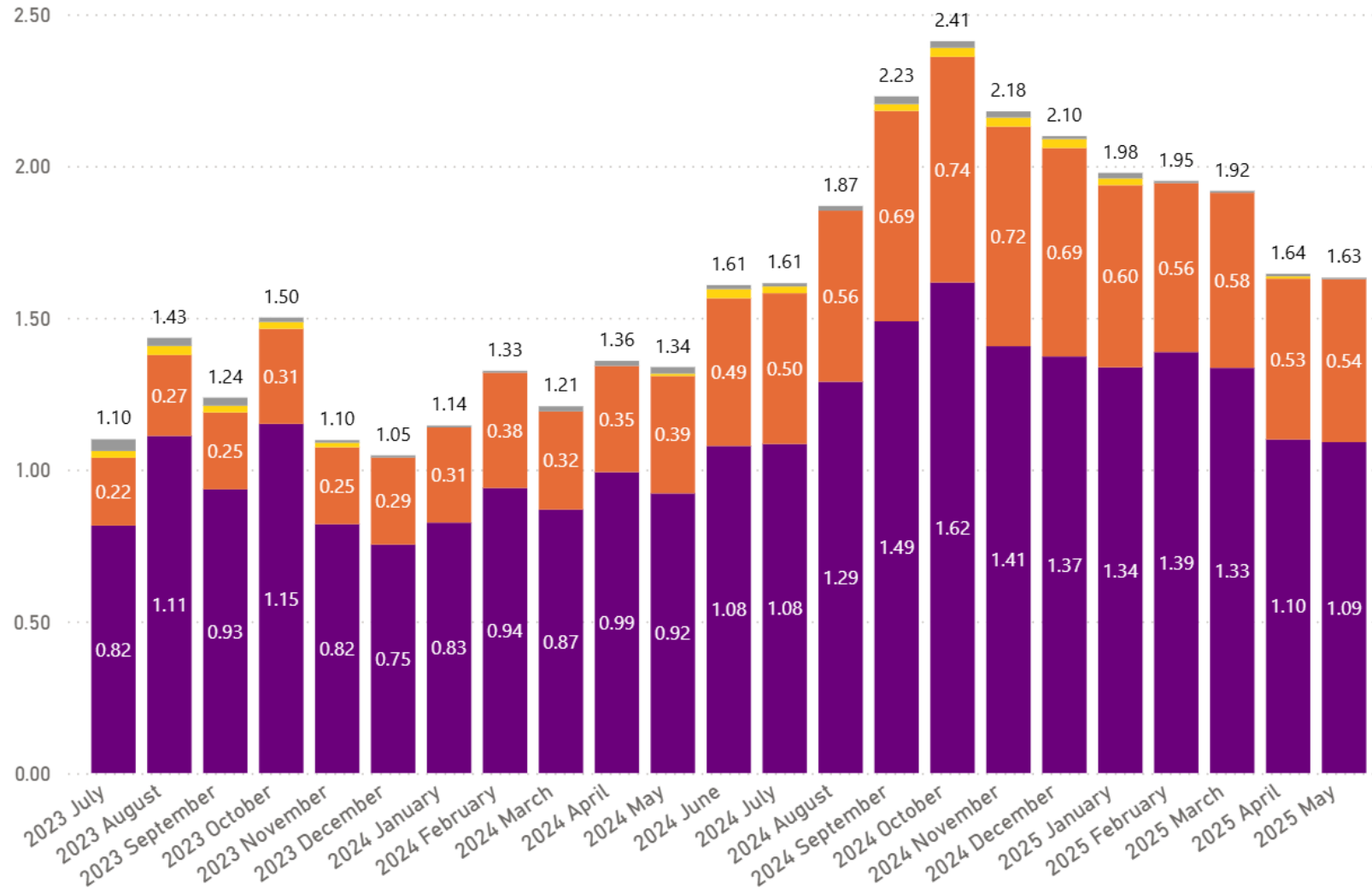


MARION

- Cases Filed FY24 -0.2% and FY25 +8.12% YTD (misdemeanors increasing)
- Net gain of 3 contract attorneys since July 2023
- 11.71% of appointments (in MAC) taken as hourly cases (not all THIP)
- 4.16% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **4.51%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **70.2%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

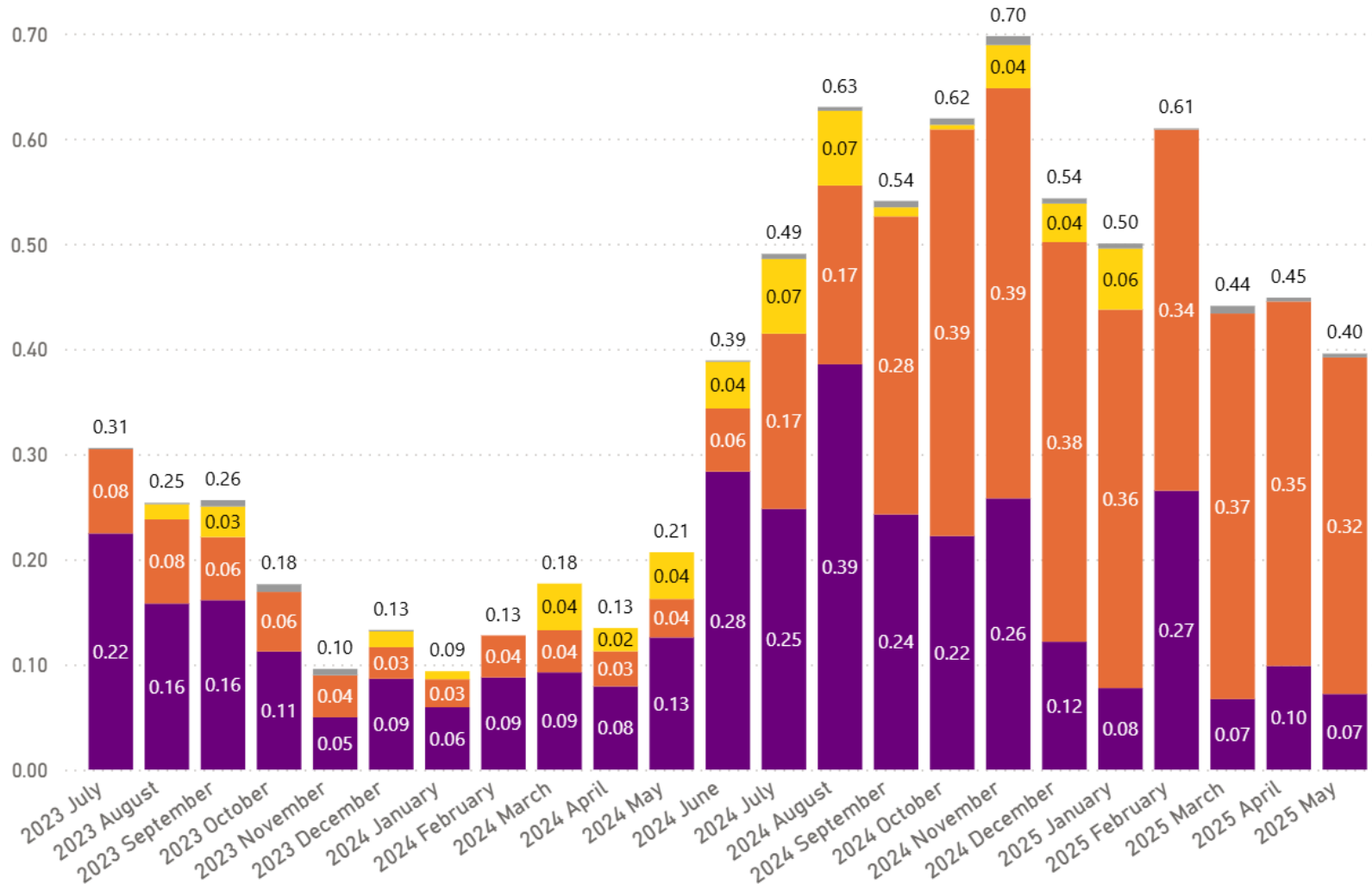


DOUGLAS

- Cases Filed FY24 -1.9% and FY25 +19.93% YTD (misdemeanors increasing)
- Net gain of 3 contract attorneys since July 2023
- 20.94% of appointments (in MAC) taken as hourly cases (not all THIP)
- 8.94% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **7.02%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **79.61%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

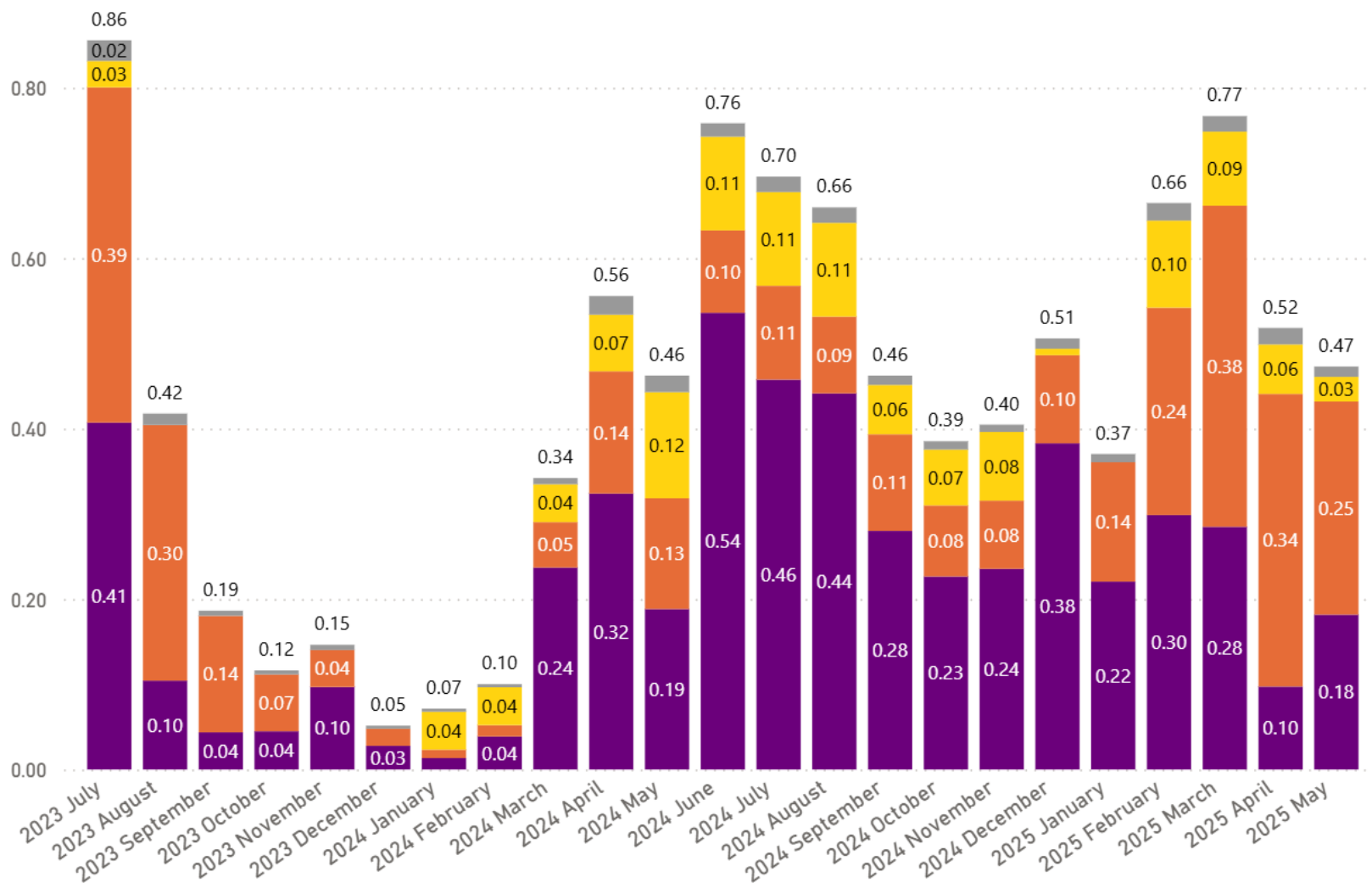


COOS

- Cases Filed FY24 +10.1% and FY25 +8.92% YTD (misdemeanors increasing)
- Net gain of 1 contract attorney since July 2023
- 32.92% of appointments (in MAC) taken as hourly cases (not all THIP)
- 7.63% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **2.83%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **99.32%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal

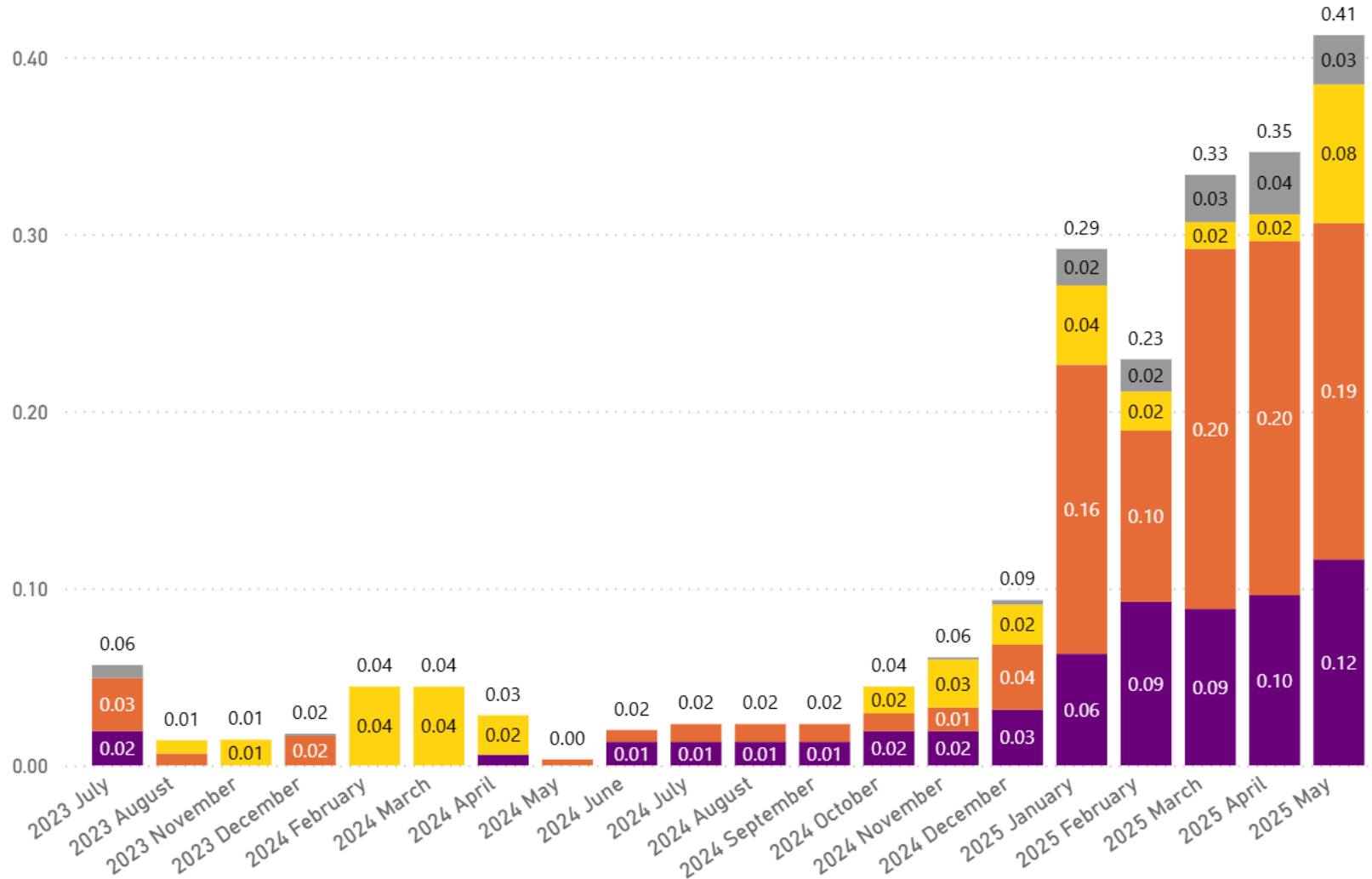


KLAMATH

- Cases Filed FY24 +7% and FY25 +9.31% YTD (both misdemeanors and felonies increasing)
- Net gain of 2 contract attorney since July 2023
- 3.51% of appointments (in MAC) taken as hourly cases (not all THIP)
- 4% of appointments (in MAC) taken by OPDC Trial Division
- Unrepresented is **2.64%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **115.72%** MAC utilization rate

Unrepresented Trends in Attorney MAC

● Felony
 ● Misdemeanor
 ● Non-Criminal
 ● Probation Violations-Criminal



UNION

- Cases Filed FY24 +0.3% and FY25 +9.31% YTD (both misdemeanors and felonies increasing)
- Lost attorneys starting in November 2024 - net loss of 2 contract attorney since July 2023
- 4.02% of appointments (in MAC) taken as hourly cases (not all THIP)
- Unrepresented is **5.82%** of total public defense caseload demand (in MAC)
- OPDC Dashboard - Contract providers are at **101.55%** MAC utilization rate

Reasonable Efforts to Increase Attorney Capacity and Coordinated Public Safety Actions to Resolve Cases Efficiently

- Improve education on best practices for effective caseload management for all public safety partners.
- Continue to develop early resolution and specialty dockets with attorney staffing outside of the MAC model.
- Improve communication and coordination among OPDC, courts, and providers to improve processes and to ensure timely presence and appointment of counsel.
- Discuss and develop ways to increase attorney access to in-custody clients.

Thank You

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