



Oregon Judicial Department

Unrepresented Crisis – October 2024 Update

Key Insights

[Unrepresented Trends](#)

The total number of unrepresented individuals continues to increase from the record-high level in September 2024 ([Figure 1](#), [Figure 2](#)). The number of cases entering the unrepresented list continues to be higher than the number of cases exiting the list. ([Figure 3](#)) Daily updates are available in the [Unrepresented Dashboard](#) on the OJD website.

[Unrepresented by County](#)

The largest number of unrepresented persons continue to be in Marion, Jackson, Multnomah, Washington, and Douglas counties. Several courts saw a small decrease in the number of unrepresented persons, while both Washington and Coos counties saw an increase in the number of unrepresented persons. ([Figure 4](#)).

[Unrepresented by County – Eastern Oregon](#)

Eastern Oregon courts with unrepresented persons face unique issues because the large geographical region is utilizing several of the same attorneys for conflict cases. Union/Wallowa and Baker counties have recently seen an increase in the number of unrepresented persons. ([Figure 5](#), [Figure 6](#), [Figure 7](#), [Figure 8](#)).

[Local Court Spotlight: Coos and Curry Counties](#)

Coos and Curry counties make up the 15th Judicial District. Coos County lost public defenders earlier this year and has seen a significant increase in the number of unrepresented persons. The court has also struggled with an increasing number of civil commitments and having OPDC find attorneys for those cases. ([Figure 9](#) and [Figure 10](#)).

Unrepresented Trends

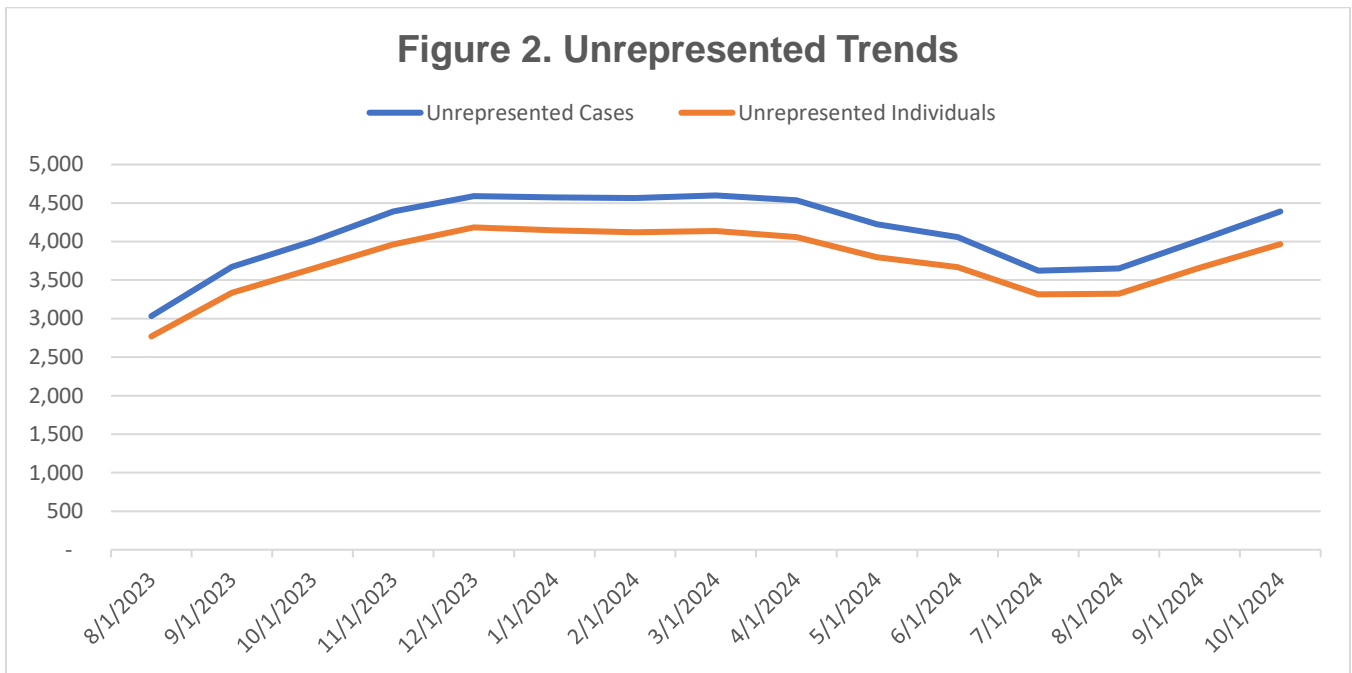
Figure 1 and Figure 2 show the number of unrepresented individuals and number of unrepresented cases. The number of unrepresented individuals and unrepresented cases continues to increase. Since July 2024, the number of unrepresented cases has increased more each month than the number of unrepresented individuals.

To accurately gauge the number of defense attorneys needed, it is important to look at the number of unrepresented cases as well as the number of unrepresented individuals.

An individual person may have multiple cases filed against them. OPDC's contracting model, MAC, is a maximum attorney capacity based on the number of weighted cases, not clients. One attorney's caseload could consist of fewer clients, but each client has multiple pending cases while another attorney, handling a similar caseload, could have more clients but each client only has one pending case. Similarly, a defendant may be unrepresented on one case, but represented on another case. Sometimes defendants will have multiple cases in different counties, and defendants can also have multiple cases in one county and be represented on some cases but not others.

Figure 1. Number of Unrepresented Persons and Cases on First of Each Month							
	4/1/2024	5/1/2024	6/1/2024	7/1/2024	8/1/2024	9/1/2024	10/1/2024
Total Unrepresented persons	4,058	3,798	3,669	3,313	3,322	3,660	3,967
Total Unrepresented cases	4,538	4,224	4,058	3,621	3,653	4,016	4,392
Misdemeanors	2,312	2,175	2,137	1,988	2,074	2,335	2,503
Felonies	1,943	1,819	1,725	1,477	1,444	1,557	1,768
Other	283	230	196	156	135	124	121

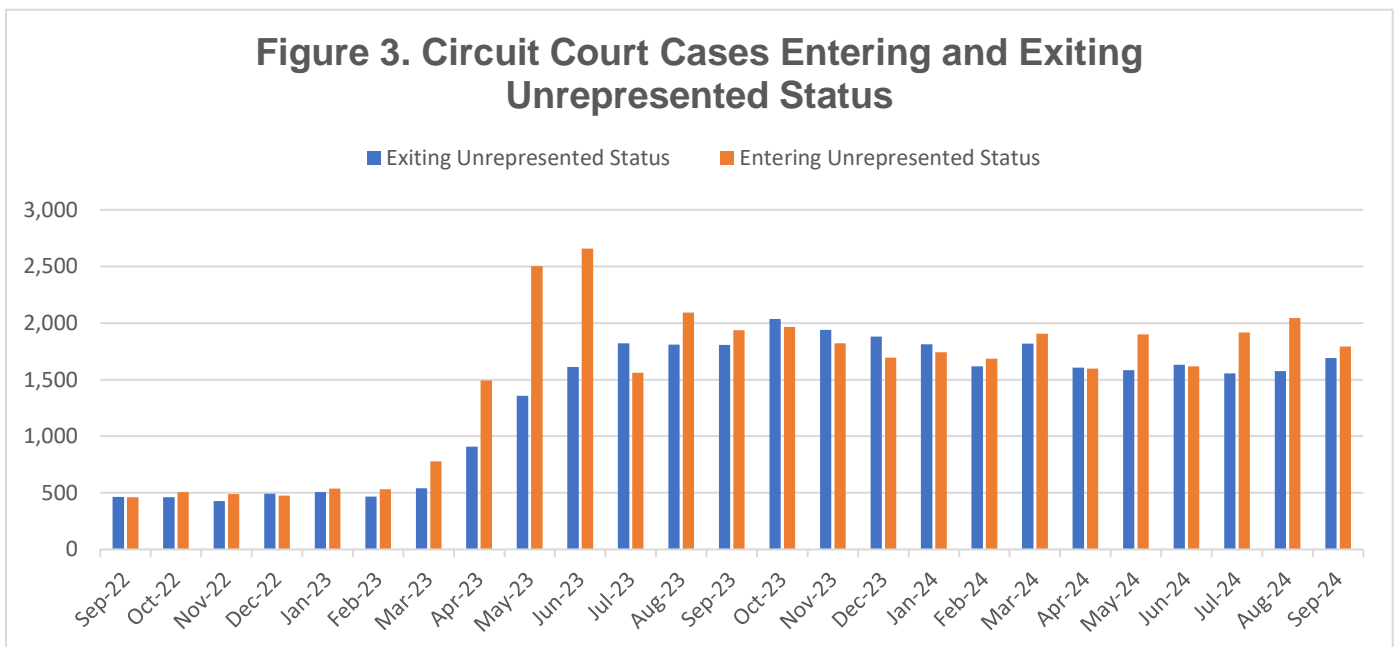
Source: OJD Odyssey Data (eCourt).



Source: OJD Odyssey Data (eCourt).

Figure 3 shows the number of unrepresented cases entering and exiting unrepresented status by month and year. That number provides an indicator of whether there is sufficient attorney capacity to handle all the new appointments that are needed.

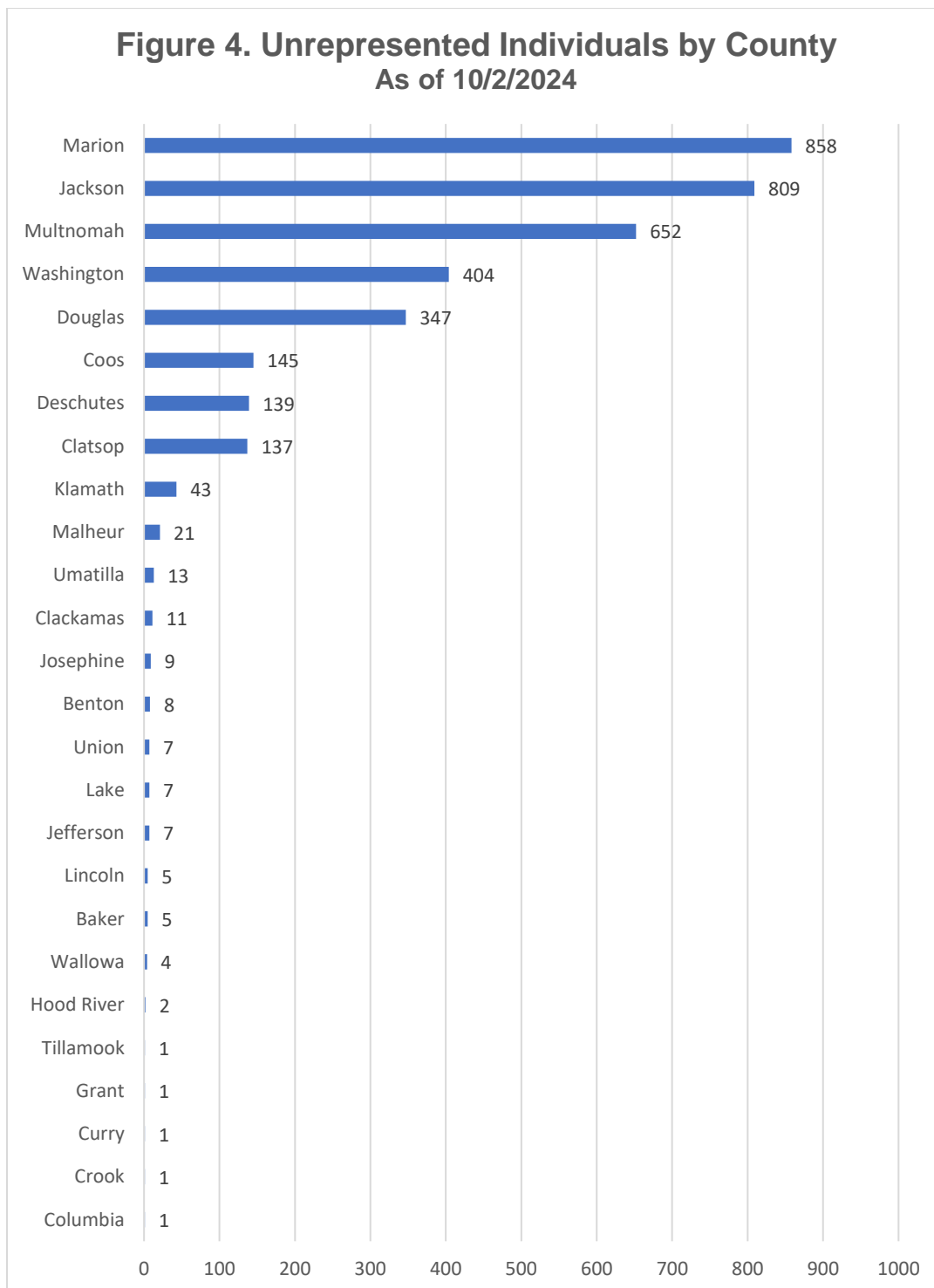
While the number of cases being added to the unrepresented list decreased in September 2024, the number of cases exiting the unrepresented list increased, resulting in a slight net increase. The highest number of cases exiting the unrepresented list occurred in October 2023 with 2,036 cases exiting. Between April 2024 and September 2024, on average of 1,607 cases exited each month.



Source: OJD Odyssey Data (eCourt).

Unrepresented by County

Figure 4 shows the number of unrepresented individuals by county. Since September, several courts have seen a small decreases in the number of unrepresented persons; however, Washington and Coos counties both saw an increase in the number of unrepresented persons.

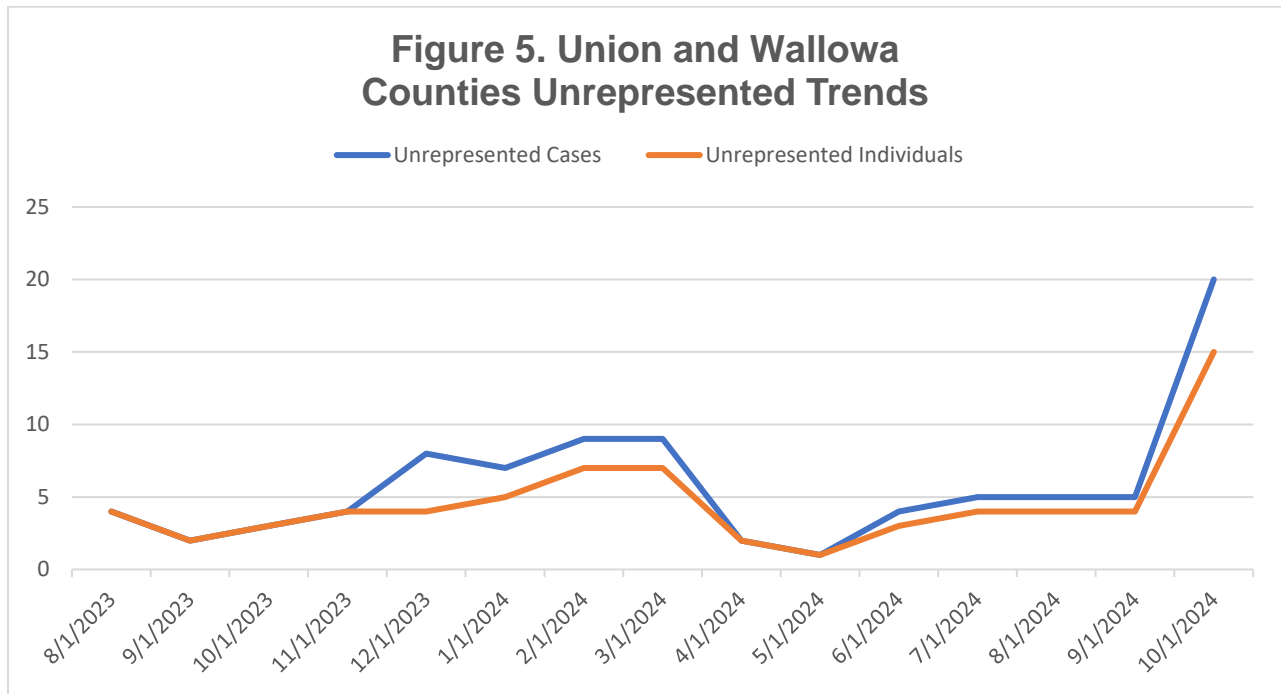


Source: OJD Odyssey Data (eCourt).

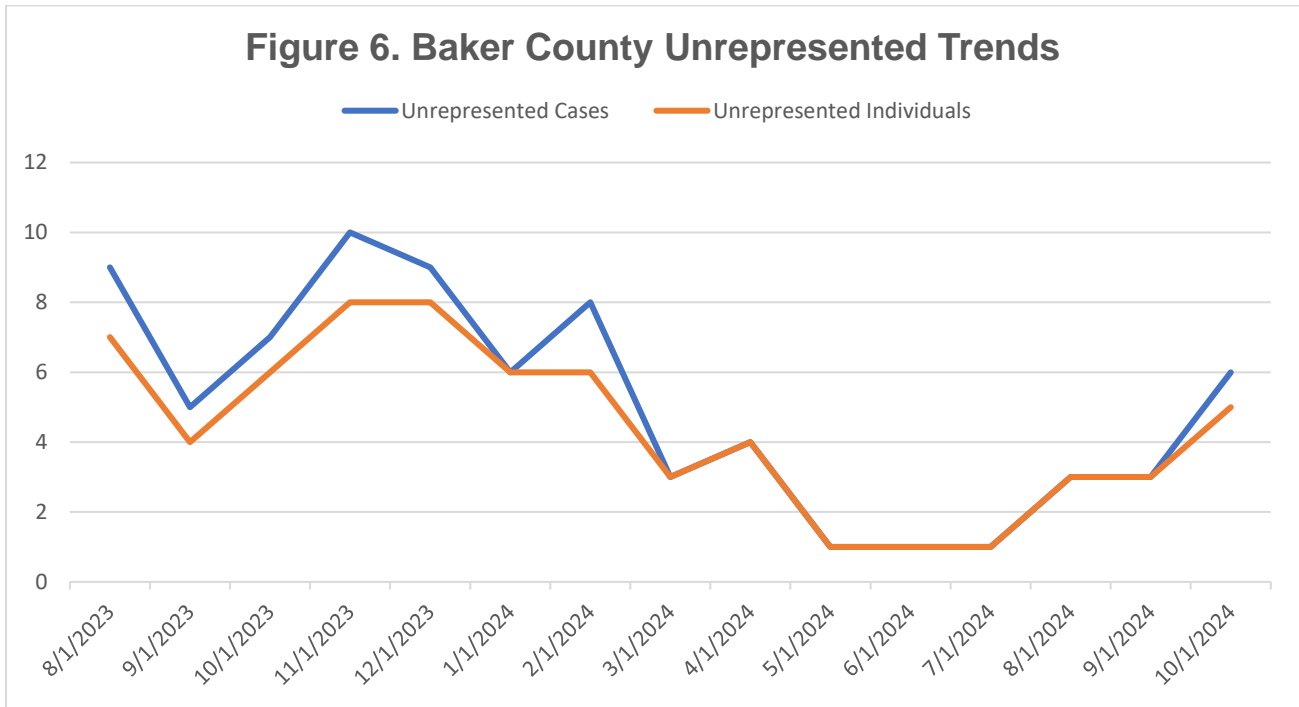
Unrepresented by County – Eastern Oregon

Figures 5-10 show unrepresented trends in Union and Wallowa, Baker, Malheur, and Grant and Harney counties. Union and Wallowa, and Grant and Harney counties both comprise a single judicial district.

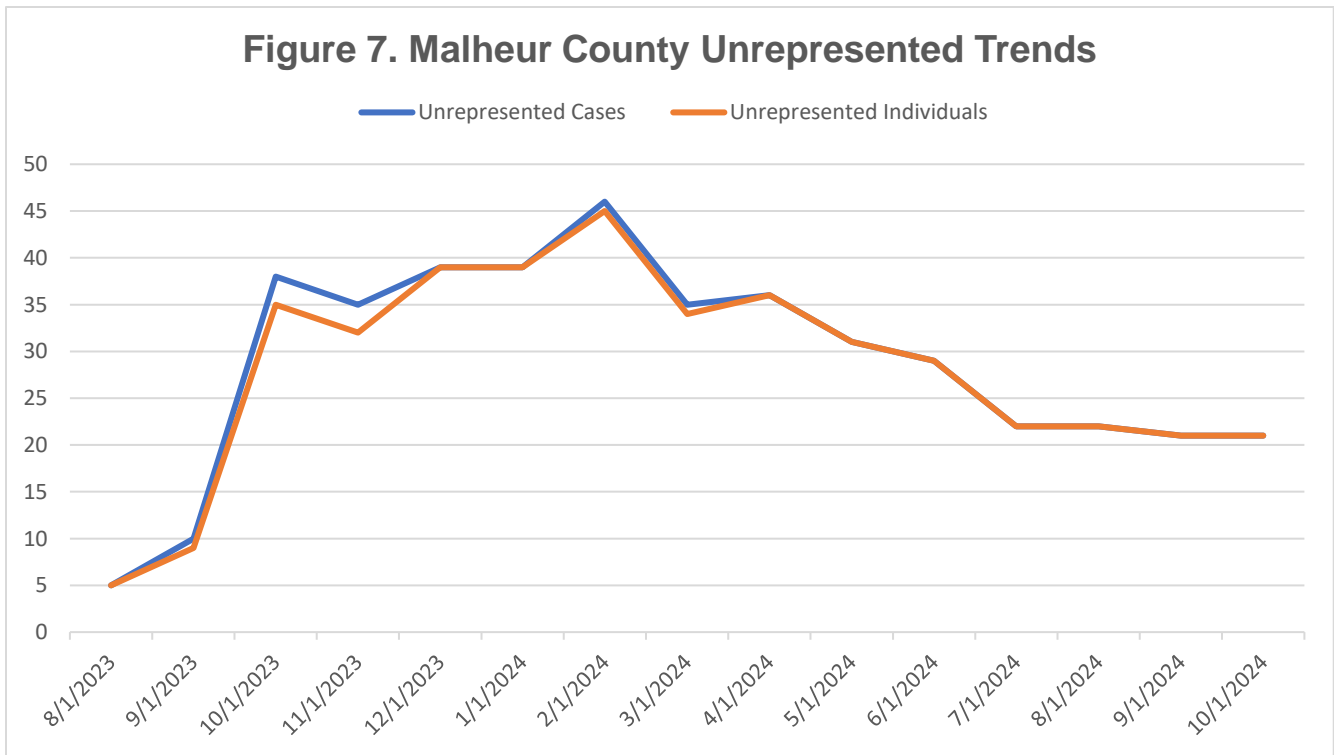
The Eastern Oregon counties are unique because, while covering a large geographic area of the state, the many of the defense providers take cases in each county. Attorneys may be based in one county but take conflict cases in another county in the region. If one county sees a higher number of case filings or conflict cases, attorneys accepting cases in that county will have less capacity to take cases in one of the other counties. Both Baker and Malheur counties have state prisons, so those two courts see a higher number of post-conviction relief cases (PCR) than counties without a prison. PCR cases are a specialized area of law and there is a smaller pool of attorneys state-wide who handle these cases.



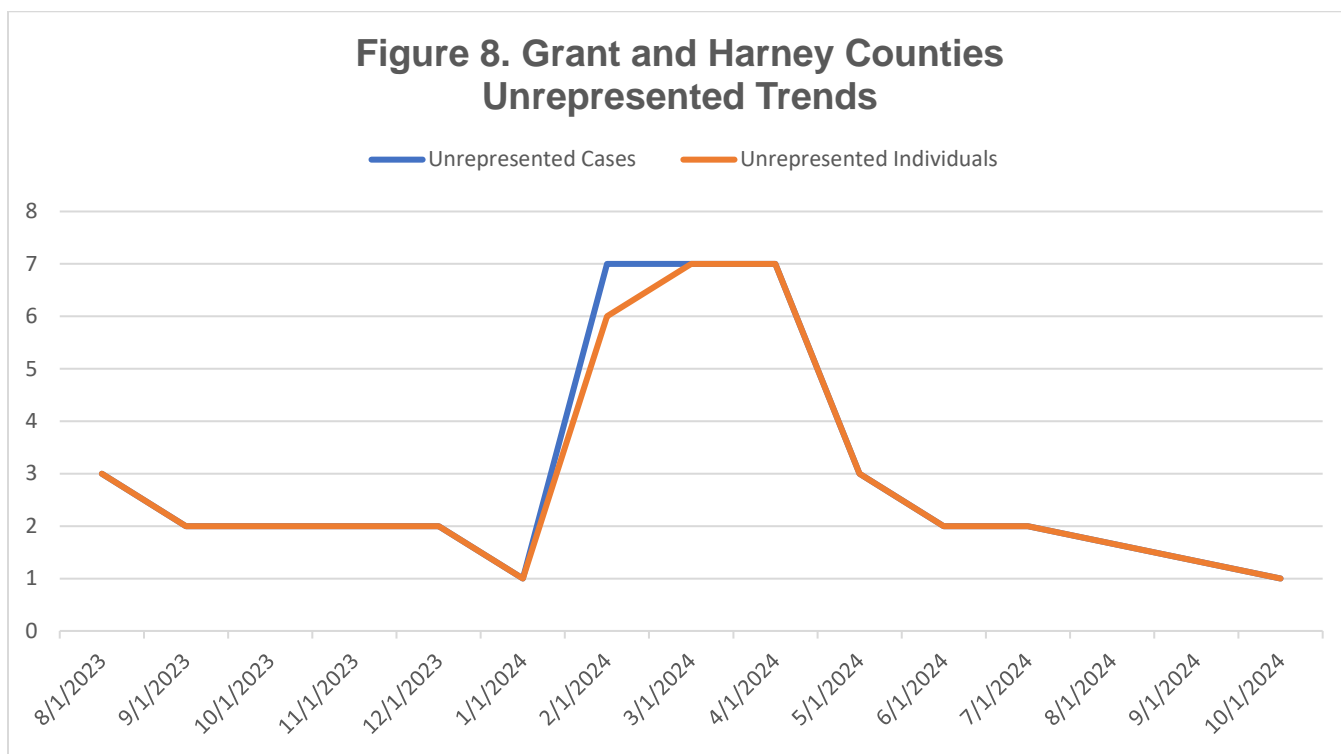
Source: OJD Odyssey Data (eCourt).



Source: OJD Odyssey Data (eCourt).



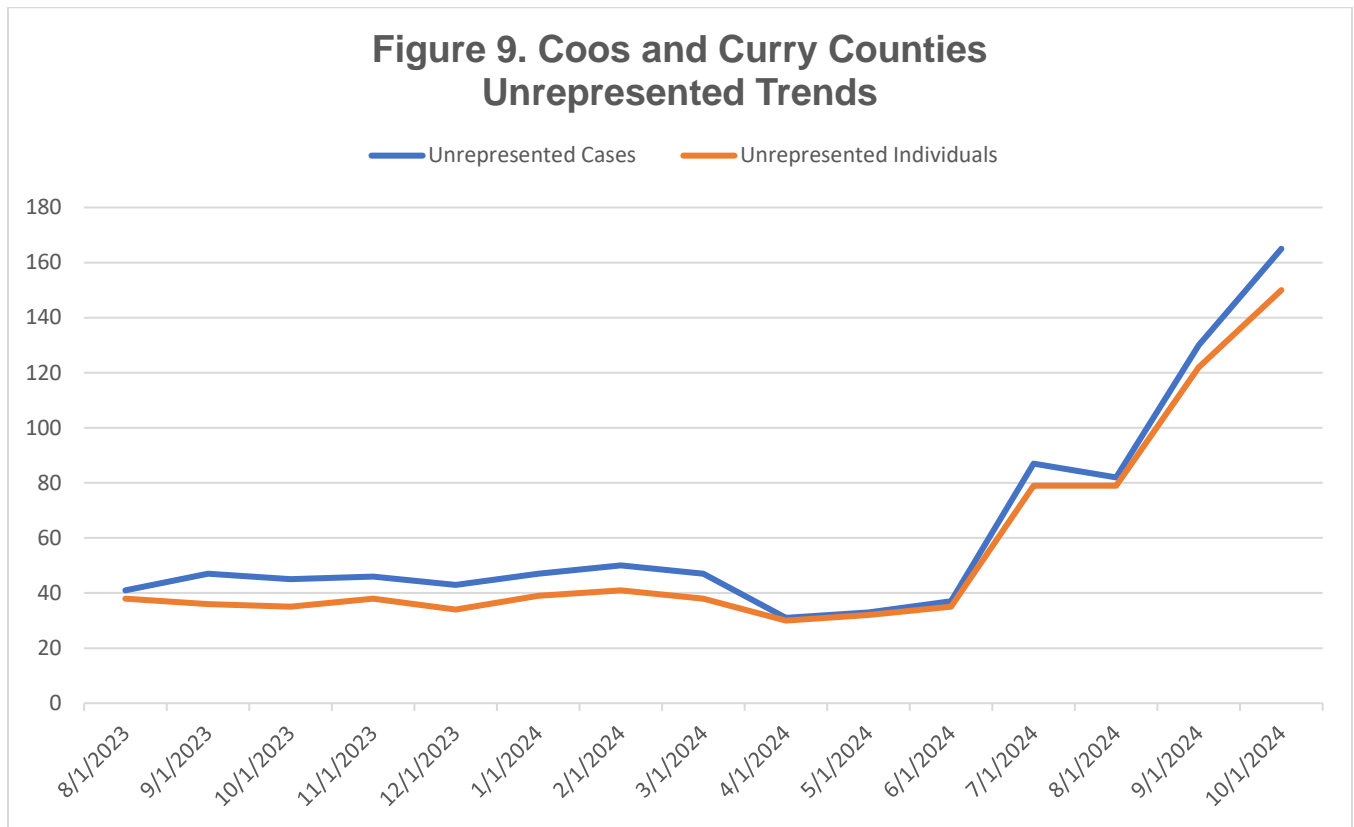
Source: OJD Odyssey Data (eCourt).



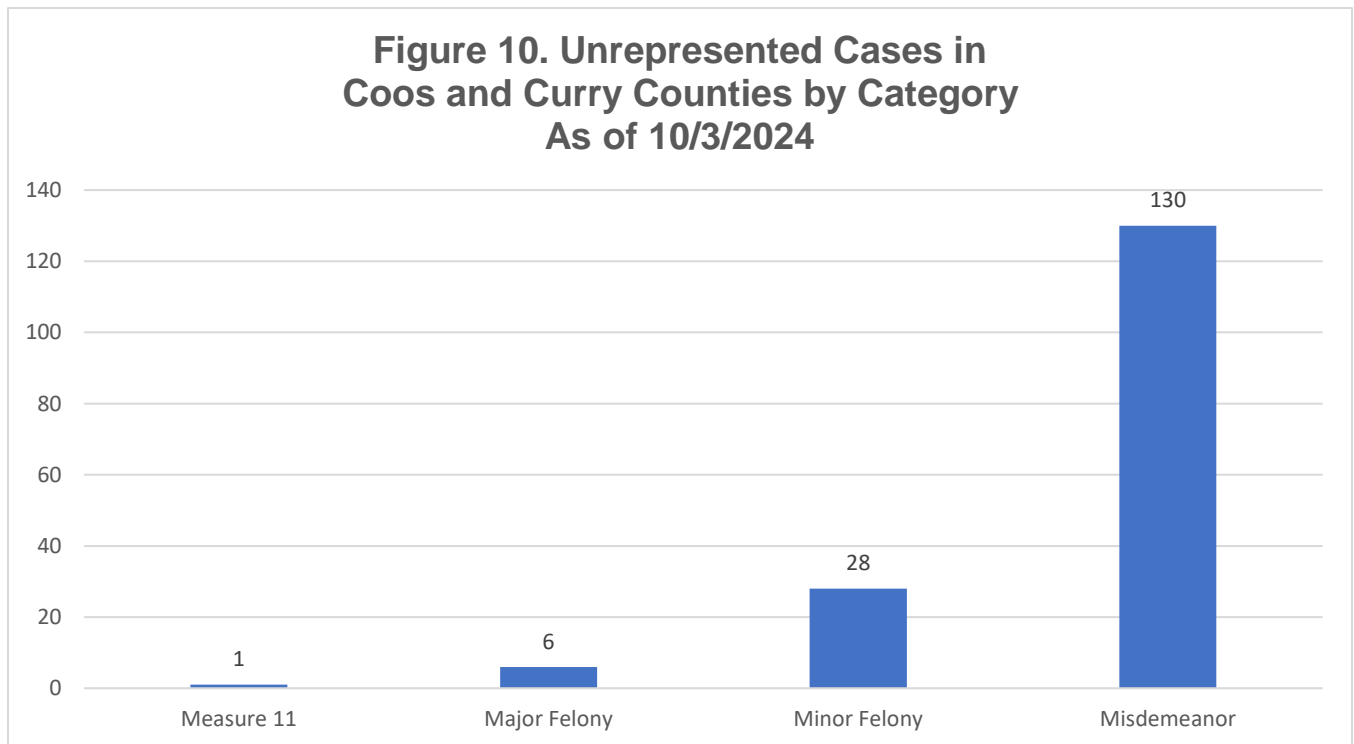
Source: OJD Odyssey Data (eCourt).

Local Court Spotlight: Coos and Curry Counties

Figures 9 and 10 show the unrepresented trends in Coos and Curry counties (the 15th Judicial District) and the unrepresented cases by case category. Prior to May 2024, the primary reason Coos and Curry had unrepresented persons was due to cases where all the local public defense providers had a conflict of interest with a case. By May, Coos County’s local public defense office lost four attorneys and has been unable to fill those vacant positions. Since then, the number of unrepresented persons has increased significantly. Coos County now has the sixth-most unrepresented persons, surpassing Clatsop and Deschutes counties. The number of civil commitment filings has nearly doubled since 2023, and there are times when OPDC has not been able to find attorneys within the five-day statutory timeframe for held persons.



Source: OJD Odyssey Data (eCourt).



Source: OJD Odyssey Data (eCourt).