

**JUSTICE, DEPARTMENT of**  
**Annual Performance Progress Report (APPR) for Fiscal Year (2014-2015)**

Original Submission Date: 2015

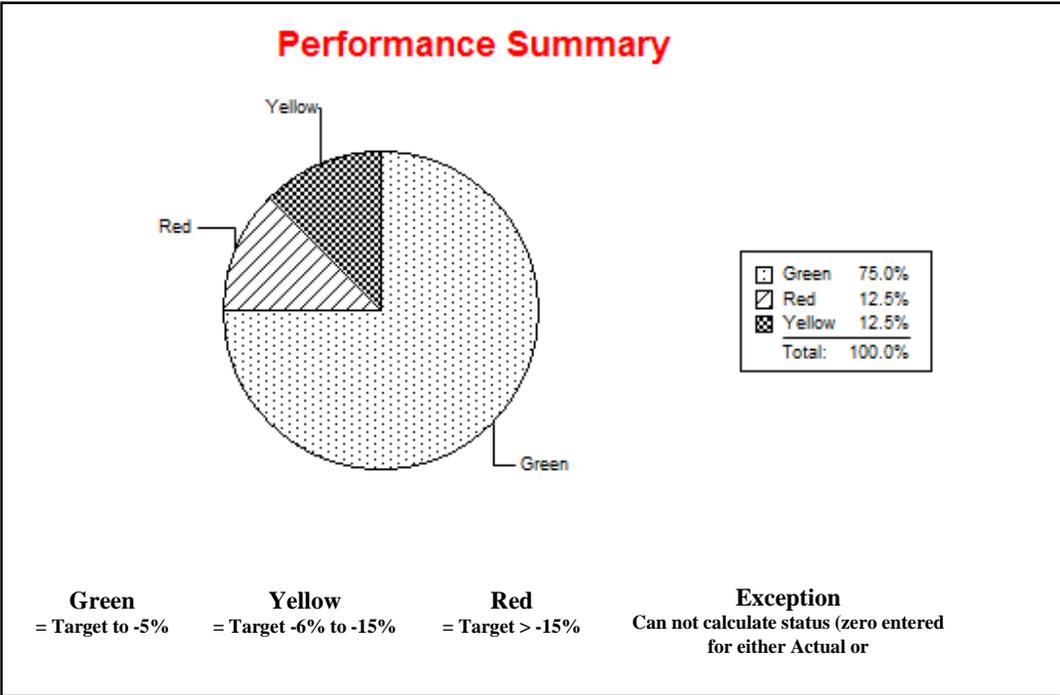
Finalize Date: 12/1/2015

<b>2014-2015 KPM #</b>	<b>2014-2015 Approved Key Performance Measures (KPMs)</b>
1	Percentage of legal cases in which the state's position is upheld
2	Percentage of appropriate litigation resolved through settlement
3	Amount of monies recovered for the state divided by the cost of recovery
4	Average working days from receipt of contracting document to first substantive response to agency.
5	Percentage of legal billings receivables collected within 30 days
6	Percentage of timely and complete charities' reports submitted relative to total charities registered
7	Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information
8	Percentage of Criminal Justice Division cases resolved successfully
9	Percentage of crime victims' compensation orders issued within 90 days of claim receipt
10	Percentage of support collected by the Child Support Program that is distributed to families
11	Percentage of current child support collected relative to total child support owed
12	Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due
13	Percentage of Child Support Program cases with support orders relative to total Program cases
14	Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more

<b>2014-2015 KPM #</b>	<b>2014-2015 Approved Key Performance Measures (KPMs)</b>
15	Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)
16	Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days.

<b>New Delete</b>	<b>Proposed Key Performance Measures (KPM's) for Biennium 2015-2017</b>
	<b>Title:</b> <b>Rationale:</b>

<b>JUSTICE, DEPARTMENT of</b>	<b>I. EXECUTIVE SUMMARY</b>
<p><b>Agency Mission:</b> The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.</p>	
<p><b>Contact:</b> Frederick M. Boss</p>	<p><b>Contact Phone:</b> 503-378-6002</p>
<p><b>Alternate:</b> Nicole Lara</p>	<p><b>Alternate Phone:</b> 503-378-5465</p>



**1. SCOPE OF REPORT**

DOJ is comprised of seven operating divisions and one administrative support division. Of the operating divisions, the Division of Child Support (DCS) comprises approximately forty percent of the Departments all-funds expenditure-limitation authority. Public safety operations in the Criminal Justice Division (CJ) and Crime Victims Services Division (CVSD) comprise approximately eighteen percent. Legal and support services represent the remaining

approximately forty-two percent. The diversity of DOJ's work and client base is unique in state government. The majority of DOJ's legal resources are directed to our work for client agencies, representing all state agencies in a wide array of legal matters. Additionally, many direct services are provided to Oregonians through the Child Support Program, CVSD and the Financial Fraud/Consumer Protection Section. CJ is responsible, in conjunction with state, federal, and local law enforcement authorities, for investigation and prosecution of organized crime and public corruption cases. Additionally, CJ operates several high profile statewide programs such as the Criminal Intelligence Unit, the High Intensity Drug Trafficking Area, the Oregon and the Western States Information Network, the Terrorism Intelligence and Threat Assessment Network and Internet Crimes Against Children Task Force. Each division contributes data to at least one key performance measure. A few measures apply to more than one division.

## **2. THE OREGON CONTEXT**

The Legislative Assembly has established by law the context within which the Department works. It created the Department in 1891 and provided that the Department be headed by the Attorney General. The office of Attorney General is a four-year elected position. From the beginning, the Attorney General has been the chief legal officer of the State, advising and representing all state agencies and officers. In the years since, the Legislative Assembly has assigned a wide variety of missions and responsibilities to the Department. The KPM's in this report reflect the Department's performance as to those missions and responsibilities.

## **3. PERFORMANCE SUMMARY**

DOJ's performance measures are grouped under a set of goals that facilitate achieving the agency's mission. A summary of the goals and the measures that support them immediately follows. Goal one: Efficiently provide highest quality legal services to the state. This goal is reflected in six key performance measures relating to the Department's Appellate, Civil Enforcement, General Counsel and Trial Divisions. CJ's contributions to delivery of high quality legal services are reflected in goal three, below. The measures are: 1) percentage of legal cases in which the state's position is upheld (KPM 1); 2) percentage of appropriate litigation resolved through settlement (KPM 2); 3) amount of monies recovered for the state divided by the cost of recovery (KPM 3); 4) average time (work days) from receipt of contracting document to first substantive response to agency (KPM 4); 5) percentage of legal billing receivables collected within 30 days (KPM 5); and 6) percentage of timely and complete charities' reports submitted relative to total charities registered (KPM 6). Goal two: Client satisfaction. Annually, DOJ solicits feedback from agencies to whom legal services have been provided. The Department of Administrative Services (DAS) requires all agencies to ask five specific questions in customer satisfaction surveys. KPM 7 includes the mandated questions and additional questions tailored to DOJ's services. This measure includes the statewide client satisfaction scoring system. Goal three: Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime. The measures used to assess this goal include: 1) the percentage of CJ cases resolved successfully (KPM 8); 2) the percentage of crime victim's compensation orders issued within 90 days of claim receipt (KPM 9); 3) the percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more (KPM 14); and 4) the percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) (KPM 15). Goal four: Improve the effectiveness of efforts to increase support distributed to households with children. Four measures contribute to this goal. They are: 1) percentage of support collected by the Child Support Program that is distributed to families (KPM 10); 2) percentage of current child support collected relative to total child support owed (KPM 11); 3) percentage of Child

Support Program cases paying towards arrears relative to total Program cases with arrears due (KPM 12); and 4) percentage of Child Support Program cases with support orders relative to total Program cases (KPM 13). As the performance summary graph illustrates on page 5, DOJ is generally exceeding its targets, or, within 5 % of the target. The agency is working towards meeting or exceeding its targets for all its measures. The performance graph is a summary of the most recent fiscal year data that is available. As of December 1, 2015, all KPMs have fiscal year 2015 results available. The four child support measures (10 - 13) report results on a Federal Fiscal Year (FFY) basis and are now available.

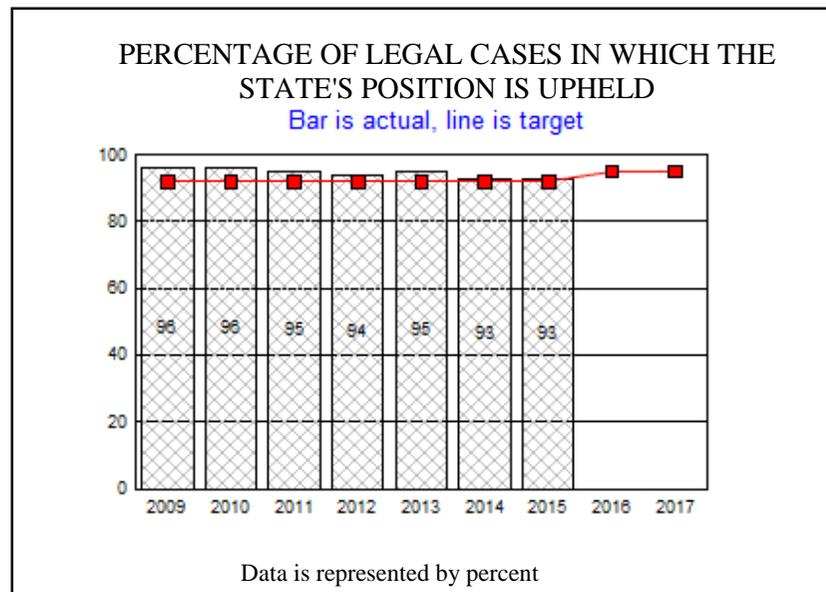
#### **4. CHALLENGES**

Performance measurements confront the Department with multiple challenges. First, DOJ has faced challenges in collecting data from different divisions about performance measurements applicable to multiple divisions. These challenges are rooted in the reality that the work of the Divisions takes place in many different forums and the data may vary depending on the forum and nature of work. For example, KPM 2 reflects the work of four different divisions and matters handled as administrative proceedings before agencies, litigation in state and federal trial courts, and litigation in state and federal appellate courts. Because of the variation, the data for the KPM must be reviewed and collected largely by hand instead of through a report generated by our various case-management systems. A second challenge is that some of our measures depend primarily on the work of individuals outside of the Department and we do not directly supervise or control their performance.

#### **5. RESOURCES AND EFFICIENCY**

Resources: The Legislative Assembly authorized DOJ to expend funds from many sources in service of the Department's missions. For 2013 15, the total (all funds) in the Legislatively Adopted Budget was \$486,348,787. For 2015 17, the Legislatively Adopted Budget is \$ 524,076,776. Efficiency: The Department takes efficiency to mean a comparison of the investment of resources with the outcomes produced. Comparisons between dollars invested and dollars returned directly measure efficiency. KPM 3, for example, compares the dollars invested in collecting moneys owed the state to the dollars recovered for the state from debtors. Other measurements, such as KPM 9 (Percentage of crime victim's compensation orders issued within 90 days of receipt), indirectly reflect DOJ's efficiency by expressing the time within which specified outcomes are obtained given the available resources. Please refer to the narratives for the individual measures for more detail.

<b>KPM #1</b>	Percentage of legal cases in which the state's position is upheld	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Matter Management System Report and Division Administrator reviews	
<b>Owner</b>	Legal Divisions (except Criminal Justice Division)      Contacts: Frederick M. Boss (503) 378-6002, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality of legal services to the state by monitoring and assessing the percentage of legal cases in which the state's position is upheld.

**2. ABOUT THE TARGETS**

A ruling supporting the state's position tends to reflect positively on the quality of legal advice provided by DOJ. The current target is 92%.

**3. HOW WE ARE DOING**

The results exceeded the target.

**4. HOW WE COMPARE**

Private sector caseloads are not analogous to DOJ's work. DOJ sought in 2005 and again in 2007, through the National Association of Attorneys General (NAAG), to determine whether any other state attorney general has established a similar performance measurement. To date, no such state has been identified.

**5. FACTORS AFFECTING RESULTS**

The definition of what "state's position upheld" means varies among the divisions due to the diversity of the Department's legal work and because DOJ seeks just results, not merely to prevail in a particular case. For example, the Trial Division defends civil lawsuits filed against the State, its agencies, and its officials in a variety of contexts. The state's position in a civil lawsuit is upheld when the trial court dismisses the lawsuit without awarding monetary damages or other forms of relief against the state, or, when the state prevails at trial. Additionally the state's legal position may also be upheld in a case in which the DOJ determines that justice requires some form of settlement with the opposing party. In those situations, the state's position can be upheld when the state reaches agreement with the opposing party and damages are limited to those required by law.

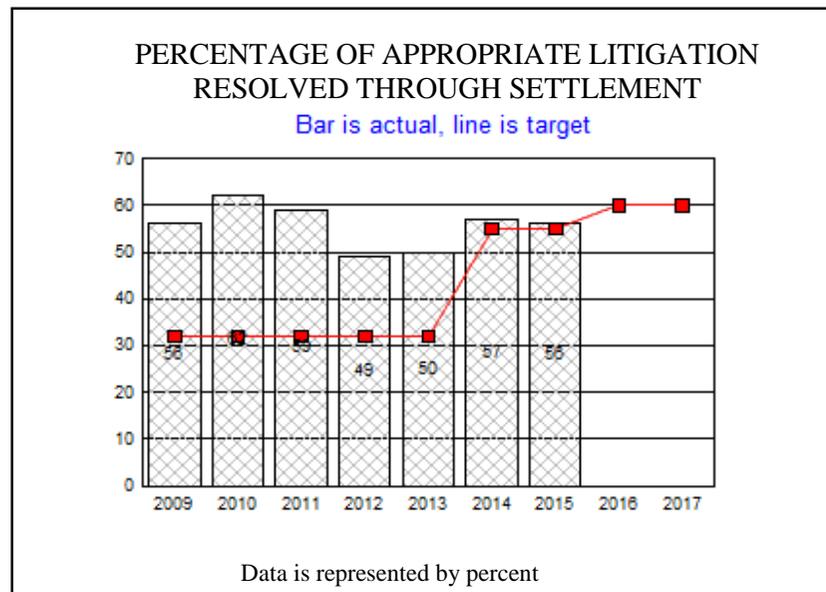
**6. WHAT NEEDS TO BE DONE**

Ongoing analysis and monitoring.

**7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year.

<b>KPM #2</b>	Percentage of appropriate litigation resolved through settlement	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Automated Matter Management System Report and Division Administrator Review	
<b>Owner</b>	Legal Divisions (except Criminal Justice Division)    Contacts: Frederick M. Boss (503) 378-6002, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percentage of appropriate litigation resolved through settlement.

## 2. ABOUT THE TARGETS

Resolving a litigation matter that is subject to negotiation by reaching settlement often provides an effective and efficient method for resolving disputes involving the state. The target was raised during the 2013 legislative session from 32% to 55%.

## 3. HOW WE ARE DOING

The results exceeded the target.

## 4. HOW WE COMPARE

Private sector caseloads are not analogous to DOJ's work. DOJ sought in 2005 and again in 2007, through NAAG, to determine whether any other state Attorney General has established a similar performance measurement; to date, no such state has been identified.

## 5. FACTORS AFFECTING RESULTS

The determination of which cases are appropriate for negotiation and settlement varies between the divisions due to the diversity of caseloads. Not all cases are appropriate for settlement. Many factors contribute to rendering a case inappropriate for settlement. In many instances, opportunity for settlement by the DOJ is limited by the fact that the agency represented in the litigation had attempted to settle the case before referring the case to DOJ. Some litigation may arise only after many other opportunities to vindicate the state's interests have been tried and failed. For example, lawsuits seeking the termination of parental rights are filed after social service agencies have exhausted other interventions intended to protect children. Other cases may be rendered inappropriate for compromise simply by the nature of the state's interest. Settlement may not be possible because of far-reaching policy implications or because federal law precludes settlement. For example, unemployment-benefit cases cannot be settled due to federal restrictions.

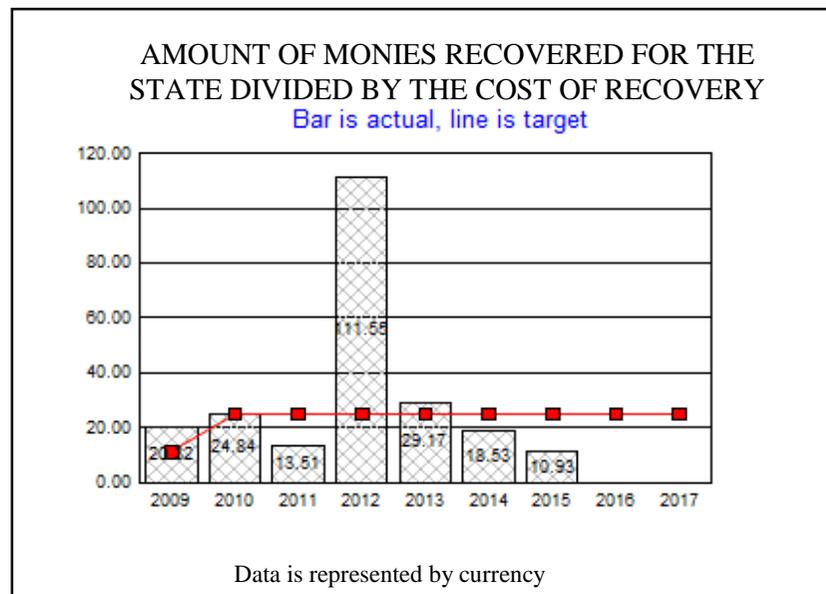
## 6. WHAT NEEDS TO BE DONE

The Department needs to consistently collect data about cases suitable for settlement.

**7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year. The diversity of the overall caseload in the department continues to require a case-by-case analysis in order to count not only those cases considered appropriate for negotiation and settlement but to also determine when a case is won. For example, the data included in this report does not include any cases in connection with our Defense of Criminal Convictions (DCC) Program. Excluded cases are not suited to settlement due to the way the petitioners are choosing to litigate them and the fact that there appears to be little in the way of meaningful terms to negotiate about. The state is generally interested in sustaining criminal convictions in direct appeals from criminal convictions, in state post-conviction relief cases, and in federal habeas corpus cases; the opportunity for negotiation between the convicted criminal and the state generally occurred at the time of the original circuit court trial and before DOJ became involved in the litigation.

<b>KPM #3</b>	Amount of monies recovered for the state divided by the cost of recovery	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Elite System (internal software) and Civil Enforcement Division Collections Log	
<b>Owner</b>	Civil Enforcement Division, Civil Recovery Section      Contacts: Lisa Udland (503) 934-4400, Angie Emmert (503) 934-4400, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the amount of monies recovered for the state divided by the cost of recovery.

## 2. ABOUT THE TARGETS

The ratio of recoveries to the cost of the recovery demonstrates the efficient use of resources to provide high quality legal services to the state. The 2009 Legislature increased the target from \$11.00 in recoveries per dollar spent to \$25.00, beginning in 2010.

## 3. HOW WE ARE DOING

The results were below the target level for the state fiscal year ending June 30, 2015. DOJ recovered \$10.93 per dollar spent, rather than \$25.00 per dollar spent.

## 4. HOW WE COMPARE

DOJ believes its caseload is unique.

## 5. FACTORS AFFECTING RESULTS

Very large claims can skew results. For example, in 2006, DOJ helped recover \$25 million from parties responsible for leaving the New Carissa's rusting hulk on a south coast beach; some of the recovery actually accrued to the state in 2007. In 2012, DOJ received a punitive damages award of \$56 million which significantly skewed the results for FY 2012. Punitive damage awards of this nature are rare and to a certain extent out of DOJ's control.

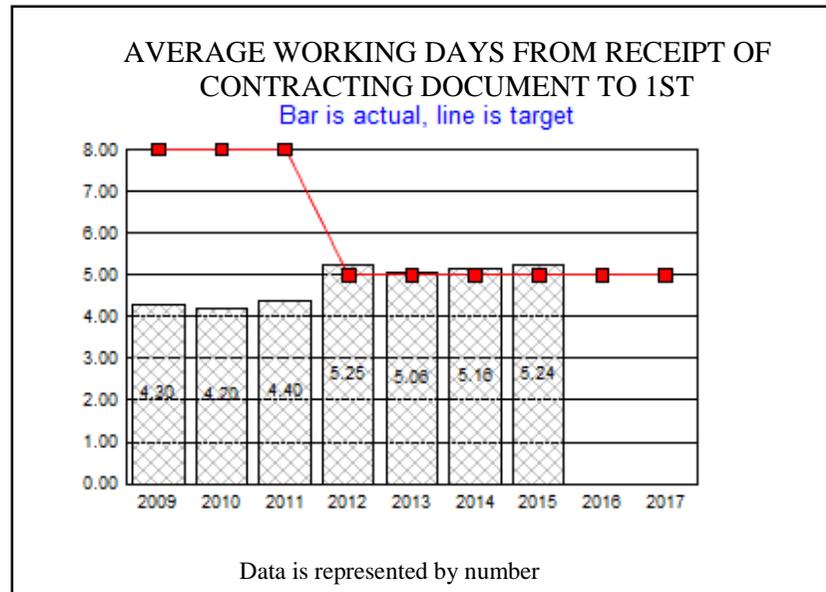
## 6. WHAT NEEDS TO BE DONE

Continue to use legal remedies available and evaluate outcomes for possible improvements in effectiveness and efficiency of DOJ's collections. The Department will continue active participation in the statewide Accounts Receivable Core Committee (ARCC).

## 7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. The cases included in this measure involve any money recovered as a result of the sections legal actions. DOJ only counts those funds recovered that are a result of an action taken by the Department.

<b>KPM #4</b>	Average working days from receipt of contracting document to first substantive response to agency.	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Automated Matter Management System	
<b>Owner</b>	General Counsel Division    Contacts: Steve Wolf (503) 947-4342, Mandy Collingham (503) 947-4342, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the average time from receipt of contracting documents to first substantive response to agency.

## 2. ABOUT THE TARGETS

The speed with which DOJ prepares contracts can be of significance to the requesting agency. This measure helps assess DOJ's performance in relation to that demand. The current target is 5 working days.

## 3. HOW WE ARE DOING

The results were slightly above the target. With this measure, the lower the number the better.

## 4. HOW WE COMPARE

DOJ believes its contract review function is unique.

## 5. FACTORS AFFECTING RESULTS

DOJ continues to exempt categories of contracts from legal sufficiency review. As this process continues, the remaining assignments become increasingly complex. The General Counsel Division continues to monitor work on the remaining types of contracts for additional efficiencies. Other factors to be considered include the variance in state agency resources devoted to the contract process. Some agencies have contract units and contract officers some of whom have a legal/contract background and some of whom received agency-level training. Other agencies do not have this resource available and are more dependent on the involvement of DOJ.

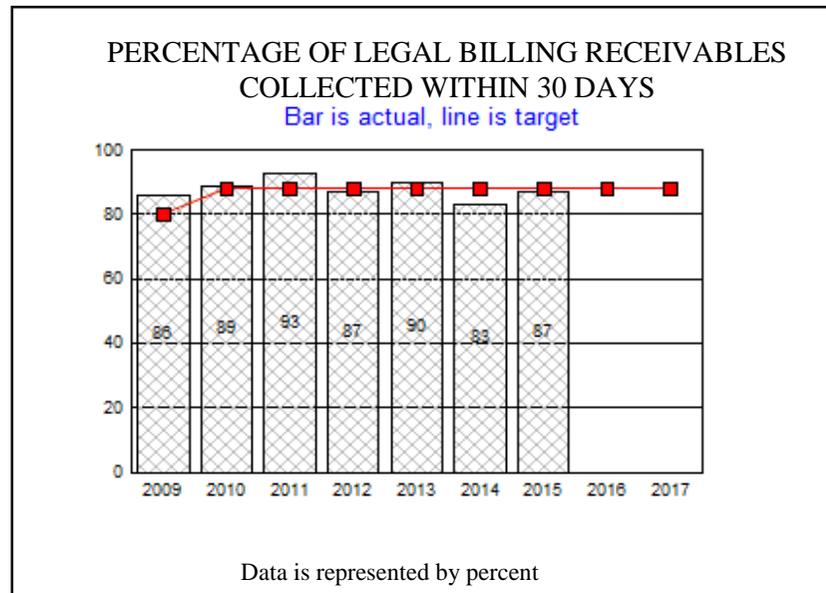
## 6. WHAT NEEDS TO BE DONE

Ongoing analysis and monitoring at the division level. Continued feedback from client agencies. Identify additional means of introducing efficiencies to the legal sufficiency review process. Work with partner agencies to develop forms and templates that will reduce the number of contracts requiring legal sufficiency review and simplify the review process for those contracts that require it.

**7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year. The vast majority of state contracts are processed through DOJ's Business Transactions Section of the General Counsel Division. This ensures as much consistency of process and uniformity of review as possible. There are many types of contracts considered in this process including personal service contracts, intergovernmental agreements, construction contracts, contracts for goods and services, information technology and intellectual property contracts, among others. **\*\*Please note that for this KPM, actual results below the target indicate that the agency is exceeding expectations\*\***

<b>KPM #5</b>	Percentage of legal billings receivables collected within 30 days	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Elite System (internal software) and R*STARS (statewide automated accounting system)	
<b>Owner</b>	Administrative Services Division, Financial Services Section      Contacts: Marc Williams (503) 378-5705, Maria Young (503) 378-5430, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percent of legal billing receivables collected within 30 days.

## 2. ABOUT THE TARGETS

Collecting receivables timely ensures appropriate cash flow and allows the department to provide high quality legal services to state agencies, boards and commissions at the lowest possible cost. State clients pay for legal services only as they use them, following a business model of operation. The current target is 88% which was established by the 2009 legislature.

## 3. HOW WE ARE DOING

The results for the state fiscal year ending June 30, 2015 were below the target level.

## 4. HOW WE COMPARE

DOJ has not yet identified any point of comparison.

## 5. FACTORS AFFECTING RESULTS

Some agencies are heavy consumers of DOJ's legal services. If even one of those agencies fails to timely pay a DOJ invoice, DOJ's performance on this KPM can slip below the target mark.

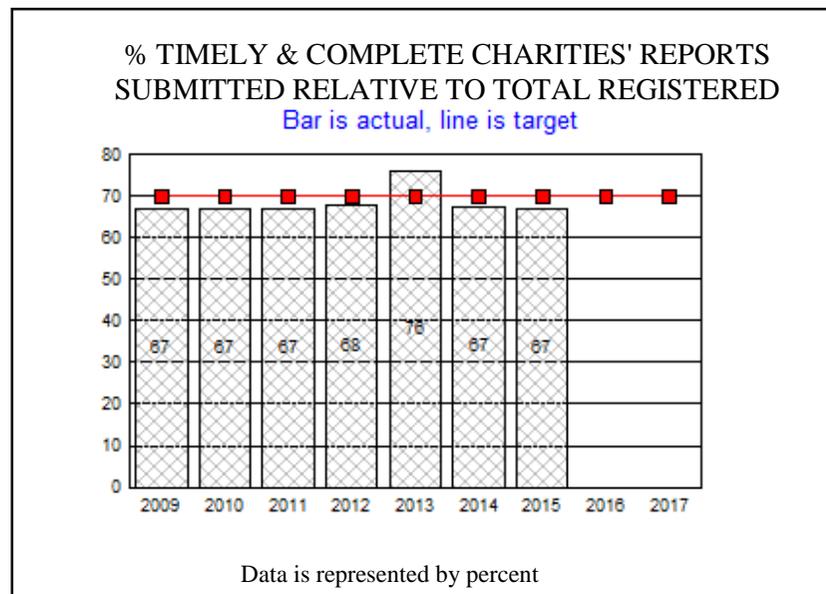
## 6. WHAT NEEDS TO BE DONE

Ongoing monitoring and communications with client agencies.

## 7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year. All attorneys and other legal services personnel routinely enter data into the automated system on billable hours worked. All billing and receivable processing is done centrally through DOJ's Administrative Services Division. Policies are in place to ensure accuracy and appropriateness of billings resulting from the time capture system for legal services personnel. Additionally, monthly reports are shared with Executive Staff on billing trends and any client agency payment or collection issues to allow for timely corrections.

<b>KPM #6</b>	Percentage of timely and complete charities' reports submitted relative to total charities registered	2004
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Charitable Activities Section Database	
<b>Owner</b>	Civil Enforcement Division, Charitable Activities Section      Contacts: Lisa Udland (503) 934-4400, Elizabeth Grant (971) 673-1880, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality legal services to the state by monitoring the percentage of timely and complete charities reports.

**2. ABOUT THE TARGETS**

Reports that are timely and complete demonstrate the effectiveness of education and communication with reporting charities. The current target is 70%.

**3. HOW WE ARE DOING**

The results were slightly below the target for the state fiscal year ending June 30, 2015.

**4. HOW WE COMPARE**

At this time we are not aware of any comparable data in public or private sector.

**5. FACTORS AFFECTING RESULTS**

The legislature reduced the target of this KPM to 70% for the 2005 07 biennium. The measure requires timely and complete reports. DOJ believes the target was established to measure performance on only one element; the timeliness of reports submitted by charities to DOJ. Additionally, for this reporting period the number of charitable organizations in Oregon continued to increase and as of June 30, 2015 there were 18,517 charities required to file reports. DOJ tries to make compliance as easy as possible by publishing reporting forms, training the personnel of charitable organizations, and answering technical assistance questions.

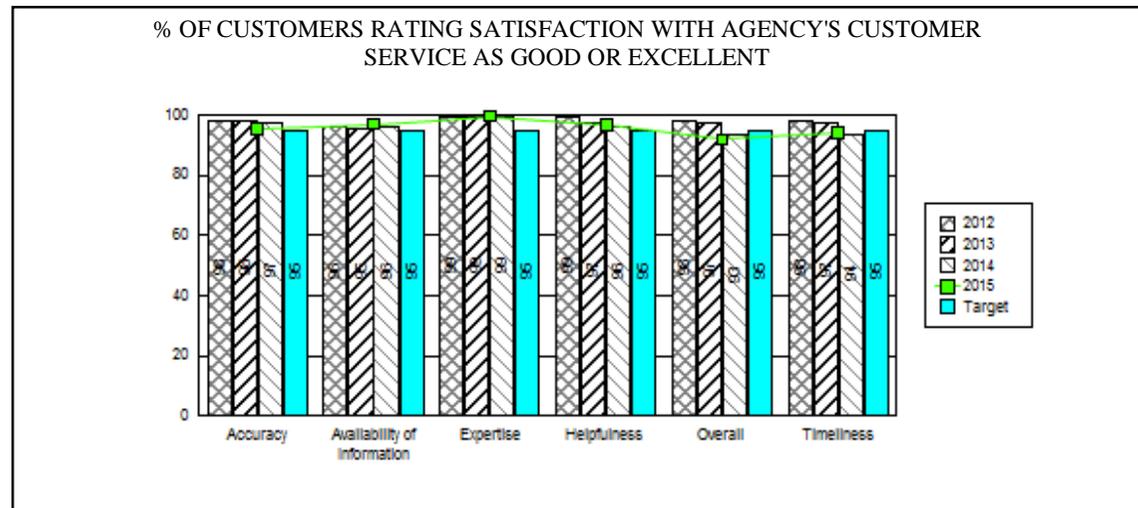
**6. WHAT NEEDS TO BE DONE**

Ongoing analysis and monitoring at the division level.

**7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year.

<b>KPM #7</b>	Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	2004
<b>Goal</b>	Client Satisfaction	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Customer survey using DAS models/standards and facilitated through "SurveyMonkey" software	
<b>Owner</b>	Attorney General      Contacts: Steve Wolf (503) 947-4342, Mandy Collingham (503) 947-4342, Nicole Lara (503) 378-5465. Current survey of legal service customers facilitated by General Counsel Division.	



### 1. OUR STRATEGY

We ask agencies how we can improve; we follow up on those requests and then survey again the following year.

**2. ABOUT THE TARGETS**

Asking client agencies annually about their satisfaction with the legal services provided to them is a direct measure of client satisfaction of a key customer base. This is a performance measure that the Department put in place prior to the implementation of customer service measures on a statewide level. The current target is 95%.

**3. HOW WE ARE DOING**

The aggregate average for the six categories exceeded the target level, with four of the six individual categories exceeding the target. The other two individual categories all came within 3% of the 95% target.

**4. HOW WE COMPARE**

While DOJ has found some private sector statistics on legal services surveys, other caseloads are often not similar overall to the states' work. At this time data from other states Attorneys General are not readily available.

**5. FACTORS AFFECTING RESULTS**

Many things may affect the results for KPM 7. These factors include resources appropriated to DOJ by the Assembly and the complexity of the work in comparison to the length of time allowed to prepare legal advice about the issue.

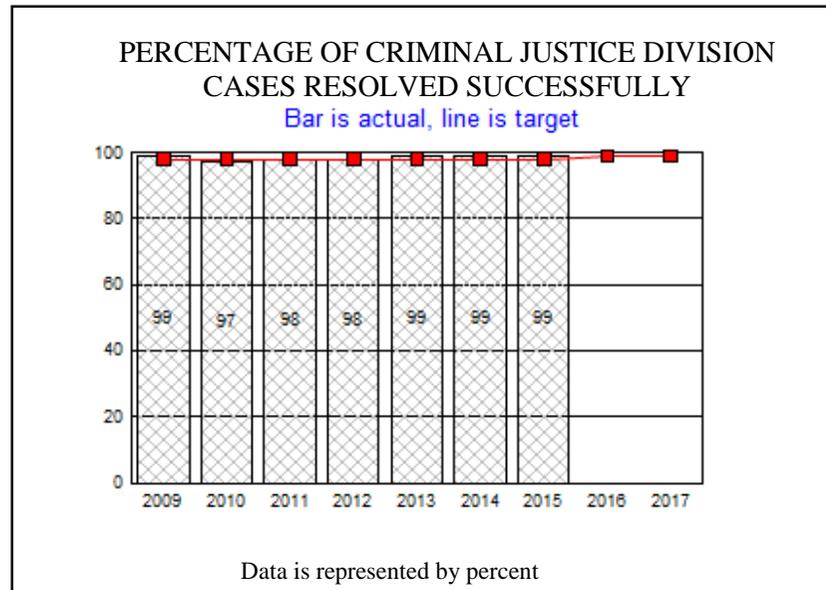
**6. WHAT NEEDS TO BE DONE**

DOJ's senior managers discuss concerns identified in client surveys with managing attorneys and with affected client agencies, and formulate corrective measures where feasible and appropriate.

**7. ABOUT THE DATA**

DOJ conducts one annual survey of our legal customers/client agencies. The survey contains the standardized questions and uses the calendar year approved standard scoring system.

<b>KPM #8</b>	Percentage of Criminal Justice Division cases resolved successfully	2004
<b>Goal</b>	Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime	
<b>Oregon Context</b>	OBM #61 Overall Crime	
<b>Data Source</b>	Automated Matter Management System	
<b>Owner</b>	Criminal Justice Division      Contacts: Darin Tweedt (503) 378-6347, Stephanie Tuttle (503) 378-6347, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by evaluating the percentage of CJ cases resolved successfully.

## 2. ABOUT THE TARGETS

The target encompasses a wide array of cases, from the mundane to the profoundly consequential, such as death penalty prosecutions. The current target is 98%.

## 3. HOW WE ARE DOING

The results exceeded the target.

## 4. HOW WE COMPARE

The Division is responsible for the investigation and prosecution of a very wide range of cases. DOJ is not aware of any other local, state, or federal agency that has a comparable combination of responsibilities.

## 5. FACTORS AFFECTING RESULTS

Because the number of cases resolved in any given year is small (171 in 2015), the outcome in a very small number of cases will be reflected on a percentage basis as an improvement or degradation in performance.

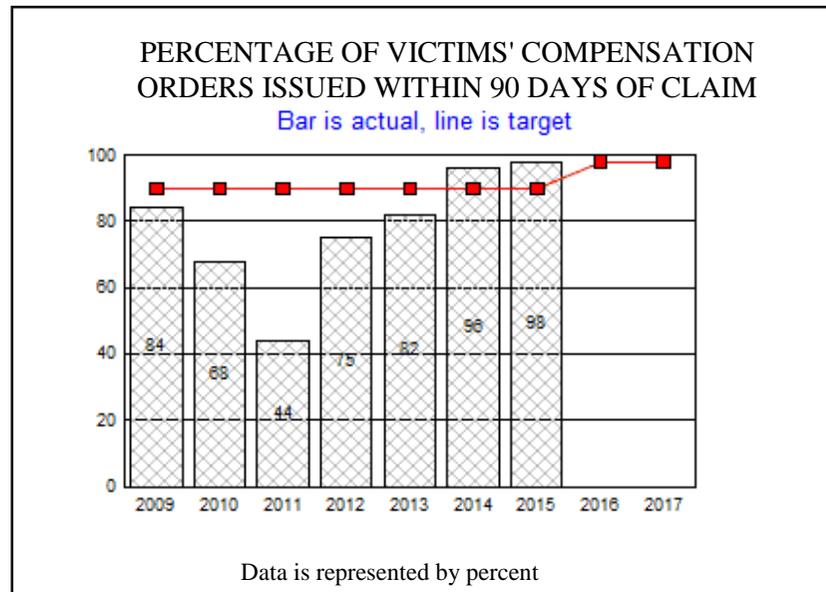
## 6. WHAT NEEDS TO BE DONE

Continue monitoring.

## 7. ABOUT THE DATA

The measure is reported using the Oregon fiscal year. DOJ counts as closed cases that are concluded, final action has been taken and the CJ has taken the formal administrative action of closing the case in the automated matter management system. Cases included in this measure include all criminal matters investigated or prosecuted by division staff. These include cases such as organized crime, internet crimes as well as assistance on cases referred to us by county District Attorneys. A case is counted as unsuccessful if a person who has been charged with a crime is acquitted. A case is resolved successfully if a criminal charge is filed and a court judgment is subsequently entered, finding the suspect guilty; or, after conducting an investigation, it is determined that in the interests of justice a criminal charge should not be filed, or should be dismissed, because the charge is not supported by admissible evidence.

<b>KPM #9</b>	Percentage of crime victims' compensation orders issued within 90 days of claim receipt	2004
<b>Goal</b>	Determine claim compensability within 90 days of receipt, 90% of the time.	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Automated Matter Management System	
<b>Owner</b>	Crime Victims Services Division      Contacts: Shannon Sivell (503) 378-4301, Rebecca Shaw (503) 378-5348, Nicole Lara (503) 378-5465	



**1. OUR STRATEGY**

Monitor the percentage of crime victims' compensation orders issued within 90 days of claim receipt.

**2. ABOUT THE TARGETS**

Victims cannot receive benefits until an order issues. KPM 9 therefore reflects on DOJ's efficiency in timely meeting the needs of the victims of crime. The current target is 90%.

**3. HOW WE ARE DOING**

The results (98%) of the state fiscal year ending June 30, 2015 exceeded the target. Since fiscal year 2012, the results have steadily improved.

**4. HOW WE COMPARE**

DOJ is not aware of any private sector caseloads and services that are similar overall to DOJ's work. Likewise other government services to victims of crime are either tied to our state program, or are not similar in nature. We will continue to monitor the work of others in this area to see if relevant data becomes available.

**5. FACTORS AFFECTING RESULTS**

The number of incoming claims and the number of available staff are two factors which may affect the results.

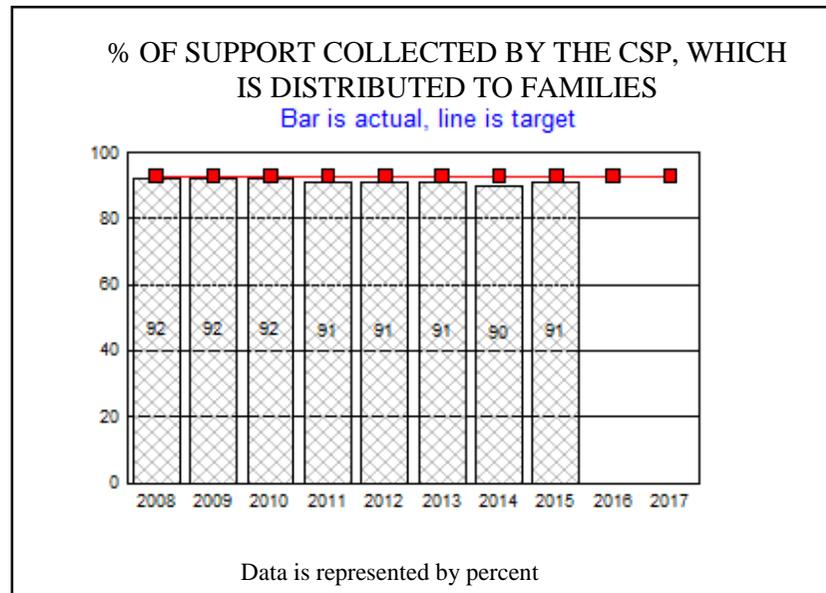
**6. WHAT NEEDS TO BE DONE**

Ongoing analysis and monitoring of claim load and determination rate.

**7. ABOUT THE DATA**

The reporting cycle is using the Oregon fiscal year. The Crime Victims' Services Division counts claims submitted by victims of crime that have been determined eligible or ineligible based on statutory criteria within 90 days of receipt of the actual claim.

<b>KPM #10</b>	Percentage of support collected by the Child Support Program that is distributed to families	2003
<b>Goal</b>	Improve the effectiveness of efforts to increase support distributed to households with children	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Data is retrieved through the Child Support Enforcement Automated System and reported on the OCSE34A federal report.	
<b>Owner</b>	Division of Child Support    Contacts: Kate Cooper Richardson (503) 947-4357, Erin McDaniel (503) 947-4324, Nicole Lara (503) 378-5465	



## 1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by monitoring the percentage of support distributed to families compared to monies retained by the state. Collecting and distributing support to families is a direct measure of the Child Support Program's effectiveness.

## 2. ABOUT THE TARGETS

The current target is 93%.

## 3. HOW WE ARE DOING

Data for the federal fiscal year ending September 30, 2015 is now available. The Child Support Program's performance is 91%.

## 4. HOW WE COMPARE

This is a state level measurement. There is no corresponding federal measurement.

## 5. FACTORS AFFECTING RESULTS

Federal law establishes priorities for the distribution of collected funds. For example, federal law requires that collected funds be distributed first to current ongoing support amounts due to families before any is distributed to reimburse the state for the costs of previously provided public assistance. Since October 2007, federal law has allowed the DOJ to provide a portion of child support payments to be made directly to families receiving public assistance (commonly known as "pass through"). Beginning in late 2009, federal requirements reduced the amount of child support assigned to the state and increased the amounts due to families. Current economic conditions have a direct impact on this measure. As long as employment levels remain low and the quantity of individuals receiving public assistance is elevated, the portion of support assigned and collected for families will remain below target. This measure also tends to lag economic recovery.

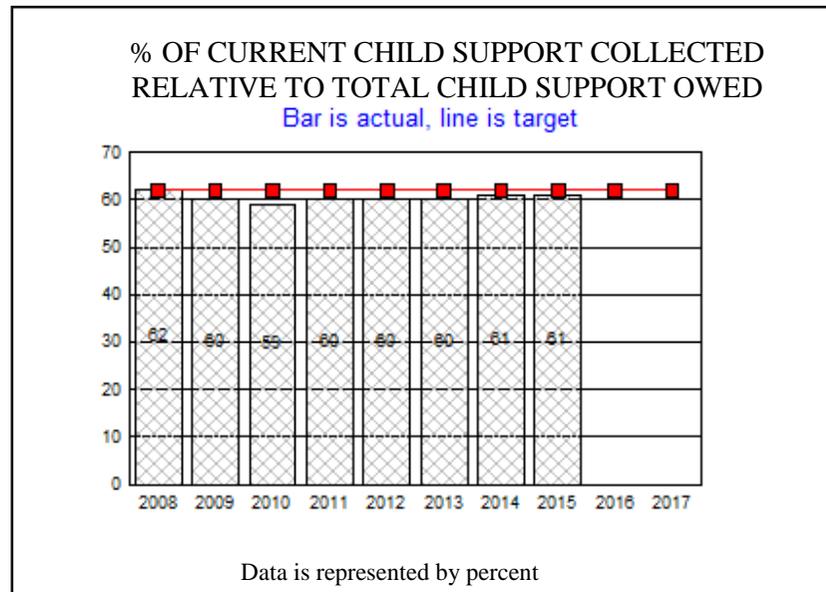
## 6. WHAT NEEDS TO BE DONE

Continue to monitor performance. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are presently not possible. After approval for funding in the 2013 legislative session, the Program began the multi biennial project to replace the child support system. The development and implementation phases of the Child Support System Project are scheduled to continue through 2017.

**7. ABOUT THE DATA**

The reporting cycle is the Federal Fiscal Year (October 1 - September 30). The data in this measure is the percentage of the total support collected by the Child Support Program (both Division of Child Support and District Attorney offices) that is sent to families in Oregon and not kept by the state to reimburse Temporary Assistance to Needy Families (TANF), health assistance programs, Child Welfare (CW), or Oregon Youth Authority (OYA). CW and OYA cases are those in which a child is or has been in qualified state care or custody.

<b>KPM #11</b>	Percentage of current child support collected relative to total child support owed	2003
<b>Goal</b>	Improve the effectiveness of efforts to increase support distributed to households with children	
<b>Oregon Context</b>	Federal Child Support Program Performance Measure	
<b>Data Source</b>	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE157 federal report	
<b>Owner</b>	Division of Child Support    Contacts: Kate Cooper Richardson (503) 947-4357, Erin McDaniel (503) 947-4324, Nicole Lara (503) 378-5465	



## 1. OUR STRATEGY

Improve the effectiveness of efforts to collect and distribute support to households with children by monitoring the percentage of current child support that is collected relative to the total current child support that is due.

## 2. ABOUT THE TARGETS

The current target is 62%, slightly higher than the 2014 regional average (61%) and much higher than the minimum (40%) required by the federal government to qualify for federal incentives.

## 3. HOW WE ARE DOING

Data for the federal fiscal year ending September 30, 2015, is now available. The Child Support Program's performance is 61%.

## 4. HOW WE COMPARE

The published 2014 average for all states in Oregon's region is 61%. The federal government has set 40% as the minimum requirement to qualify for federal incentives.

## 5. FACTORS AFFECTING RESULTS

The amount collected depends in part on the effectiveness and efficiency of the tools available to DOJ under state and federal law for non-custodial parents who are able but unwilling to meet their obligations. Oregon is generally well equipped with the tools required to persuade obligors to fulfill their obligations and to compel them to do so when necessary. The results for KPM 11 are also affected by the reality that a few obligors are willing but unable to pay and the size of this group increased when job losses increased and the economy struggled. This measure tends to lag economic recovery. DOJ's effectiveness in collecting funds from obligors who have the ability to pay depends to a great extent on the resources invested to carry out collection activities. Timing of payments is also a factor. Payments received even one day into the following month do not count as a current support payment.

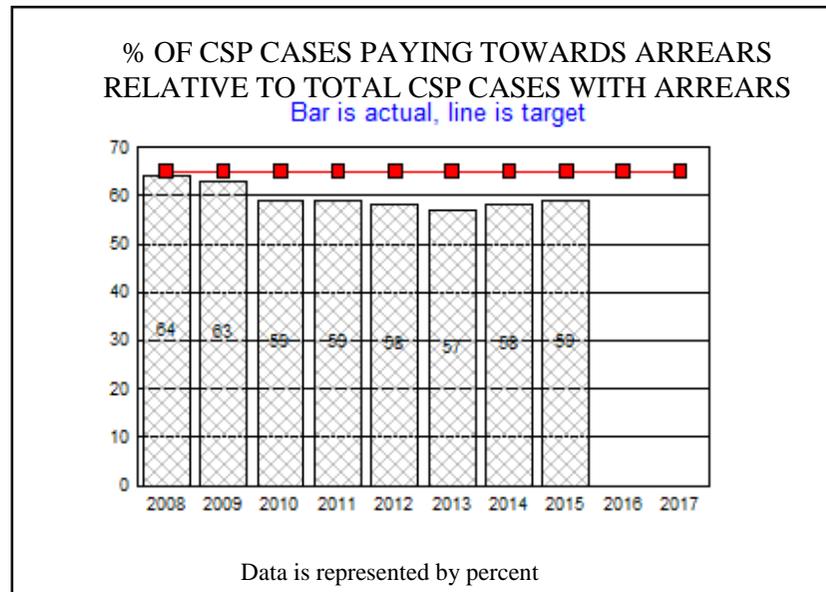
## 6. WHAT NEEDS TO BE DONE

Continue to refine Employer New Hire Data. Continue to work with employers for compliance with the mandatory reporting. Continue to act on new data and promptly issue income withholding orders. Continue with the migration of employers to the Employer Portal, which allows employers to perform web based transactions with the Child Support Program. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are not presently possible. After approval for funding in the 2013 legislative session, the Program began the multi biennial project to replace the child support system. The development and implementation phases of the Child Support System Project are scheduled to continue through 2017.

**7. ABOUT THE DATA**

Based on the federal fiscal year (October 1 - September 30) this measure tracks the percentage of current child support collected relative to current child support due for all cases worked by the Program (the combined total of the Division of Child Support and District Attorney offices). Payments applied to past due support are not included in this measure.

<b>KPM #12</b>	Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due	2003
<b>Goal</b>	Improve the effectiveness of efforts to increase support distributed to households with children	
<b>Oregon Context</b>	Federal Child Support Program Performance Measure	
<b>Data Source</b>	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE157 Federal Report.	
<b>Owner</b>	Division of Child Support    Contacts: Kate Cooper Richardson (503) 947-4357, Erin McDaniel (503) 947-4324, Nicole Lara (503) 378-5465	



## 1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by monitoring the percentage of Child Support Program cases paying towards arrears relative to total Child Support Program cases with arrears due. Prompt enforcement of current support also improves performance by preventing the accrual of arrears.

## 2. ABOUT THE TARGETS

The current target is 65% and is higher than the 2014 regional average (61%) and much higher than the minimum (40%) required by the federal government to qualify for federal incentives.

## 3. HOW WE ARE DOING

Data for the federal fiscal year ending September 30, 2015, is now available. The Child Support Program's performance is 59%.

## 4. HOW WE COMPARE

The published 2014 average for all states in our region is 61%. The federal government has set 40% as the minimum requirement to qualify for federal incentives.

## 5. FACTORS AFFECTING RESULTS

Results for KPM 12 are affected by the same factors that affect KPM 11. The number of cases that carry arrears increases when the economy struggles. The number of parents who cannot pay all or part of the support due increases as well. This equates to additional work needed just to maintain current percentages. Conversely, good economic conditions in general contribute to increased child support collections as noncustodial parents have improved employment opportunities.

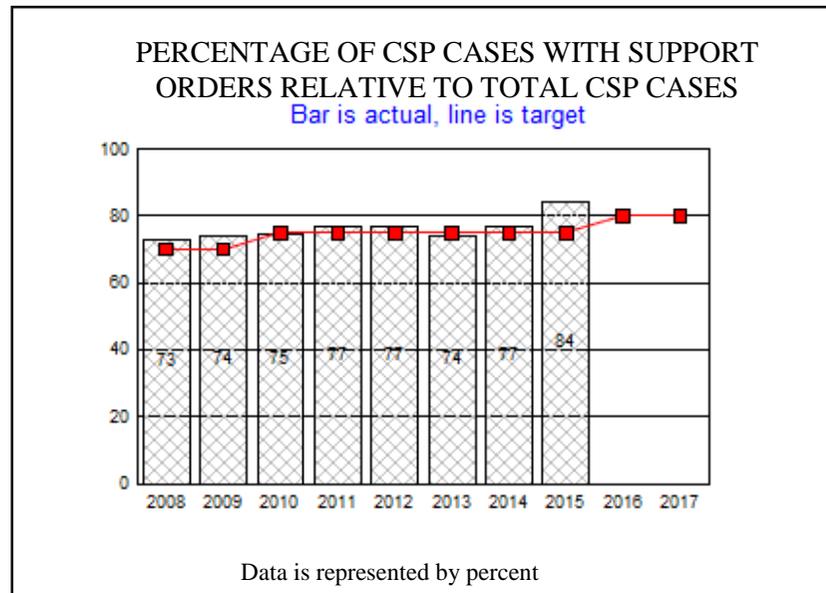
## 6. WHAT NEEDS TO BE DONE

Continue to monitor performance. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are presently not possible. The Program was approved to begin the replacement of the child support system by receiving the initial installment of the necessary funding during the 2013 Legislative session. The development and implementation phases of the Child Support System Project are scheduled to continue through 2017.

**7. ABOUT THE DATA**

The reporting cycle is the federal fiscal year (October 1 - September 30). The data in this measure includes the percentage of child support cases where the Child Support Program received a payment (in any amount) toward past due support. For cases with both ongoing child support and past due support, the obligor's payment toward ongoing support is made before any money is applied toward the past due support. This total is for both the Division of Child Support and the District Attorney offices.

<b>KPM #13</b>	Percentage of Child Support Program cases with support orders relative to total Program cases	2003
<b>Goal</b>	Improve the effectiveness of efforts to increase support distributed to households with children	
<b>Oregon Context</b>	Federal Child Support Program Performance Measure	
<b>Data Source</b>	Data is retrieved from the Child Support Enforcement Automated System and reported on the OCSE157 federal report.	
<b>Owner</b>	Division of Child Support    Contacts: Kate Cooper Richardson, (503) 947-4357, Erin McDaniel 503) 947-4324, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Improve the effectiveness of efforts to increase support distributed to households with children by increasing the percentage of Child Support Program cases with enforceable support orders relative to total Program cases.

## 2. ABOUT THE TARGETS

The current target is 75% and is lower than the 2014 regional average (86%) but much higher than the minimum (50%) required by the federal government to qualify for federal incentives. The target for the 2009 11 biennium was set at 75% by the legislature and that target has remained.

## 3. HOW WE ARE DOING

Data for the federal fiscal year ending September 30, 2015, is now available. The Child Support Program's performance is 84%.

## 4. HOW WE COMPARE

The published 2014 average for all states in our region is 86%. The federal government has set 50% as the minimum requirement to qualify for federal incentives

## 5. FACTORS AFFECTING RESULTS

Efforts to enhance and streamline the order establishment process will have a positive impact on this measure. Working more closely with customers to establish fair and equitable orders in a collaborative effort will assist as well. The Child Support Program continues to close cases in which no services are required. All of these factors will affect future results for KPM 13.

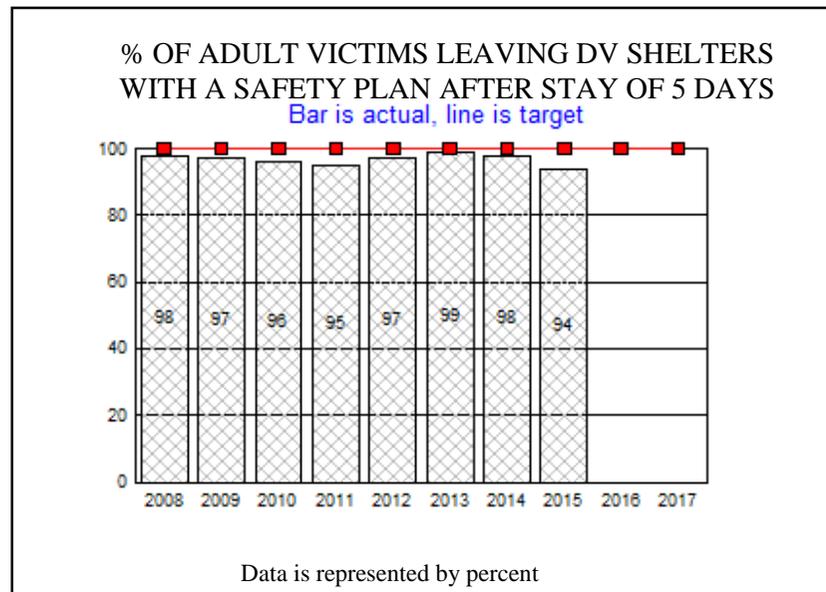
## 6. WHAT NEEDS TO BE DONE

Continue to monitor performance. Continue the review and implementation of administrative process innovations. The Program's case management system is one of the oldest in the country and is in need of replacement. Replacement of the system will allow for performance improvements that are not presently possible. After approval for funding in the 2013 legislative session, the Program began the multi biennial project to replace the child support system. The development and implementation phases of the Child Support System Project are scheduled to continue through 2017.

**7. ABOUT THE DATA**

The reporting cycle is the federal fiscal year (October 1 - September 30). The data in this measure looks at the total Child Support Program caseload (both the Division of Child Support and District Attorney offices) and takes the percentage of child support cases in which there is an order addressing support and/or medical provisions.

<b>KPM #14</b>	Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more	2006
<b>Goal</b>	Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	The Oregon Department of Human Services collects data monthly through domestic violence grant reports which are submitted semi-annually to DOJ.	
<b>Owner</b>	Crime Victims Services Division      Contacts: Shannon Sivell (503) 378-4301, Mike Maryanov (503) 378-5348, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by monitoring the percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more.

## **2. ABOUT THE TARGETS**

Private non-profit agencies provide direct shelter services to domestic violence victims in Oregon. The current target is 100% and was established after examination of data from 2006.

## **3. HOW WE ARE DOING**

The results (94%) for the state fiscal year ending June 30, 2015 are short of meeting the target.

## **4. HOW WE COMPARE**

DOJ has not yet identified any point of comparison for KPM 14.

## **5. FACTORS AFFECTING RESULTS**

DOJ makes grants to support domestic violence shelters. The shelters are operated by private non-profit agencies, not DOJ personnel. The result measured by KPM 14 is, therefore, affected directly by personnel who do not serve under the Attorney General's direction or control. DOJ does influence the results indirectly through grant funding agreements establishing DOJ's expectations of the grantees.

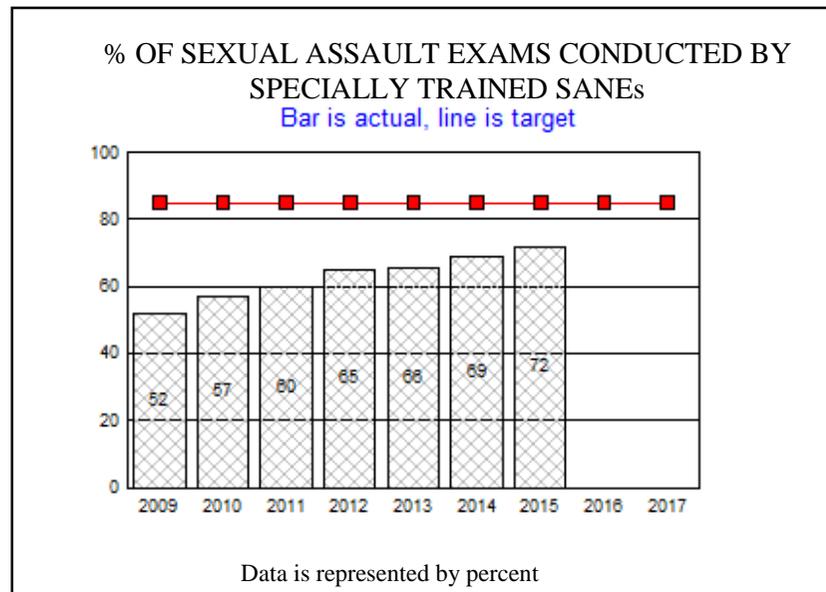
## **6. WHAT NEEDS TO BE DONE**

Data collection, analysis, and monitoring and collaboration with DHS, advocacy groups, shelters and the Attorney General's Sexual Assault Task Force.

## **7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year.

<b>KPM #15</b>	Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)	2006
<b>Goal</b>	Enhance public safety by identifying, investigating, and prosecuting criminal activity and support the victims of crime	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Data is based on the number of payment requests submitted to the Sexual Assault Victims Emergency Medical Response (SAVE) Fund for rape kits. Further data is collected from the Oregon State Police Crime Labs where rape kits are processed.	
<b>Owner</b>	Crime Victims Services Division    Contacts: Shannon Sivell, (503) 378-4301, Rebecca Shaw (503) 378-5348, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Enhance public safety by identifying, investigating, and prosecuting criminal activity and supporting the victims of crime by monitoring the percent of sexual

assault exams conducted by specially trained SANEs.

## **2. ABOUT THE TARGETS**

SANEs are specially trained to conduct examinations of victims of sexual assault. The current target is 85%.

## **3. HOW WE ARE DOING**

The state has not met this target.

## **4. HOW WE COMPARE**

DOJ has not yet identified any point of comparison for KPM 15.

## **5. FACTORS AFFECTING RESULTS**

DOJ administers the Sexual Assault Victims Emergency Medical Response (SAVE) Fund. The SAVE Fund helps offset costs arising from SANE training and from the examination of victims of sexual assault by trained SANEs. The SANEs are employed by health care providers; they are not DOJ personnel. The result measured by KPM 15 is, therefore, affected directly by personnel who do not serve under the Attorney General's direction or control. The availability of SANEs is still an issue in some areas of the state, due to both geographic challenges and lack of funding for 24-hour coverage. The ongoing training provided by the Attorney General's Sexual Assault Task Force to certify more SANEs is a critical element contributing to this measure. There are approximately 135 trained SANEs in Oregon. There will always be a need for ongoing training as SANE certifications expire after 3 years. From the inception of the SANE program, DOJ has known that it would take several years to build up the necessary resources statewide to reach this target level.

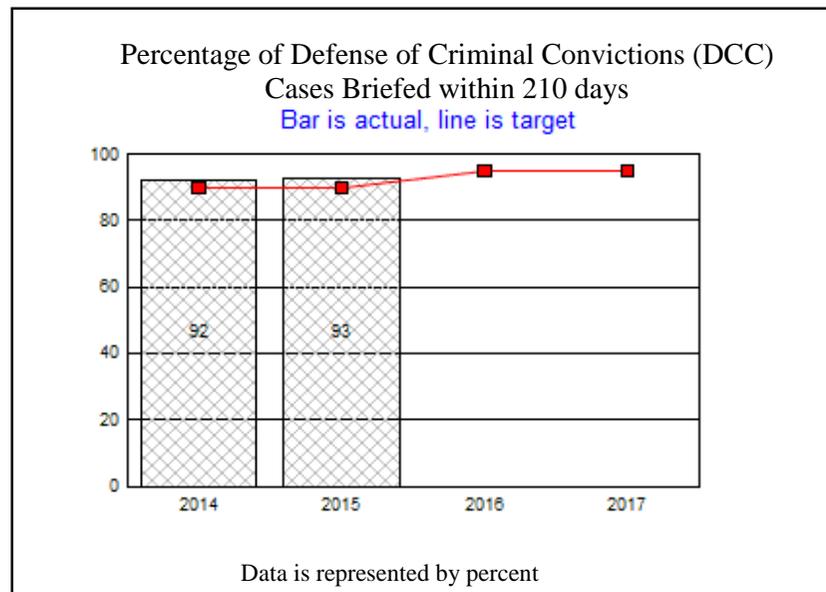
## **6. WHAT NEEDS TO BE DONE**

In order to increase the number of sexual assault examinations administered by a SANE trained nurse, the state needs to increase funding for the program so that more county medical personnel have access to the training to certify a nurse. The SAVE Fund is funded by punitive damages and a federal "match" grant.

**7. ABOUT THE DATA**

The reporting cycle is the Oregon fiscal year.

<b>KPM #16</b>	Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days.	2013
<b>Goal</b>	Efficiently provide highest quality legal services to the state	
<b>Oregon Context</b>	Mission	
<b>Data Source</b>	Automated Matter Management System	
<b>Owner</b>	Appellate Division      Contacts: Anna Joyce (503) 378-4402, Michael Casper (503) 378-4402, Nicole Lara (503) 378-5465	



### 1. OUR STRATEGY

Efficiently provide the highest quality of legal services to the state by monitoring the percentage of DCC cases briefed within 210 days.

## 2. ABOUT THE TARGETS

This is a new measure approved by the 2013 Legislative Assembly. The reporting of actual results commenced with the state fiscal year ending June 30, 2015. The target is 90%.

## 3. HOW WE ARE DOING

The results for the state fiscal year ending June 30, 2015 exceeded the target.

## 4. HOW WE COMPARE

Private sector caseloads are not analogous to DOJ's work so comparison is extremely difficult. We work with the court and with the public defenders' office to minimize backlog of cases in the system and to speed the processing of all DCC cases.

## 5. FACTORS AFFECTING RESULTS

This KPM represents how efficiently we are briefing cases and keeping up with the number of cases coming in. We categorize cases in terms of difficulty and then set a target time for attorneys to spend briefing cases in each of the categories. We have no control over the number of cases that we respond to, but we can control our productivity by adjusting the time we devote to each case. By maintaining adequate staffing, we can remain efficient while effectively representing the state's interests. With a new panel on the Court of Appeals, we expect the Court to process its own backlog more quickly, and this could require us to brief cases more quickly in the future.

## 6. WHAT NEEDS TO BE DONE

Ongoing monitoring and analysis.

## 7. ABOUT THE DATA

The reporting cycle is the Oregon fiscal year.

<b>JUSTICE, DEPARTMENT of</b>	<b>III. USING PERFORMANCE DATA</b>
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**Agency Mission:** The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

<b>Contact:</b> Frederick M. Boss	<b>Contact Phone:</b> 503-378-6002
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<b>Alternate:</b> Nicole Lara	<b>Alternate Phone:</b> 503-378-5465
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**The following questions indicate how performance measures and data are used for management and accountability purposes.**

<p><b>1. INCLUSIVITY</b></p>	<p><b>* Staff :</b> When developing the original key performance measures (KPMs), Division Administrators and an internal committee solicited information and feedback from within individual sections as well as across division lines. Each division reviewed its own measurements with staff and DOJ's Executive Staff approved the KPMs. Currently a position within DOJ has responsibility to coordinate the KPM process for the department. Key personnel within the divisions, often Management Assistants, play an integral role in compiling and reviewing the KPM data. Administrators take an active role in reviewing the Annual Performance Progress Report (APPR) and actively review their division's performance results and share those results with their staff. The Deputy Attorney General reviews and approves the APPR before it is declared final. The approved APPR is posted on DOJ's intranet for staff viewing.</p> <p><b>* Elected Officials:</b> The Attorney General approved the original KPMs and these were proposed to the Oregon State Legislature during the 2003 legislative session. The Legislature adopted the proposed KPMs during the 2003 session. During the 2005 legislative session two new KPMs were added related to victims' services. The Legislative Assembly established the targets for all the measures. The Assembly adjusted targets during the 2007 legislative session and made one more adjustment during the 2011 session. During the 2013 session the Legislature approved a new measure having to do with Defense of Criminal Convictions. The Legislative Fiscal Office (LFO) periodically reviews the targets to ensure that they are still at reasonable levels, and, makes recommendations to change (adjust) the targets when warranted. During each budgetary cycle legislators are apprised of the KPMs and their results.</p> <p><b>* Stakeholders:</b> Stakeholders from partner agencies participated in the development of relevant key performance measures. The most recent APPR is posted on the DOJ website for stakeholders to see.</p> <p><b>* Citizens:</b> The most recent APPR is posted on DOJ's website for interested citizens to see.</p>
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<p><b>2 MANAGING FOR RESULTS</b></p>	<p>KPMs help DOJ Management recognize strengths and focus attention on areas needing improvement. They help assess the effects of budget decisions and workload changes. KPM targets in particular help hold DOJ Management accountable. The Child Support Program measures help satisfy federal mandates that must be met if federal funding of the Program is to be continued. Division Administrators use performance results to assess the quality of their division's services, how efficient those services are, and how effective. Client satisfaction is an example of a quality measure. Turnaround time for contracts and how efficient the legal divisions are with regards to providing high quality legal services are examples of efficiency measures. Determining the effectiveness of efforts to increase support distributed to households with children is an example of an effectiveness measure.</p>
<p><b>3 STAFF TRAINING</b></p>	<p>Managers advise staff of the KPMs and in many divisions staff members are directly involved in the data collection or direct daily implementation of the measures. DOJ Management has made a commitment to process improvements and to finding more efficient ways to do things. Expectations in those areas have been shared with employees and managers encourage their employees to bring forth ideas on how to do things more efficiently. Staff are encouraged to attend trainings and participate in developmental opportunities that will be beneficial to the department as it continually looks for ways to improve the quality of its services and to do things more efficiently and effectively.</p>
<p><b>4 COMMUNICATING RESULTS</b></p>	<ul style="list-style-type: none"> <li>* <b>Staff :</b> The Department communicates results through several forums. Some divisions provide regular reports at staff meetings while other divisions rely on the reports posted on DOJ's intranet and/or distributed through Executive Staff.</li> <li>* <b>Elected Officials:</b> KPM results are communicated primarily to the Legislature through the budgetary process.</li> <li>* <b>Stakeholders:</b> KPM results are communicated to public and private stakeholders upon request and through posting the most current APPR on DOJ's website. Additionally, members of DOJ work with and communicate results of KPMs with members of DAS and the LFO.</li> <li>* <b>Citizens:</b> KPM results are communicated to citizens upon request and through posting the most current APPR on DOJ's website.</li> </ul>