

Office of the State Public Defender Administrative Policies

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1.0 POLICY

The Office of the State Public Defender is committed to ensuring that all public defenders, whether state-employed or independent contract attorney, comply with the *Standards for Counsel Representing Individuals Pursuant to the Montana Public Defender Act* (hereinafter referred to as "Standards.")

2.0 PROCEDURE

2.1 The Regional Deputy Public Defender is responsible for day to day monitoring of each attorney's compliance with the Standards.

2.2 The Training Officer or his/her designee will conduct random compliance checks as follows:

2.2.1 The Training Officer will call or visit with not less than 10 public defenders per month on a random basis.

2.2.2 Prior to contacting the public defender, the Training Officer will select three of the attorney's recently closed cases for discussion and review of compliance with the Standards.

2.2.3 If the public defender is not in compliance, the Training Office will discuss the failing with the public defender. The Training Officer will also identify training issues and develop a training plan for the region, to be shared with the Regional Deputy Public Defender and the Chief Public Defender.

2.2.4 The Training Officer shall keep a record of each contact made and the results of the compliance review.

2.3 The Chief Appellate Defender shall be responsible for alerting the Training Officer if any appellate attorney notes non-compliance with the Standards during review of a transcript.

3.0 CLOSING

Questions about this policy should be directed to the OPD at the following address:

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