



MONTANA STATE PUBLIC DEFENDER

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publicdefender.mt.gov

January 19, 2021

Representative Bill Mercer
State Capitol Building
P.O. Box 200400
Helena, MT 59620-0400

Dear Representative Mercer:

As requested in the January 18, 2021 Joint Appropriations Subcommittee Section D Hearing to OPD is providing the following additional information:

- Job description of the agency's Social Worker positions
 - Please see attachment labeled: *Case Manager – Social Worker Job Description*
 - Note: this position's requirements were changed in reclassifications done in 2020. Currently, a high school diploma with years of experience is minimum rather than bachelor's degree as prior job description required
- Data on contractor costs from FY 2015 to FY 2021, impact of vacancy on costs
 - Please see attachment labeled: *Contract Attorney Costs, FTE Allocation, Vacancy Rates*
- Treatment court, DUI court, etc. costs to OPD in FY 2019 (additional information below)
- FTE Distributed Statewide per office
 - Please see attachment labeled: *OPD Positions and Wages by Office, Division*
- Pay rates by position
 - Please see attachment labeled: *OPD FTE by Division and Wage Ranges*
 - We are also providing the *OPD Bargaining Unit Pay Matrix* which applies only to positions in bargaining unit but includes information for classifications
- Agency feedback on where efficiencies can be possible within the court system including ideas & cost proposals
 - Please see attachment labeled: *CJ Efficiency Recommendations*
- A list of lease increases including the location of those increases
 - Please see attachment labeled: *OPD Leases Information*
- A copy of the eligibility form for those seeking OPD's services
 - Please see attachments labeled: *OPD Application* and *Policy 105 – Indigency Policy/Eligibility Determination* (reflects current poverty guidelines for 2021)
- Public defender fees assessed by court
 - Please see attachment labeled: *OPD Fee Assessments*, which is broken down by county and the court which assessed the fee
 - We are also providing *PD Fee Collections*, for FYs 2018, 2019 and 2020
- Agencies OPD is responsive to (additional information below)

We provide effective professional legal services with equal access to quality client-centered representation.



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Treatment Court Costs to OPD

Statewide, there are currently 27 district court treatment courts and nine lower court treatment courts. Three additional treatment courts (two in district court and one in lower court) will be added in 2021, in Billings and Ravalli County. Of the 27 district courts, we currently staff 16 treatment courts with full time employees and eight with contractors, three are private attorneys. In the lower court treatment courts, one has a private attorney, three have no attorney, and five are currently unknown.

Each treatment court staffed by FTE costs OPD approximately \$16,500 per year. The contractor costs for treatment courts in FY 19 was \$103,550. During FY 19 OPD was reimbursed \$6,000 in treatment court costs.

Agencies/Entities OPD is Involved With

- Courts
 - District Courts (56)
 - Justice Courts (56)
 - City Courts (60)
 - Municipal Courts (7)
 - Supreme Courts (2, one for Sentence Review cases)
- Prosecution Entities
 - County Attorneys (56)
 - City Attorneys (67)
 - Attorney General (1)
- Law Enforcement Entities (local)
 - Campus Police
 - City Police
 - County Sheriffs
 - Fish, Wildlife, and Parks Law Enforcement
 - Highway Patrol
 - Inter-agency Law Enforcement Task Forces
 - Tribal Police
- City/County Detention Centers
- Montana State Agencies
 - Department of Corrections
 - All Facilities, state-owned and contracted (22 facilities statewide)
 - Includes prisons, pre-release centers, youth correctional facility, WATCH programs, and correctional treatment facilities
 - Probation & Parole (23 offices statewide)
 - Montana Board of Crime Control
 - Department of Public Health and Human Services
 - Child and Family Services Division



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- Assistance Programs
 - Supplemental Nutrition and Assistance Program (SNAP)
 - Temporary Assistance for Needy Families (TANF)
 - Montana Medicaid
- Adult Protective Services
- Addictive & Mental Disorders
 - Montana State Hospital
 - Montana Chemical Dependency Center
- Department of Justice
 - Division of Criminal Investigation
 - Attorney General's Office
 - State Crime Lab
- Judicial Branch, Office of Court Administrator
 - Pre-trial services
 - Juvenile probation
- Federal Entities
 - Drug Task Force Units
 - Federal Probation and Parole
 - Federal Defenders
 - U.S. Immigration and Customs Enforcement
- Private or Contracted Entities
 - Testing/compliance entities
 - Misdemeanor supervision services
- Additional Justice System Stakeholders in Consistent Contact with OPD
 - CASAs or GALs
 - Montana Bar
 - Office of Disciplinary Counsel
 - Mental health or addiction service providers working with clients
 - Criminal Justice Oversight Council
 - American Civil Liberties Union
 - Montana Innocence Project

I hope this information is useful and I am available for future questions.

Sincerely,

Rhonda Lindquist, Director