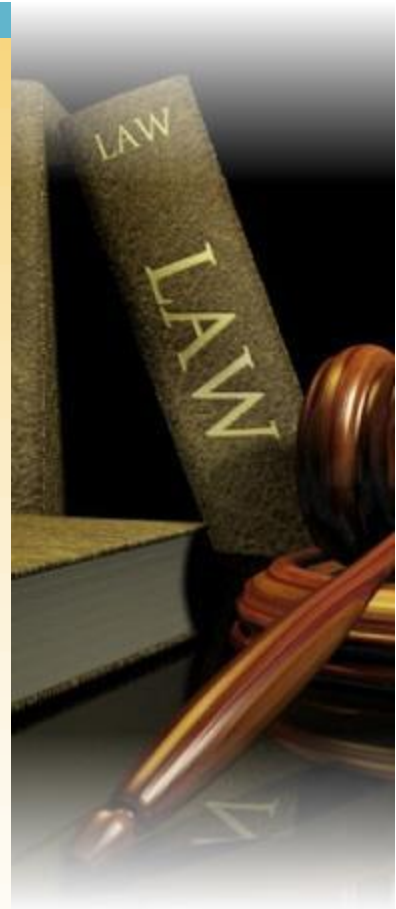




PUBLIC DEFENDER NEWS



Rhonda Schaffer, Director

What Does the Future Hold for OPD?

Opportunities.

HB 133 provided a relief valve for misdemeanor crimes not requiring jail time and the caseload statistics are beginning to validate those changes. At the end of fiscal year 2018 the caseload numbers will be analyzed separating out courts of limited jurisdiction, district courts and dependent neglect cases. This will provide a five-year average as well as showing the impact of HB 133. Very exciting.

These numbers are significant as we talk about system changes, accomplishments and how we move forward as an organization. If all the caseload data is combined to define a system increase/decrease, the cause and effect of legislation and justice reform can be lost.

In addition, it is important that we have the discussion involving caseload vs. workload, case weighting and what is the best approach.

During the next few months we will continue identifying opportunities and challenges. As we know some of the challenges will be out of our control, however, the goal will be to find the best solutions for our agency.

Thank you for your dedication. Thank you for doing the impossible. Our work is extremely important and could not be done without you.

It is time for us all to stand and cheer for the doer, the achiever—the one who recognizes the challenges and does something about it. —Vince Lombardi

Rhonda

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Special points of interest

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- Celebrating Public Defense

Update from the Central Services Team

Carleen Green, Division Administrator

It's hard to believe the end of fiscal year 2018 is upon us already! Our Accounting Supervisor, Malia Soyland and her staff (Traci, Stacy, Bekki, and Nikki) are hard at work to make the fiscal year end processes easier on all of us. Between closing cases, attorney time data and contractor accruals, they are keeping us all busy!

The legislative auditors have been visiting the central office and gathering documentation. They are auditing fiscal years 2017 and 2018 and could possibly have questions for some of you. They will be working on our audit through the summer and finalize their report sometime in the fall. We will keep you posted on any updates.



We've been working on our eligibility processes and will implement some changes on July 1. Thank you to all who participated in our meeting in May. Your input has been invaluable.

Brett and Emily have been busy with all things Quality Control/Contract Management. They will be using the State Procurement Bureau's new eMACS system to manage our contracts more efficiently. Brett sent a survey to our contract attorneys asking for their input on case audits and the case closing form. These are just a few of the many things they are working on to streamline processes.

Budgeting for the 2021 Biennium (FY 2020 and FY 2021) is underway and you'll be hearing a lot more about that as we move toward the legislative session in January.

You all work so hard out there supporting OPD's mission, don't forget to take some time to enjoy the nice weather we are finally starting to have! Thank you all and have a happy and safe 4th of July!



Released—When Does the Sentence End?

In case you missed this fine documentary that Peter Ohman shared with us a few weeks ago, here is the link: <https://www.youtube.com/watch?v=eRMndeQCacY>

It was put together by the U.S. Attorney's Office for Northern Georgia and tells the stories of our clients and the huge challenges they face when released from prison. Definitely worth a watch.

Life-Balance Resources

Anna Pietrzyk,
Helena Regional Office

I am slightly obsessed with listening to Harvard Business Review podcasts (<https://hbr.org/podcasts>). I recently heard one based around being authentic and diverse in the workplace. Our office is good at doing that, and it was refreshing to have that reminder that it's important.

I also enjoy their "Women at Work" series. Sometimes an article or podcast is that little boost I need to get on my A-game and not get overwhelmed with the stacks of work to do. Other topics on their website include everything from Managing People and Leadership to Work-Life Balance and Productivity. Explore and enjoy!



*And don't forget these **EAP resources** available to all employees.*

Free. Fast. Confidential.

- Childcare Services
- Adult and Eldercare Services
- Legal Services
- Financial Services
- Mediation Services
- Will Kit
- Home Ownership Program
- Identity Theft Services

More information on the Employee Assistance Program is available [here](#).

OPD in an Age of Reform

Peter Ohman, Public Defender Division Administrator

Here in Montana we are in the early stages of Justice Reinvestment. While the effort takes many forms one program currently being rolled out is the Pretrial Diversion Program. By using a validated assessment tool – the Public Safety Assessment (PSA) – courts will be able to objectively evaluate a defendant’s potential for reappearance at future court dates and risk to commit new offenses. The goal is to identify defendants appropriate for release without pretrial supervision, those that need a lower level of supervision while their case is pending, and others who warrant a high level of pretrial monitoring. From an indigent defense perspective there is also the hope such data driven practices will render monetary bail moot – a system that results in many of our clients being incarcerated simply because they are poor.

Speaking of monetary bail and a better justice system, I was fortunate to recently attend the National Legal Aid and Defender Association’s Community Oriented Defender Conference. The program focused on holistic defense and the need for us to not only defend our clients in the adversarial legal sense, but also to consider what we can do to work towards helping them turn their behavior around.

And while public defense often feels like a lonely calling, you should all know we are not alone in our efforts. Super Bowl champs Malcolm Jenkins and Chris Long showed up at the conference to voice their support for what we do. These guys could be spending the summer sitting around their pools collecting their millions, but instead they’re out advocating for social justice and a fairer judicial system. To them and *all of you* working to uphold the Constitution and help the most marginalized in our society – well done!

Word Tips and Tricks

Undo Automatic Changes

By default, Word imposes lots of changes on the text you enter in a document. For example, it might convert a Web address to a hyperlink, replace straight apostrophes and quotation marks with their curly counterparts, or turn a pair of hyphens into an em dash. If that's a welcome convenience, you're in good shape. If you want to suppress those types of changes, you can disable them. See [10 annoying Word features \(and how to turn them off\)](#) for details. But if you want to prevent those changes only from time to time, reach for the Undo command — [Ctrl]Z. Undo isn't just for reversing something you've done; it also undoes some of the actions Word takes. Don't want that em dash? When Word inserts it, hit [Ctrl]Z and change it back to the hyphens you intended to enter.



Super Bowl champs Malcolm Jenkins and Chris Long at the NACDL Community Oriented Defender Conference

Training News

Nate McConnell, Training Coordinator

Since we last spoke, the Training Division has been busy. To build on the momentum of the New Attorney Trial Skills training, the Advanced Trial Skills training, and an ethics webinar, the Training Department is kicking off the 2019 fiscal year with a renewed emphasis on providing materials and webinars on a consistent basis. We've utilized the OneDrive to upload materials on

Sentence Review and E-carceration (electronic monitoring). If you need help accessing OneDrive, contact Deputy Training Coordinator Brent Getty and he'll make sure that you're connected.



We have several trainings in the pipeline, including:

Webinars

- Sentence Review, by Brent Getty, June 28
- Winning Drug Residue Cases, by Liam Gallagher, July 20
- Joint OPD/MTACDL Criminal Defense Gridiron CLE, September 14 (Bozeman)
- New Attorney Trial Skills, September 19-21 (Helena)
- OPD Annual Conference, October 16-17 (Missoula)

I've had the privilege of meeting with folks from several of the regions in the past several weeks and look forward to continuing to introduce myself. You will also get to know our new training assistant, Sharon Reed, going forward.

I welcome your suggestions on training needs or other materials that we can use to help you all do your jobs. You can contact me at nate.mcConnell@mt.gov or Brent at bgetty@mt.gov.

Support Your Community!



In early May, a group from Region 5 (Butte) and their significant others attended the Tails on Trails dog walk to support Albert's Angel Fund at the Chelsea Bailey Animal Shelter. Albert's Angel Fund is a 501(c)(3) non-profit that gives adoptable Butte animals a chance at a happy and healthy life by providing them with life-saving medical care. For more information, go to <http://albertsangelfund.org/>.

Who We Are

Cathy Doyle and Barb Kain, Central Services

Recently, someone expressed interest in knowing who works in other OPD offices and how long they have been with the agency. Their particular office has very high turnover, and one of their new employees was excited to hear that three of their support staff have been with OPD for two years or more. So, here are some tidbits about OPD's workforce.

Thirty-five of our 290 employees have been with OPD since July 2006 (when the agency launched) or before. Fifteen more came on later in 2006 or 2007. That represents 17% of the workforce, including lawyers, support staff, managers and Central Services staff. It also includes folks from some of the smallest (based on FTE) regions—Cathy Huston, our investigator in Havre, and Gail Hikel, the office manager in Lewistown, are part of that group. Some of those folks have held multiple positions with the agency. Carleen Green, the OPD employee with the most longevity, started as an administrative assistant in Central Services, then moved to accountant, accounting supervisor and is now the Central Services Division administrator. Kristina Neal has held positions as the Regional Deputy Public Defender in Great Falls, the RDPD in Helena, the Conflict Coordinator and is now an Assistant

Appellate Defender. The number of positions Ed Sheehy, currently the Region A Conflict Manager, has held might require two hands. Some of OPD's earliest employees worked for the county offices prior to being absorbed by the new statewide agency, including Peter Ohman and Sarah Wardinsky in Bozeman and Sherry Staedler and Mary Brown in Region 5. Their longevity and commitment to public defense is truly impressive!

Since 2008, the number of employees who've dedicated their careers to OPD each year has ranged from 8 (2010) to 16 (2013) for a total of 71 people with five to ten years of longevity. An astounding 169 people came on between 2014 and 2018, with 48 of those so far in 2018. Those 48 people are almost 17% of the workforce, too. That number isn't strictly turnover, though. OPD has grown from 192.5 FTE at the end of FY 07 to our current 290, many of those coming on in just the last couple of years as the conflict and social work programs have grown.

All in all, we are a diverse group with an enormous amount of institutional knowledge about public defense, as well as new voices to contribute to the conversation about how we fulfill our mission. Thank you all for the work you do.

Some of OPD's earliest employees worked for county offices prior to being absorbed by the new statewide agency.



Celebrating Public Defender Week!

The Billings office celebrated Public Defender Week in mid-March with cake and ice cream from the Big Dipper. Thanks to Britton Frisbie for documenting the event!



Upcoming Training Events

MTACDL/OPD Gridiron CLE,
Bozeman September 14

Registration materials [here](#).

New Attorney Trial Skills,
Helena September 19-21

OPD Annual Conference,
Missoula October 16-17

For more information, contact [Nate McConnell](#) or [Sharon Reed](#) in the Training office. Please wait to express interest in the annual conference as that will open up for registration later in the summer.