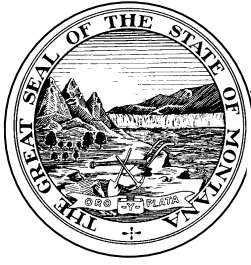


OFFICE OF THE STATE PUBLIC DEFENDER



STEVE BULLOCK
GOVERNOR

WILLIAM F. HOOKS
CHIEF PUBLIC DEFENDER

STATE OF MONTANA

REPORT TO THE PUBLIC DEFENDER COMMISSION

William F. Hooks, Chief Public Defender

October 7, 2016

I am pleased to submit a status report for the consideration of the Commission. I will relate my report to goals and objectives contained in the Agency's Strategic Plan where appropriate.

Strategic Relationship Development.

Goal 1.4 of the Strategic Plan directs us to develop strategic relationships with stakeholders. One performance measurement assesses our participation on commissions and committees. I continue to serve as a Governor's appointee on the Montana Board of Crime Control. As a board member, I attended the Board's September 14 meeting in Helena. I also serve as chair of the Prevention Treatment Committee. On July 28, I convened a meeting of staff and committee members to consider grant applications for residential substance abuse treatment programs. I presented our committee recommendations to the Board during the September meeting.

I serve as a member of the Commission on Courts of Limited Jurisdiction, and attended meetings this quarter. During our September meeting in Bozeman, I participated in a discussion on drafting forms to be used in criminal cases by the judges on the courts of limited jurisdiction.

I was appointed by the Governor to serve on the Protect Montana's Kids Commission. We were tasked with looking at a number of issues arising from the ever-increasing number of dependent/neglect cases, and the impact these cases have on families, DPHHS and other state agencies. We concluded our work this summer and submitted a report with

recommendations to the Governor.¹ In July, Gov. Bullock directed the Child and Family Services Division of DPHHS to begin implementing several commission recommendations that do not require legislation or additional funding. The Governor and staff are considering recommendations for legislative changes, including statutory changes I recommended on behalf of OPD. Decisions likely will be announced in November.

I continue to serve on the Forensic Sciences Laboratory Advisory Board.

Goal 1.5 of the Plan directs us to develop social work and law internship and training programs in conjunction with colleges, universities and the law school. Following the Commission's October 3 decision on a mitigation plan, we will be bringing on board social workers and interns in our Missoula and Billings offices. We plan to develop internship programs through the universities in these cities, in accord with our experience using social work interns from Carroll College in our Helena office.

In our Missoula office, we are developing a program to help clients get driver's licenses reinstated. We will use two sociology major/interns to assist in this project. It is patterned after a similar program used by Commissioner Ann Sherwood, chief public defender for the Confederated Salish and Kootenai Tribes.

Client Services Programs.

It is our goal to be prudent stewards of the taxpayers' money, by ensuring that services are provided only to qualified clients. We have focused on collecting and developing the capacity to report on data regarding the eligibility process. These reports can be made available for review.

We also anticipate using data from our enhanced online contractor billing system to develop more specific guidelines to assist our regional offices in making eligibility determinations under the "substantial hardship" test.

During the October 3 Commission meeting, the Commission approved a change to the eligibility application form, which removes receipt of social security disability income from the presumptive eligibility test.

¹ A copy of the Commission's Report may be found [here](#).

Client-Centered Practices.

We can work toward this goal by having regular strategic planning meetings with managers and supervisors. Regional deputy public defenders and managing attorneys in the Billings, Polson and Hamilton offices came together in Helena for a meeting on August 31 and September 1. We were joined by chief administrator Scott Cruse, conflict coordinator Kristina Neal, and chief appellate defender Chad Wright.

Managers and supervising attorneys will be meeting in Bozeman on October 12 and 13 in Bozeman, during our annual training conference.

I have set up regular calls with regional deputies and managing attorneys via Skype.

Our attorneys enter time in our case management system, and we collect data on time-keeping. These reports can be made available for review.

Effective Representation.

Timely resolution of cases is an objective, and we assess outcomes in part by collecting and reporting on the number of open cases and the number of inactive cases. We generate reports on the number of cases, by region and by case types. For the period of July 1 through October 2, we had a total of 29,764 open cases in all regions. In the same time period, we had 7,270 inactive cases. These reports can be made available for review.

We recognize that case outcomes and dispositions are an important measurement of the delivery of public defense. We collect and report on dispositive motions, and we are working on enhancing our ability to report on outcomes in criminal and civil cases. Reports can be made available for review.

Conclusion.

The men and women in Program 1 continue to provide a high level of service to the citizens of Montana in a cost-effective manner.