



# OFFICE OF THE STATE PUBLIC DEFENDER STATE OF MONTANA

## MEMORANDUM

TO: Montana Public Defender Commission

FROM: Peter Ohman, Interim Chief Administrator

DATE: January 13, 2017

RE: PROPOSAL TO ADOPT TRAVEL RATE FOR CONTRACTORS

In an effort to mitigate the anticipated FY 17 shortfall, management recommends the Commission modify the hourly rate for contractor travel (or “windshield”) time.

Contract attorneys are currently reimbursed at the hourly rate of \$62 per hour for both legal work and drive time.

The fee schedule for mental health providers already includes a rate of 50% of the regular hourly rate for travel time, up to a maximum of \$60 per hour. This proposal would create a travel rate of 50% of the hourly rate for contract attorneys and investigators as well. The Commission would need to determine whether the proposed rate appropriately recognizes the different nature of work, i.e. driving as opposed to performing skilled legal tasks. All provider types would continue to receive a mileage reimbursement at the state rate, currently .535 cents per mile.