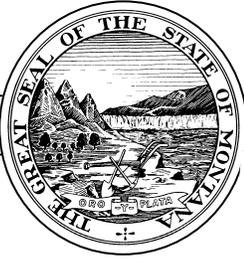


OFFICE OF THE STATE PUBLIC DEFENDER



BRIAN SCHWEITZER
GOVERNOR

KRISTINA NEAL
CONFLICT COORDINATOR

STATE OF MONTANA

Phone: (406) 444-0104
Fax: (406) 444-2669
PO Box 200145
Helena, MT 59620-0145

April 13, 2012

To: Montana Public Defender Commission

From: Kristina Neal, Conflict Coordinator

RE: Report to the Commission

UPDATES

Conflict cases: During the last three months, January 1, 2012 through March 30, 2012, I have appointed counsel in 893 cases (see attached). Therefore, I tend to average approximately seventy-five appointments per week. This is a significant increase from the last quarter. As I reported at the last meeting, and consistent with overall trend being experienced by the system, a majority of the increase in these numbers has come from DN appointments. Although the numbers in Region 3 have become more moderate, the other regions have now experienced a spike in DN cases.

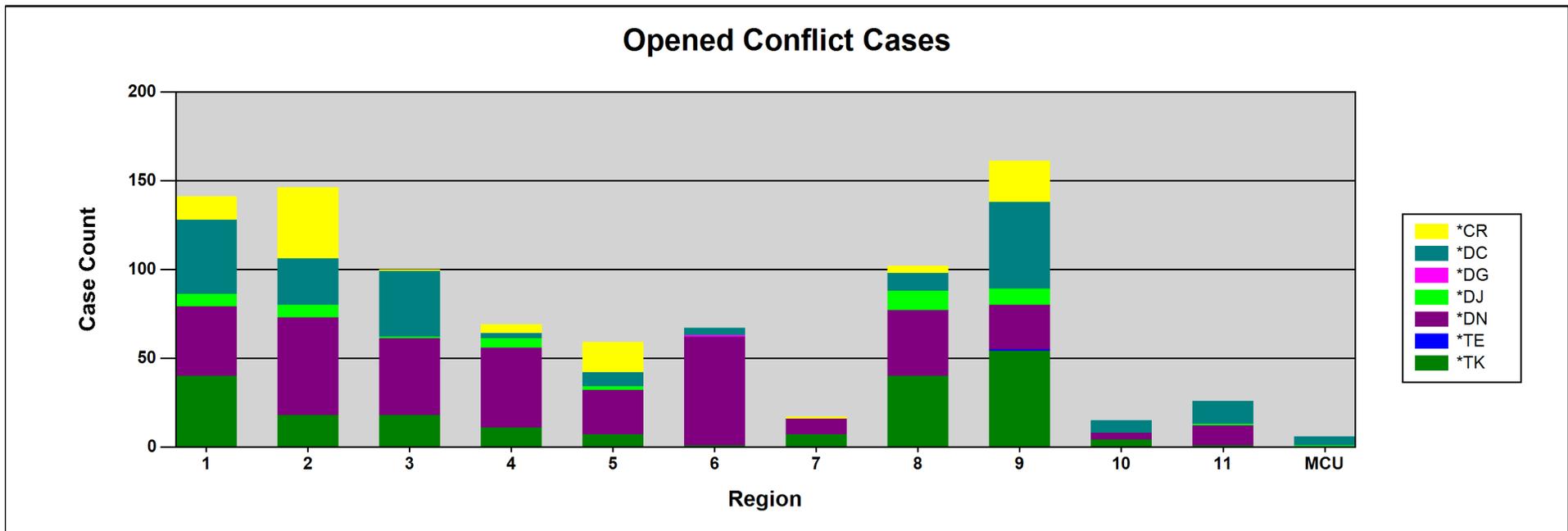
Concerns: I continue to see an increase in the number of conflict cases in several of the regions, in which the need for conflict counsel is greater than the availability. Great Falls continues to be the region of most concern. Other regions, such as Havre, Lewistown, and Helena have stepped forward and provided assistance on several cases from Great Falls. Additionally, besides utilizing FTEs from these other regions, often, with Great Falls cases involving several co-defendants, I am forced to find counsel from outlying areas such as Conrad, Choteau, and Havre. I am in frequent contact with Matt McKittrick to brainstorm potential new contract attorneys or ideas to re-engage attorneys that had previously been involved in public defender work.

Client Complaints: I have handled nine client complaints from January 1, 2012 through March 30, 2012. Bill Hooks, Larry Murphy and I have been brainstorming the most appropriate method of handling complaints regarding conflict counsel so as to maintain the conflict veil and my institutional knowledge about the case but yet appropriately monitor contract counsel performance.



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 1/1/2012 through 3/31/2012 11:59:59 PM

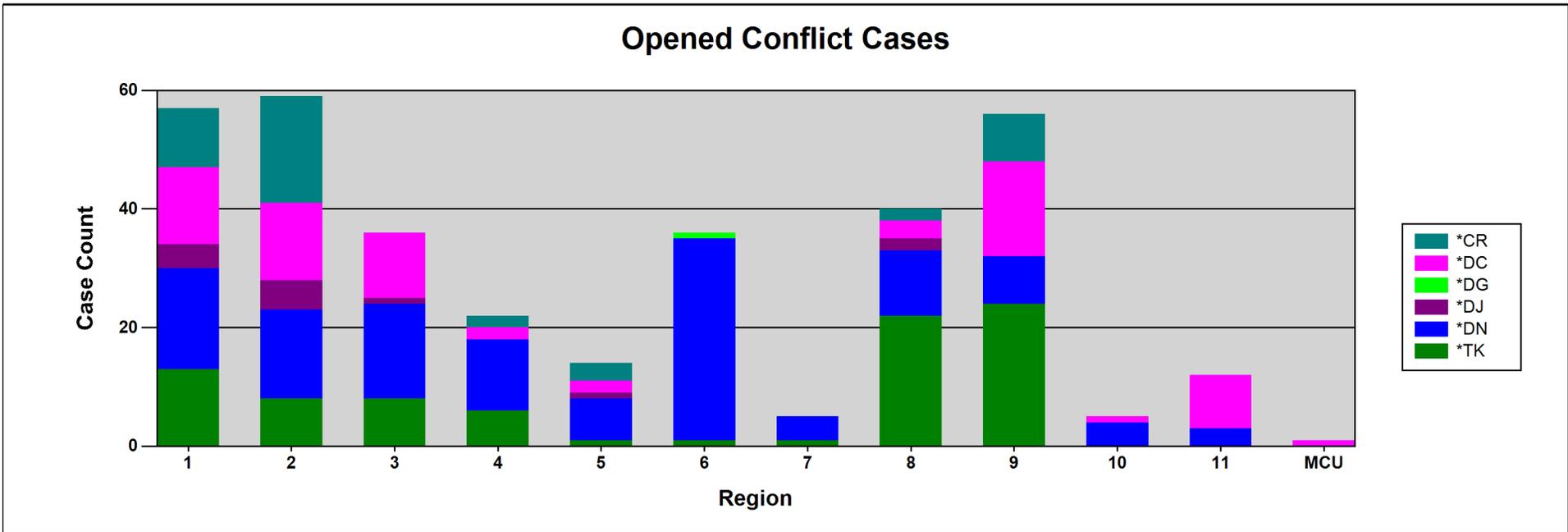


	*CR	*DC	*DG	*DJ	*DN	*TE	*TK	Total
Regional Office, Region 1	13	42	0	7	39	0	40	141
Regional Office, Region 2	40	26	0	7	55	0	18	146
Regional Office, Region 3	1	37	0	1	43	0	18	100
Regional Office, Region 4	5	3	0	5	45	0	11	69
Regional Office, Region 5	17	8	0	2	25	0	7	59
Regional Office, Region 6	0	4	1	0	61	0	1	67
Regional Office, Region 7	1	0	0	0	9	0	7	17
Regional Office, Region 8	4	10	0	11	37	0	40	102
Regional Office, Region 9	23	49	0	9	25	1	54	161
Regional Office, Region 10	0	7	0	0	4	0	4	15
Regional Office, Region 11	0	13	0	1	11	0	1	26
Major Crime Unit	0	5	0	1	0	0	0	6
Total	104	204	1	44	354	1	201	909



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 1/1/2012 through 1/31/2012 11:59:59 PM

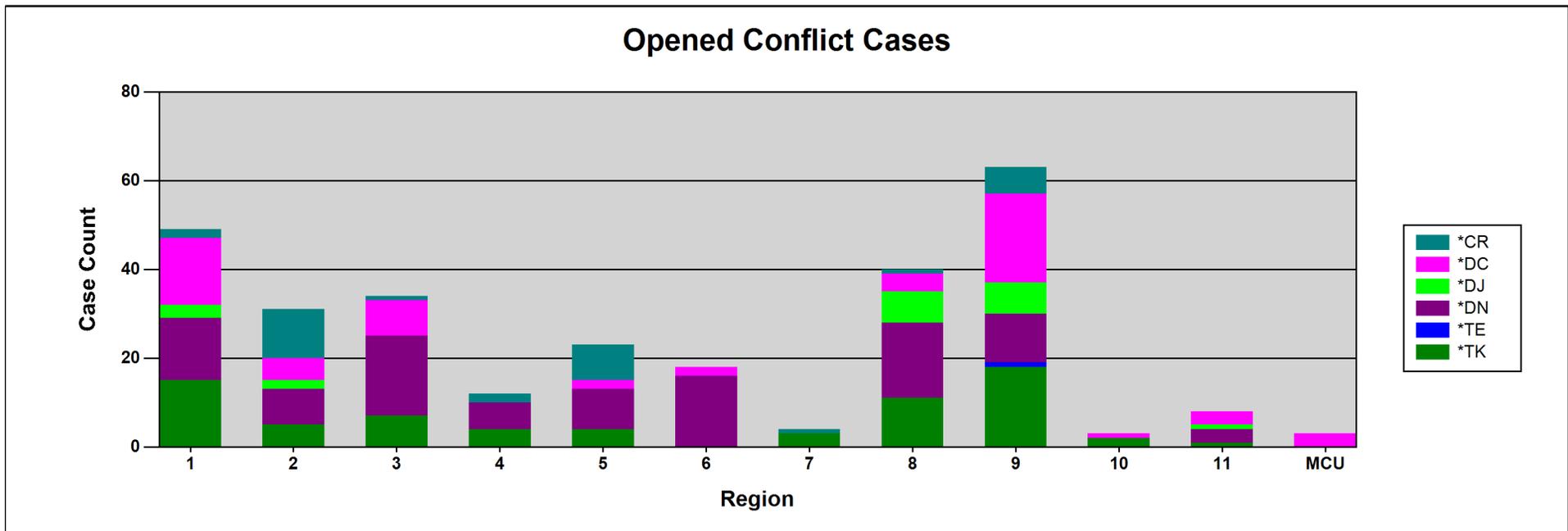


	*CR	*DC	*DG	*DJ	*DN	*TK	Total
Regional Office, Region 1	10	13	0	4	17	13	57
Regional Office, Region 2	18	13	0	5	15	8	59
Regional Office, Region 3	0	11	0	1	16	8	36
Regional Office, Region 4	2	2	0	0	12	6	22
Regional Office, Region 5	3	2	0	1	7	1	14
Regional Office, Region 6	0	0	1	0	34	1	36
Regional Office, Region 7	0	0	0	0	4	1	5
Regional Office, Region 8	2	3	0	2	11	22	40
Regional Office, Region 9	8	16	0	0	8	24	56
Regional Office, Region 10	0	1	0	0	4	0	5
Regional Office, Region 11	0	9	0	0	3	0	12
Major Crime Unit	0	1	0	0	0	0	1
Total	43	71	1	13	131	84	343



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 2/1/2012 through 2/29/2012 11:59:59 PM

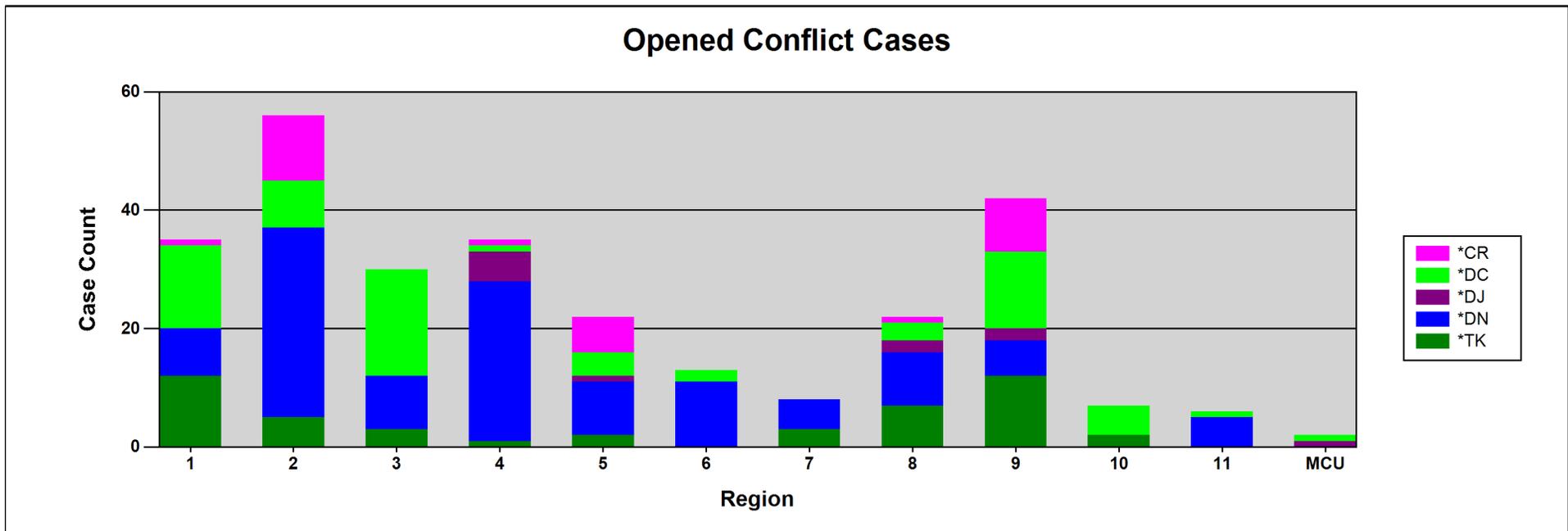


	*CR	*DC	*DJ	*DN	*TE	*TK	Total
Regional Office, Region 1	2	15	3	14	0	15	49
Regional Office, Region 2	11	5	2	8	0	5	31
Regional Office, Region 3	1	8	0	18	0	7	34
Regional Office, Region 4	2	0	0	6	0	4	12
Regional Office, Region 5	8	2	0	9	0	4	23
Regional Office, Region 6	0	2	0	16	0	0	18
Regional Office, Region 7	1	0	0	0	0	3	4
Regional Office, Region 8	1	4	7	17	0	11	40
Regional Office, Region 9	6	20	7	11	1	18	63
Regional Office, Region 10	0	1	0	0	0	2	3
Regional Office, Region 11	0	3	1	3	0	1	8
Major Crime Unit	0	3	0	0	0	0	3
Total	32	63	20	102	1	70	288



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 3/1/2012 through 3/31/2012 11:59:59 PM



	*CR	*DC	*DJ	*DN	*TK	Total
Regional Office, Region 1	1	14	0	8	12	35
Regional Office, Region 2	11	8	0	32	5	56
Regional Office, Region 3	0	18	0	9	3	30
Regional Office, Region 4	1	1	5	27	1	35
Regional Office, Region 5	6	4	1	9	2	22
Regional Office, Region 6	0	2	0	11	0	13
Regional Office, Region 7	0	0	0	5	3	8
Regional Office, Region 8	1	3	2	9	7	22
Regional Office, Region 9	9	13	2	6	12	42
Regional Office, Region 10	0	5	0	0	2	7
Regional Office, Region 11	0	1	0	5	0	6
Major Crime Unit	0	1	1	0	0	2
Total	29	70	11	121	47	278