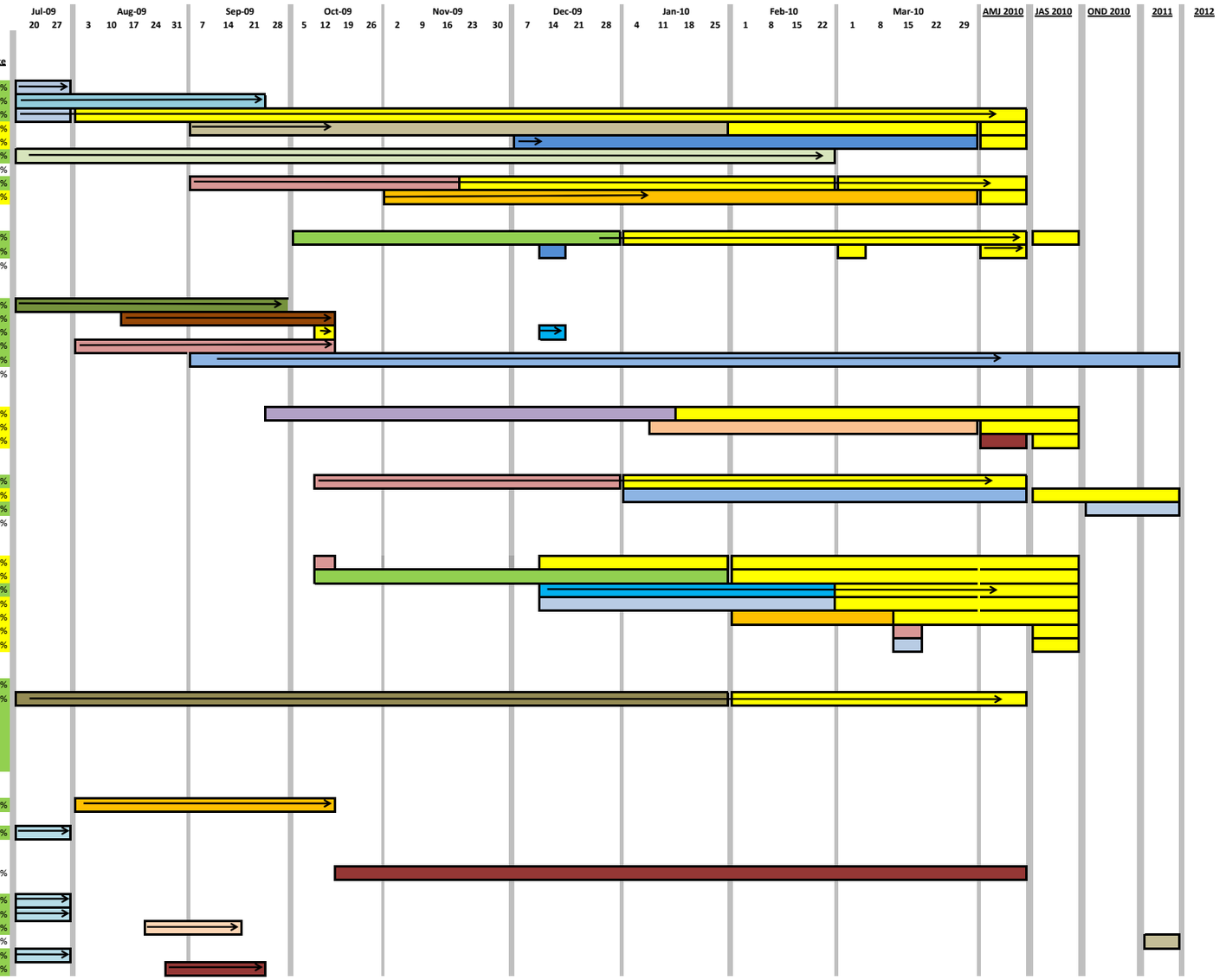
MONTANA PUBLIC DEFENDER COMMISSION
AMERICAN UNIVERSITY RECOMMENDATIONS - TIME FRAME AND COST OF COMPLIANCE
4th REVISION - JUNE 2010

		Committee			Incremental		
	Week of:		Team	Notes	FTE	$ amounts	% Complete
1	Information should describe (The Information Project)	C	I.			$ -	
	Record and report on caseloads					$ -	100%
	Develop drop down boxes for dispositions					$ -	100%
	Record workload of attorneys (Case Weighting System)					$ -	80%
	Define other reports that help all manage (Info Project)					$ -	10%
	Write/deploy reports: caseloads/disposition/workload					$ 35,000	5%
	Develop/institute information certification process (*)					$ -	100%
	Record cultural data (*)					$ -	0%
	Institute a short term training program					$ 5,000	75%
	Institute long term training (Orientation/Annual Update)					$ 25,000	10%
2	Adjust case weighting system (Information Project)	C	I.				
	Meet with LMC to design/adopt new weightings					$ -	90%
	Advise commission of LMC decisions			B		$ -	100%
	Develop Appellate CWS (*)					$ -	0%
3	Establish a meaningful system to evaluate attorneys work	C	IV.				
	Define new process/procedure and develop forms					$ -	100%
	Establish exit interview process/forms					$ -	100%
	Brief Commission on new process					$ -	100%
	Continue mentoring program					$ -	100%
	Evaluate attorneys under new process					$ -	90%
	PDC refine job descriptions/review process for PDC (*)					?	0%
4	Budget submission must show accomplishments	B	I.				
	Define accomp.(other than case growth/dispositions)					$ -	0%
	Develop reporting					$ -	0%
	Brief Commission/OBPP/Legislative Staff					$ -	0%
5	Reduce/eliminate min. caseload for managing attorneys	P	V.				
	Commission undergoes process to set caseloads limits					$ -	90%
	Agency implements Commission's limits				16.00	$ 1,130,000	0%
	Maybe change law to delete case load requirement? (*)					$ -	25%
	PDC explores ways to assess mgt effectiveness? (*)					$ -	0%
6	Commission aggressive in demanding reliable reports	L	I.				
	Commission sets process to indentify required info					$ -	0%
	- Identify/design new reports					$ -	0%
	- Identify current reports that are not reliable					$ -	90%
	- Report on statutory mandates/standards issues (*)					$ -	0%
	Agency (PDC) explores info and produces reports (*)			A		$ -	0%
	Commission reviews and approves/adjusts reports			A		$ -	0%
	Agency develops consequences for inaccurate reports (*)					$ -	0%
7	Separate conflict office reporting to the Commission	L	V.	D	12.00	$ 330,313	
	Gather input from all areas about problems/issues (*)					$ -	100%
	Develop a strategy to address the issue					$ -	100%
	Identify resources necessary to support the strategy					$ -	N/A
	Identify new and current costs					$ -	N/A
	Meet with Governor's office/OBPP/Legislative Staff					$ -	N/A
	Set a program/reporting/accounting/funding structure					$ -	N/A
	Submit legislation/budget items					$ -	N/A
8	Training Director survey FTE/Contractor for training ideas	P	II.				
	Develop electronic form for feedback					$ -	100%
9	Receive feedback about training session from attendees	P	II.			$ -	100%
10	Training function - additional items needed:	P	II.				
	Trial book for each category of practice					$ 15,000	0%
	Training programs for:						
	- Orient new staff with office policies/processes					$ -	100%
	- Initial skills program introduce professional duties					$ -	100%
	Initial load to the PD brief bank (updating is continuous)					$ -	100%
	Initial load to the AD brief bank (updating is continuous)				2.00	$ 98,125	0%
	Record training programs & make available to all					$ -	100%
	Newsletter - higher court decisions, policy/procedures					$ -	100%



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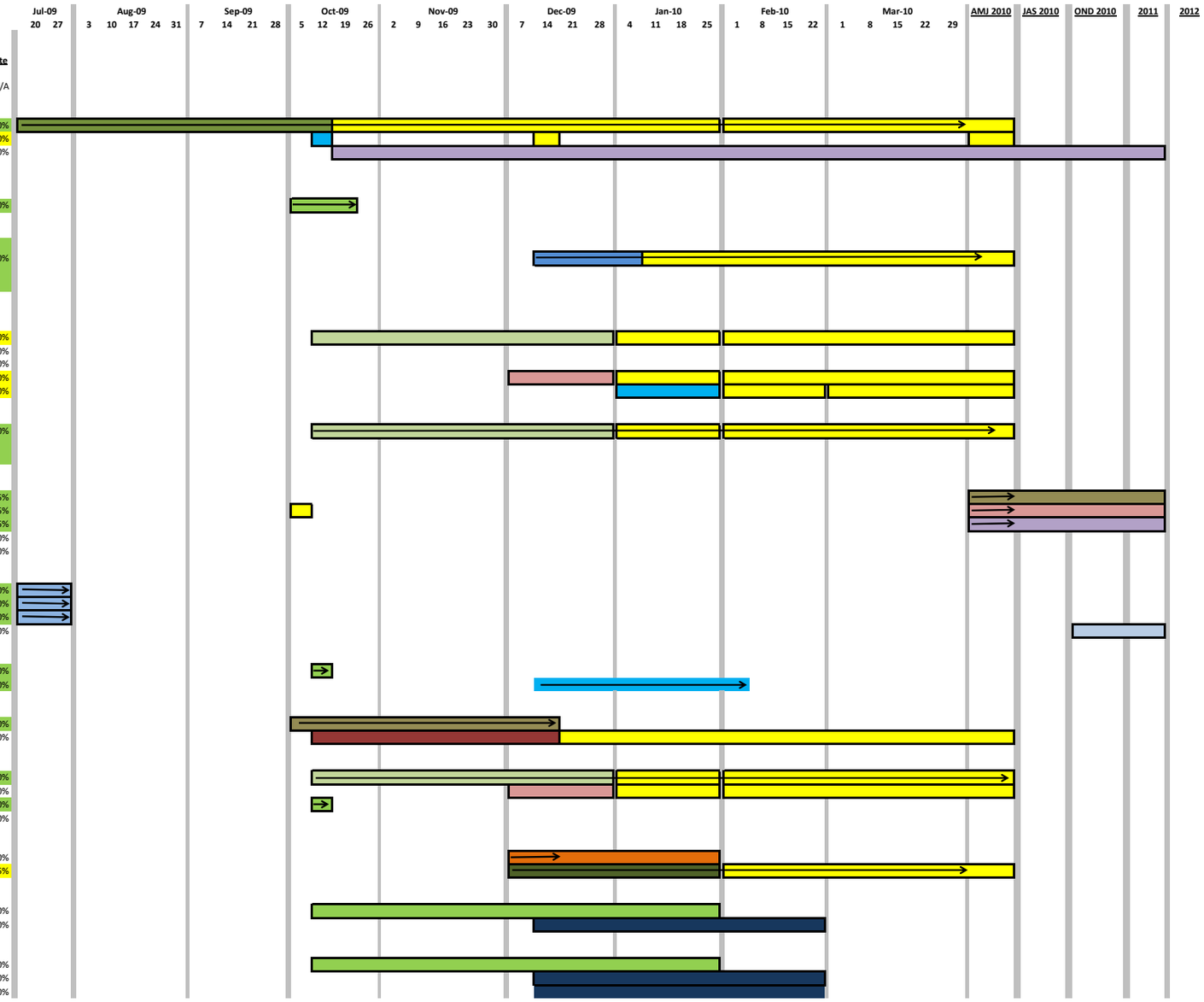
11	Attorney evaluation - promotes professional development	P	IV.	E		$ -	N/A
12	Special procedure to evaluate Contract lawyers	X	IV.				
	Define new process/procedure and develop forms					$ -	80%
	Brief Commission on new system					$ -	0%
	Evaluate attorneys under new process			F		$ 25,000	0%
13	Prohibit a contact attorney from taking a fee case that was originally an assigned case to the system	X	V.				
	- Amend Standards and distribute it to attorneys					$ -	100%
14	Emergency attorney on call 24/7 (Moved to 2015)	P	V.		6.00	$ 423,750	
	Agency seeks info on severity of problem (*)					$ -	N/A
	Develop a strategy to address the issue					$ -	100%
	Negotiate with the Union to implement strategy					$ -	N/A
	Submit budget items					$ -	N/A
15	Develop plan to deal with case overloads: Due to lack of attorneys or funding	P	V.				
	- Develop a strategy with the LMC					$ -	0%
	- Develop reports to identify overloads (*)					$ -	0%
	- Assesses impact of Major Crimes Unit on system (*)					$ -	0%
	- Write a policy and procedure					$ -	0%
	- Communicate policy/procedure to stakeholders					$ -	0%
16	When cases are at a maximum level - OPD refuse cases	P	V.				
	- Develop a strategy with the LMC					$ -	100%
	- Write a policy and procedure					$ -	N/A
	- Communicate policy/procedure to stakeholders					$ -	N/A
17	Next biennium budget should begin immediately	B	I.				
	Increase contract attorney rate to $110 per hour					$ 5,000,000	25%
	Staff attorneys salaries are in line w/state employees					$ 250,000	25%
	Strike min. case load requirement from current law			C		$ -	25%
	Set coalition with contract attorneys to facilitate effort (*)					?	0%
	Set reporting for external parameters (*)			S		$ -	0%
18	Establish a separate fund for emergency cases	B	V.				
	Establish fund			G		$ -	100%
	Agency annual review of emergency fund reserve use (*)					$ -	100%
	Appellate reports courts decision with agency impact (*)					$ -	100%
	Agency reports on new legislation fiscal impact (*)					$ -	0%
19	Chief to communicate policies/procedures to staff	P	III.				
	Communicate policies - annual training/annual review					$ -	100%
	Appoint ex officio FTE/Contractor to Commission			H		$ 4,000	100%
20	Explain why different resource distributions among regions	P	I.	I			
	Write analysis for distribution to stakeholders					$ -	100%
	Include Commission in the Grievance process			J		$ -	0%
21	Remove fear of retaliation for noting agency problems	P	V.				
	Consult with LMC about how to locate problem areas					$ -	100%
	Develop a policy and procedure to address this issue					$ -	0%
	Commission discussion at annual meeting (*)					$ -	100%
	Explore other agency policies (*)					$ -	0%
22	Staff must be accountable to implement:	S	III.	K			
	Standards - video tape					$ -	10%
	Policies and procedures - video tape (Orientation)					$ -	25%
23	Commission must be assertive in demanding info from staff	S	I.				
	Define the relevant information that is needed					$ -	0%
	Staff will design and deliver reporting					$ -	0%
24	Commission to challenge staff to promote new options	P	V.				
	Identify the areas for staff to promote new options			L		$ -	0%
	Staff will respond					$ -	0%
	Rewards for ideas to save $ or improve services						0%



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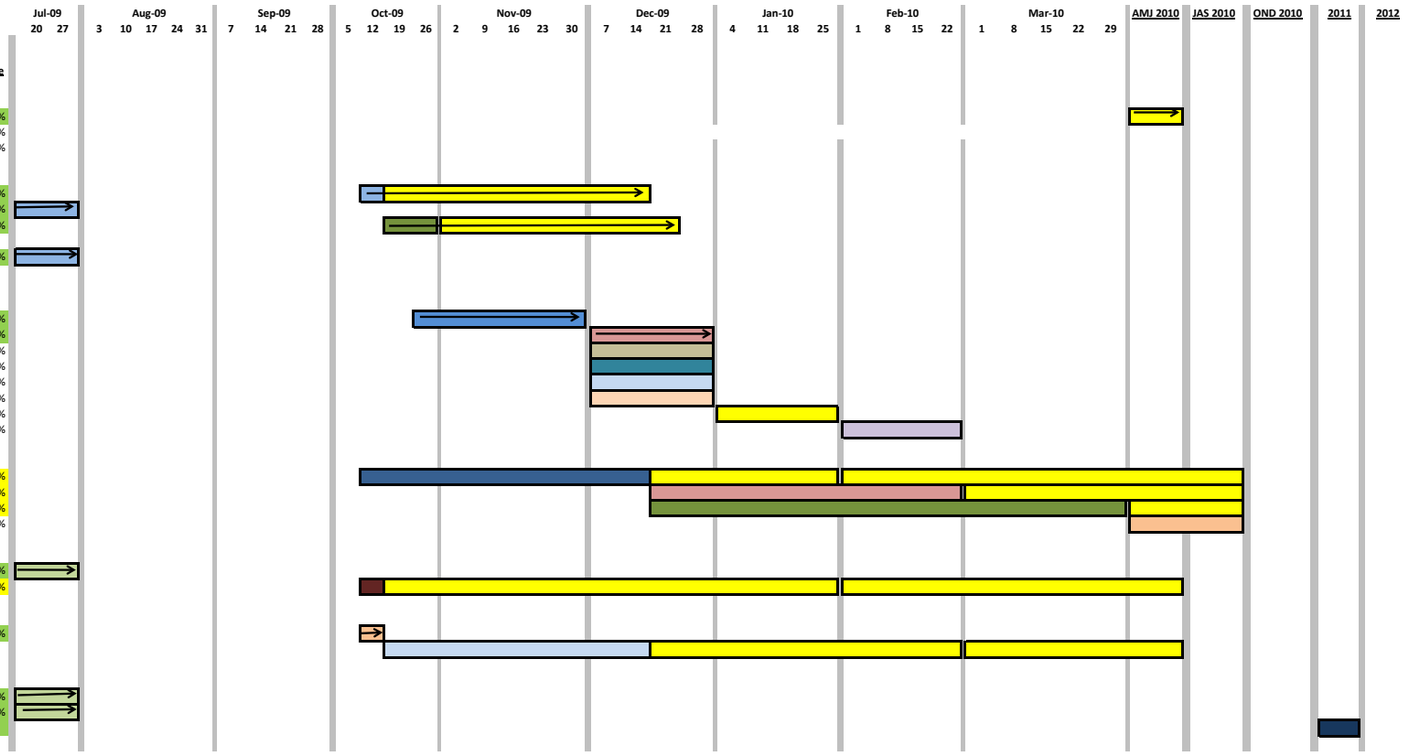
25	Commission should select a secretary that reports to them	P	V.				
	Develop a budget item						100%
	Write job description/interview/select employee			M	1.00	$ 48,188	0%
	Agency revisits/advises: admin/conflict resources						0%
26	Commission should insist on definitive lines of authority	P	V.				
	Present org chart/reporting policy to commission					$ -	100%
	Develop job descriptions					$ -	100%
	Communicate all to staff (Phone calls/email/web)					$ -	100%
27	Commission - impose its limitations upon private practice	P	V.	N		$ -	100%
	of law by a defender staff member						
28	Commission require a strategic plan from each regions	P	V.	O		$ 15,000	
	Develop the format of a plan and train regions					$ -	100%
	Regions develop a plan					$ -	100%
	Plan includes measurable improvement in supervision					$ -	0%
	Plan includes measurable improvement in mgt.					$ -	0%
	Plan includes - retrieval of information					$ -	0%
	Plan includes evaluation of staff					$ -	0%
	Accumulate all plans into one document					$ -	0%
	Present the plans to the Commission					$ -	0%
29	Commission evaluate statutory provision:	L	V.				
	Develop process/procedure for evaluation					$ -	0%
	Conduct the evaluation					$ 5,000	0%
	Identify areas of concern and how to correct					$ -	0%
	Undergo a correction process					$ -	0%
30	Commission and staff - advocate value of agency to others	L	V.				
	Chief on other boards/commissions			P		$ -	100%
	Commission/Mgt brief all about meetings with others			Q		$ -	0%
31	Investigator resources provided for misdemeanors cases	C	V.				
	Provide Commission current communication on policy						100%
	Establish a policy/procedure to prioritize this resource						
32	Give all attorney access to automated legal research engine	I	I.				
	Staff Attorneys					$ -	100%
	Contract Attorneys- 1st lot of 50 licenses					$ -	100%
	Contract Attorneys - 2nd lot of 50 lic. (implement at 50)			R		$ 12,000	N/A
	Totals				37.00	$ 7,356,375	



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						Jul-09		Aug-09					Sep-09				Oct-09				Nov-09					Dec-09				Jan-10				Feb-10				Mar-10					AMJ 2010	JAS 2010	OND 2010	2011	2012
					Week of:	20	27	3	10	17	24	31	7	14	21	28	5	12	19	26	2	9	16	23	30	7	14	21	28	4	11	18	25	1	8	15	22	1	8	15	22	29					
Committee	Team	Notes	Incremental FTE	Incremental $ amounts	% Complete																																										

Notes:

A Cost estimate to produce different reporting will be based on the number and difficulty of the reporting identified
B We assume that the weighting will be prospective applied to the model as it may be difficult to recreate history (we may be able to go back several months in time)
C See item 5 above
D This is a placeholder cost until a more accurate estimate is provided once a strategy is written to address the issue: assumes this function is done by FTE under a new program and is offset by cost currently being done by contractors/others.
The est. is at the "high end" for FTE a low end estimate is 1 staff attorney and .5 support at about $150,000 per year.
E Please refer to recommendation number 3 as this appears to be similar
F Increase cost of travel to evaluate contractors
G The agency follows this practice by putting 2 reserves in separate budgets: one for misc and one for contracted services.
H Maybe consider giving a head up to the Governor's Board/Commission staff as Governor only has appointing authority of regular commissioners.
I The issue of resources vs. caseloads has been ongoing and can be a reporting item at each Commission meeting and then posted to the web.
J The current grievance process follows union protocol for union members and starts with the lowest level for non-union. The final authority is the Chief.
K Is this part of items 3 and 12?
L The costs associated with implementing new ideas would need to be calculated once an idea has been advanced.
M Determine if this is a modified FTE funded with OBPP dollars or a permanent FTE transferred from Prog 1 or 2 or pushed to the next budget cycle.
N The commission has already determined that its current policy is adequate.
O The cost assumption is that travel for training and or meetings to present strategic to Management and/or the Commission
P The Chief is now on the Board of Crime Control and the Courts of Limited Jurisdiction Committee
Q This is an ongoing function
R We currently have 50 licenses issued to contract attorneys and 15 on a waiting list. Once we hit 50 on the waiting list we can get 50 more licenses at $12,000
S New legislation (already happens), appellate court rulings, judicial practices, economic factors, social factors - increased drug use

Committees: Budget (B); Collective Bargaining ('C); Legislative (L); Personnel (P); Contracts (X); Standards (S); IT (I).
Teams: I. Agency Information; II. Agency Training; III. Agency Communications; IV. Employee Recruitment/Retention; and V. Agency Structural Issues