

# Office of the State Public Defender Administrative Policies

Subject: <b>Standards Compliance</b>	Policy No.: <b>xxx</b>
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## 1.0 POLICY

The Office of the State Public Defender is committed to ensuring that all public defenders, whether state-employed or independent contract attorney, comply with the *Standards for Counsel Representing Individuals Pursuant to the Montana Public Defender Act* (hereinafter referred to as "Standards.")

## 2.0 PROCEDURE

**2.1** The Regional Deputy Public Defender is responsible for day to day monitoring of each attorney's compliance with the Standards.

**2.2** The Training Officer will conduct random compliance checks as follows:

**2.2.1** The Training Officer will call or visit with not less than 10 public defenders per month on a random basis.

**2.2.2** Prior to contacting the public defender, the Training Officer will select three of the attorney's recently closed cases for discussion and review of compliance with the Standards checklist (Attachment A).

**2.2.3** If the public defender is not in compliance, the Training Office will discuss the failing with the public defender and establish a corrective action plan to be shared with the Regional Deputy Public Defender and the Chief Public Defender.

**2.2.4** The Training Officer shall keep a record of each contact made and the results of the compliance review.

**2.3** The Chief Appellate Defender shall be responsible for alerting the Training Officer if any appellate attorney notes non-compliance with the Standards during review of a transcript.

## 3.0 CLOSING

Questions about this policy should be directed to the OPD at the following address:

Office of the State Public Defender  
Administrative Service Division  
44 West Park  
Butte, MT 59701  
Phone 406-496-6080