

MONTANA PUBLIC DEFENDER COMMISSION
BUDGET COMMITTEE MEETING
CONFERENCE CALL

Public Location: Helena Regional Office
139 North Last Chance Gulch, Helena, MT 59601

July 12, 2016

DRAFT MINUTES

Committee Members Present

Fritz Gillespie (Chair), Helena; Bonnie Olson, Marion; Roy Brown, Billings

Committee Members Absent

Margaret Novak, Chester

Agency Team Members Present

Bill Hooks, Chief Public Defender; Kristina Neal, Conflict Coordinator; Chad Wright, Chief Appellate Defender; Peter Ohman, Training Coordinator; Wendy Johnson, Contract Manager; Carleen Green, Accountant; Cathy Doyle, Administrative Assistant; Marsha Parr, Case Management Support; Scott Cruse, pending Chief Administrator

Interested Persons

Malissa Williams, Office of Budget and Program Planning

1. Call to Order

Committee chair Fritz Gillespie called the meeting of the Budget Committee to order at 1:05 p.m.

2. Approve Minutes of April 26, 2016 meeting (*Action Item)

Commissioner Olson moved to adopt the minutes as drafted. Commissioner Brown seconded and the motion carried.

3. Potential Uses for Remaining Commission Discretionary Funds

The unobligated fund balance is \$209,300. There have been previous discussions regarding applying the remaining funds to the anticipated shortfall. Chairman Gillespie asked if there were any staff proposals for using the funds.

Conflict Coordinator Kristina Neal explained a proposal for Program 3 that might also impact Program 1. She would like to add 0.5 FTE to her current Billings staff of 2.5 FTE to provide mentoring for contractors. Ms. Neal struggles to find contractors in eastern Montana, so she has had to use newer attorneys to take on felonies that they may be ill-prepared to handle. Chairman Gillespie asked how this would be a cost-saving

proposal. Ms. Neal said that a mentor could do some training as well as show the newer attorneys some efficiencies, share briefs, etc. which would reduce their billing hours. The mentor would also be available to take cases throughout eastern Montana and would have the use of a motor pool vehicle to reduce travel costs. The cost for a full FTE attorney is approximately \$150,000 per year depending on experience. However, it would be difficult to quantify the cost savings until the contractors' billing practices could be reviewed down the road. The mentor/trainer could also benefit Program 1 contractors in that part of the state. Although a .5 FTE might not be adequate, it would be a starting place as a pilot project. Commissioner Olson asked if there were any available positions in Program 1 or Program 3 that could provide this function. Ms. Neal has filled all of her positions, and although Chief Hooks currently has some vacancies, he has already transferred six positions to Program 3 and can't give them any more.

Commissioner Olson moved to add 0.5 FTE to Program 3 using the Commission's discretionary funds, based on the strategy that it would make services more available in eastern Montana, and reduce contractor costs through mentoring and service provision. Chairman Gillespie seconded. The full Commission will need to approve the proposal; Chairman Gillespie proposed a one-hour conference call in late July. The motion carried.

Chairman Gillespie asked for additional proposals for use of the funds. Accounting Supervisor Carleen Green suggested using the funds to mitigate the anticipated shortfall. Chairman Gillespie said that if there is a fund balance in December, applying it to the shortfall can be on the agenda for the last Commission meeting before the legislative session convenes. This allows some flexibility if other needs arise. Commissioners Brown and Olson support that idea.

4. Public Comment

No public comment was offered.

5. Recommendations for Full Commission

The committee will present Ms. Neal's proposal to the Commission for approval at a conference call meeting in late July. They will also recommend setting aside the balance of the fund unless an urgent need arises, and reconsider applying any fund balance to the anticipated shortfall in December.

6. Adjourn

Commissioner Brown moved to adjourn and Commissioner Olson seconded. The meeting adjourned at 1:25 p.m.