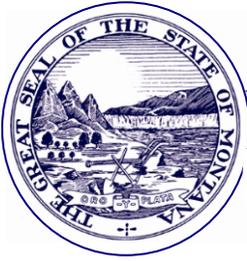


# OFFICE OF THE STATE PUBLIC DEFENDER



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June 27, 2013

TO: Montana Public Defender Commission

FROM: Larry Murphy, Contract Manager

RE: Report to Commission

### 1. MOUs

We currently have a total of 222 contract/conflict attorneys with MOUs, 18 investigators and 55 mental health providers. Since the last Commission meeting we have added 19 new attorneys and an additional 15 are pending.

### 2. Case Audits

We continue to audit one region per month for all conflict and non-conflict cases based on the length of time a case has been open. The contractor is asked to give a status report on a misdemeanor case open longer than 180 days, a felony case open longer than 250 days, and a DN case open longer than 300 days. We also investigate when the attorney reports working on a closed case, and we are working to resolve issues with cases that have been closed inadvertently as well as confusion regarding revocations, which OPD considers to be a new case.

### 3. Closing Forms

Beginning July 1, OPD policy requiring that all cases be closed with a completed Closing Form will be implemented through the use of business rules in the case management program. The closing codes previously used by contractors will no longer be accepted. This new process will provide more accurate data for the agency.

We anticipate resistance from the contract/conflict attorneys to complete yet another form for our agency for our record keeping purposes. I also anticipate increased costs charged by contract/conflict attorneys.

### 4. Difficult Clients

Recently some attorneys have withdrawn from cases upon realization that their client is difficult. This creates a dilemma for the Regional Deputy Public Defender and/or the Conflict Coordinator in having to assign a new attorney and incurs additional costs.