



MONTANA PUBLIC DEFENDER COMMISSION STATE OF MONTANA

Office of the State Public Defender

PROGRAM 3

GOALS, OBJECTIVES, AND ACTION ITEMS

GOAL 1: Maintain and improve a statewide conflict office to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to assistance of counsel at public expense, and for whom an ethical conflict of interest exists with the public defender program or the appellate defender program.

GOAL 2: Ensure that the system is free from undue political interference and conflicts of interest.

GOAL 3: Ensure that conflict services are delivered by qualified and competent counsel in a manner that is fair and consistent throughout the state.

GOAL 4: Ensure that the office utilizes state employees, contracted services, or other methods of providing services in a manner that is responsive to and respectful of regional and community needs and interests.

GOAL 5: Advocate for adequate funding of the statewide conflict office.

GOAL 6: Ensure that clients of the statewide conflict office pay reasonable costs for services provided by the office based on the clients' financial ability to pay.

GOAL 7: Advocate for parity in pay and resources with the prosecution.

GOAL 8: Ensure uniformity and consistency in the administration of the statewide conflict office and its case management program.

GOAL 1: Maintain and improve a statewide conflict office to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to assistance of counsel at public expense, and for whom an ethical conflict of interest exists with the public defender program or the appellate defender program.

OBJECTIVE: Monitor the existing conflict office to assure that it provides high quality services at a reasonable cost.

ACTION ITEM: Periodically adjust the balance of state employees and contract services to achieve the best result.

ACTION ITEM: Periodically update the strategic plan for providing conflict services, including a review of the office’s statutory provisions.

ACTION ITEM: Develop, monitor and adjust information systems, processes, and policies and procedures as necessary to assure accurate and verifiable information is available to manage the office, including but not limited to caseloads, case dispositions, attorney workload, and other operational information.

ACTION ITEM: Develop measures that allow for the periodic review of operations to verify that personnel including contractors are accurately implementing standards, policies, and procedures.

ACTION ITEM: Develop a plan to deal with case overloads that may include refusing cases to assure high quality of services.

GOAL 2: Ensure that the office is free from undue political interference and conflicts of interest.

OBJECTIVE: Guarantee the integrity of the relationship between attorney and client. Take all necessary steps to ensure that the conflict office is not subject to unwarranted judicial supervision.

ACTION ITEM: Identify and address interference issues through the Judicial Systems Committee.

GOAL 3: Ensure that conflict services are delivered by qualified and competent counsel in a manner that is fair and consistent throughout the state.

OBJECTIVE: Support the agency’s training function.

ACTION ITEM: The training coordinator will design annual training programs that best achieve the goals of the agency in consultation with the Chief Public Defender, the Chief Appellate Defender, the Conflict Coordinator, the Public Defender Commission, and by survey of agency staff and contractors.

ACTION ITEM: The training coordinator will provide training to all members of the system including state employees and contract service providers. The training coordinator will solicit feedback and evaluations from attendees to assure that the training provided was effective.

OBJECTIVE: Assist the contract manager with contractor proficiency determinations.

GOAL 4: Ensure that the office utilizes state employees, contracted services, or other methods of providing services in a manner that is responsive to and respectful of regional and community needs and interests.

OBJECTIVE: Assure that the main focus of the office is to provide the best client service. Assure that service is being provided by monitoring the performance of state employees and contracts with private attorneys.

ACTION ITEM: Continually identify attorneys willing to contract for conflict public defender services.

ACTION ITEM: Management will evaluate attorney performance to assure quality of services.

GOAL 5: Advocate for adequate funding of the statewide conflict office.

OBJECTIVE: The agency will communicate information related to the caseloads and costs of the conflict office to the Commission, all branches of state government, and other interested parties. .

ACTION ITEM: Budget information will show the accomplishments of attorneys in serving the mission of the agency.

ACTION ITEM: The Commission and the office will take actions to advocate its value to others.

GOAL 6: Ensure that clients of the statewide conflict office system pay reasonable costs for services provided by the system based on the clients' financial ability to pay.

GOAL 7: Advocate for parity in pay and resources with the prosecution.

OBJECTIVE: The office will communicate information related to disparity in pay and resources with prosecutors to the Commission, all branches of state government, and other interested parties.

ACTION ITEM: Continually identify the disparities and work to correct them.

GOAL 8: Ensure uniformity and consistency in the administration of the statewide conflict office and the case management program.