

Strategic Plan for the Office of the State Public Defender

Mission¹:

In order to protect fundamental fairness within the justice system, the Office of the State Public Defender is to provide effective assistance of counsel to indigent persons accused of crimes and other persons in civil cases who are entitled to the assistance of counsel at public defense. In Montana, minors have the same right to counsel as adults.

OR

We provide legal services to indigent persons accused of crimes and other persons in certain types of civil cases to help them successfully navigate a complex legal system to get the right outcome for them and society. Our employees and contract vendors are proud and excited to serve our clients because they make a difference. We know that we are more than just service providers – we are servants to those that cannot help themselves. The citizens of the state of Montana, legislators, other stakeholders, as well as those that work in the justice system understand that our job is valuable because they know that the entire justice works well and is more balanced with us in it.

Vision:

In the next five years, the Office of the State Public Defender is committed to streamlining programs and processes to control intake of cases, work more closely with stakeholders, and enhance public understanding of the importance of preserving fundamental rights for all the citizens of Montana.

OR

We want to serve our clients with skilled legal teams to assure that justice is served in a fair and balanced manner at a reasonable cost. We will strive to make a difference in the lives of our clients. In the next five years, the Office of the State Public Defender is committed to streamlining programs and processes to control intake of cases, work more closely with stakeholders, and enhance public understanding of the importance of preserving fundamental rights for all the citizens of Montana.

¹ There were multiple versions of the Mission and Vision Statements submitted. The Commission may select from either statement that was submitted, or new statements may be drafted.

The following goals focus attention on the practices that will pursue the vision:

General Goals – These goals apply to the entire agency.

- I. Build and develop strategic relationships with others in the Justice System so that information and concepts may be shared via open lines of communication and a mutual understanding of challenges that face us all.
 - a. Objective: Increase our presence on other commissions, conferences, committees and informal meetings with our counterparts in the Justice System.
 - b. Objective: Expand usage of technology to encourage more regular communication between stakeholders.
 - c. Objective: Organize an annual conference of stakeholders in which judges, prosecutors, defenders, and other advocates may present their perspective.

- II. Create a linkage program with the Montana University System for a two-year apprenticeship program for law school graduates, legal assistants, paralegals, resource advocates and other disciplines.
 - a. Objective: Design the program through collaboration with the Montana University System.
 - b. Objective: Recruit interns as soon as practical and three apprentices for Fiscal Years 2017-18; 2019-20.

- III. Develop a public education program that will show the significance of maintaining an effective Office of State Public Defender.
 - a. Objective: Publish educational materials that may be distributed to schools by 2017.
 - b. Objective: Produce a video that may be used by educators and the media as public service announcements.
 - c. Objective: Hire a web design specialist (may be a temporary employee) to improve the effectiveness of the web site.
 - d. Objective: Hire a Communication Expert (FTE or contractor) to assist OPD in communicating the value of an effective public defender system to the public.

- IV. Develop a formula for the most cost effective combination of contract and FTE staff.
 - a. Objective: Gather data from existing sources that show the actual costs of services and map out the results.
 - b. Objective: Contract with a policy analyst to provide a cost benefit analysis of the source of services.
 - c. Objective: Develop a communication plan that illustrates the need for both contract and FTE involvement.

Goals for Program 1: Public Defender Program

- V. Improve eligibility determination process so that hardship cases are accurately identified and error rates are equal to that of DPHHS.
 - a. Objective: Reorganize assignments so that eligibility determination technicians dedicate 100% of their time to the determination process and verification.
 - b. Objective: Develop a system that will capture data related to Motions to Rescind filed by the OPD Regional Offices throughout the state.
 - c. Objective: Reduce turnover of eligibility staff by recruiting employees with the appropriate skill set to allow them to accurately complete the eligibility determination process.
 - d. Objective: Develop a statewide system that estimates costs for private attorneys by case type for use in determining eligibility in cases involving economic hardship.

Goal for Program 2: Appellate Defender Program

- VI. Create a *pro bono* system for low level misdemeanor appeals to reduce the demand on the agency.
 - a. Objective: Develop a technology based outreach program to identify attorneys interested in performing *pro bono* services throughout the state.
 - b. Objective: Map out the availability of *pro bono* services to show where gaps occur.
 - c. Objective: Develop a data collection process to illustrate the *pro bono* program's effectiveness.
- VII. Reduce the number of extension requests to an average of three per case by FY 2020.
 - a. Objective: Develop a more technology based case-weighting system.
 - b. Objective: Provide additional training to appellate staff on managing priorities.
 - c. Objective: Provide data currently being collected and develop additional data points to illustrate needs for reducing extension requests.

Goal for Program 3: Conflict Coordinator Program

- VIII. Increase the number of local invested vendors by 20%.
 - a. Objective: Map out the refusal rates by attorneys by region/county.
 - b. Objective: Conduct survey of attorneys to ascertain the primary reasons for refusal.
 - c. Objective: Use a crowd sourcing strategy to gather suggestions for increasing local vendors.
- IX. Develop a strategy that aligns intake with resources to deal with the influx of Dependency/Neglect cases or in the alternative design a separate program that will encompass all civil cases.