

MONTANA PUBLIC DEFENDER COMMISSION
**PROFICIENCY DETERMINATION FOR
CONTRACT ATTORNEYS COMMITTEE MEETING**

Helena Regional Office
139 N. Last Chance Gulch, Helena MT 59601

September 23, 2010

DRAFT MINUTES

Call to Order

The first meeting of the Proficiency Determination Committee was called to order at 2:45 p.m. by Committee Chair Jim Taylor.

Commissioners Present

Jim Taylor, Missoula; Majel Russell, Billings

Other Interested Parties

Randi Hood, Chief Public Defender; Harry Freebourn, Administrative Director; Larry Murphy, Contract Manager; Niki Zupanic, American Civil Liberties Union (ACLU)

Purpose of the Committee

The purpose of the committee is to assist with proficiency determinations for contract attorneys per statute and policy.

Committee Discussion

Contract Manager Larry Murphy presented a draft standard revision and a draft policy on proficiency determination for the committee's review and discussion. The committee suggested some language changes.

The committee discussed how to incorporate Standards compliance into the proficiency determination process. The checklists that Training Coordinator Eric Olson has developed could be used to objectively evaluate compliance with the Standards. However, with 170 contract attorneys statewide, Mr. Murphy did not think that it was feasible to do this annually since most contract attorneys take cases in multiple practice areas, each of which would have to be reviewed.

The committee requested that Standards compliance be incorporated into the policy. They would also like input from committee member Ray Kuntz, who was unable to attend this meeting. As a former contract attorney, Commissioner Kuntz will have a valuable perspective on the process. Mr. Murphy agreed to discuss how to combine proficiency evaluations with Standards compliance with Commissioner Kuntz, and report at the next Commission meeting.

Public Comment

There was no public comment.

New Business

There was no additional business.

Adjourn

Commissioner Russell made a motion to adjourn, Commissioner Taylor seconded, and the motion carried. The meeting adjourned at 3:10 p.m.