MONTANA PUBLIC DEFENDER COMMISSION

EVALUATION OF THE CHIEF PUBLIC DEFENDER

METHODOLOGY

SEPTEMBER 2013

This evaluation is comprised of the following components:

1. Each Commission member will be sent an evaluation document based on the statutory requirements in 47-1-202 and asked to rate the Chief's performance and offer commentary. The performance rating will be on a five-point Likert scale, from 1-5: Very poor, poor, average, good, and very good.

2. The Chief's direct reports (the Regional Deputy Public Defenders and Department Managers) will be asked to evaluate the Chief's performance and offer commentary. The performance rating will be on a five-point Likert scale, from 1-5: Very poor, poor, average, good, and very good.

3. The Chief will be asked to prepare a self-evaluation using both documents as a reference.

4. The Commission's Personnel Committee will gather this information and hold a public meeting to explain the process, take public comment, and conduct a closed session with the Chief to do the actual performance evaluation.

5. The Committee will brief the full Commission on the process and take public comment in an open meeting. They will then make a recommendation to the full Commission in closed session for final Commission action.

EVALUATION BY THE MONTANA PUBLIC DEFENDER COMMISSION BASED ON 47-1-202, MCA

Likert score 1-5: very poor, poor, average, good, and very good

47-1-202. Chief public defender -- duties. (1) In addition to the duties provided in 47-1-201, the chief public defender shall:

(1) Act as secretary to the commission and provide administrative staff support to the commission;

Score:
Comments:

(2) Assist the commission in establishing the state system and establishing the standards, policies, and procedures required pursuant to this chapter;

Score:
Comments:

(3) Develop and present for the commission's approval a regional strategic plan for the delivery of public defender services;

Score:
Comments:

(4) Establish processes and procedures to ensure that when a case that is assigned to the office presents a conflict of interest for a public defender, the conflict is identified and handled appropriately and ethically;

Score:
Comments:

(5) Establish processes and procedures to ensure that office and contract personnel use information technology and caseload management systems so that detailed expenditure and caseload data is accurately collected, recorded, and reported;

Score:
Comments:

(6) Establish administrative management procedures for regional offices;

Score:
Comments:

(7) Establish procedures for managing caseloads and assigning cases in a manner that ensures that public defenders are assigned cases according to experience, training, and manageable caseloads and taking into account case complexity, the severity of charges and potential punishments, and the legal skills required to provide effective assistance of counsel;

Score:
Comments:

(8) Establish policies and procedures for assigning counsel in capital cases that are consistent with standards issued by the Montana Supreme Court for counsel for indigent persons in capital cases;

Score:
Comments:

(9) Establish and supervise a training and performance evaluation program for attorneys and non-attorney staff members and contractors;

Score:
Comments:

(10) Establish procedures to handle complaints about public defender performance and to ensure that public defenders, office personnel, and clients are aware of avenues available for bringing a complaint and that office procedures do not conflict with the disciplinary jurisdiction of the supreme court and the rules promulgated pursuant to Article VII, section 2, of the Montana constitution and the applicable provisions of Title 37, chapter 61;

Score:
Comments:

(11) Actively seek gifts, grants, and donations that may be available through the federal government or other sources to help fund the system; and

Score:
Comments:

(12) Perform all other duties assigned by the commission pursuant to this chapter.

Score:
Comments:

Dated this ___ day of _____, 2013.

_____
Name
Montana Public Defender Commission

EVALUATION BY SUBORDINATE
CHIEF PUBLIC DEFENDER

September 2013

1. Briefly describe your working relationship with and interaction with Chief Public Defender Bill Hooks. (Include time duration).

2. Briefly provide your general assessment of the Chief Public Defender's overall performance of job duties including both strengths and weaknesses.

3. Please state what you believe to be the Chief Public Defender's greatest accomplishment during his tenure.

4. Please state in what areas you believe the Chief Public Defender needs the most improvement.

5. Have you observed any change, for better or worse, in the Chief Public Defender's overall management/performance over the past 12 months?

6. Please give your best assessment rating for the Chief Public Defender's overall management/performance over the past 12 months.

   Very Good _____
   Good _____
   Average _____
   Poor _____
   Very Poor _____

7. Do you have any additional comments regarding the Chief Public Defender's performance?

   Dated this ___ day of _____, 2013.

   _____
   Name

   _____