

OPD Staff Attorney Liaison Report

Prepared for October 24, 2011 Commission Meeting
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On September 28, 2011, all OPD staff attorneys were invited to participate in a statewide conference call to discuss the August 29, 2011 Commission Meeting and to identify issues to bring to the Commission at the next scheduled meeting. The following issues were selected for presentation to the Commission.

- 1) **Treatment Court.** Per the Commission's request, present a summary of problems and proposed solutions re treatment court programs. Roberta Drew from Billings, Jessica Polan from Kalispell, and Myshell Uhl from Missoula will help frame the issue and provide solutions.
- 2) **Substitution of Judges.** Present a summary of the current policy in Great Falls regarding substitution of judges. This presentation is intended to illustrate how certain agency directives have the potential of interfering with our ability to effectively represent our clients. Melody Brown and Vince Van Der Hagen, both from Great Falls, will help frame the issue and provide solutions.
- 3) **Ms. Hood Securing a Position with MCU.** Present a description of concerns associated with the process of Ms. Hood moving from her former position to a position on the MCU. Jesse Myers from Billings and Scott Spencer from Missoula will help frame the issue and provide solutions.
- 4) **AU Report.** Present a status report from the perspective of line attorneys re the AU report. This is intended to assist the Commission in preparing a final response regarding the AU report. Matt Claus of Billings, Brian Smith of Missoula, and I will frame the issue and provide solutions.

Despite my best intentions, I was not able to pull together a final, written report on the above issues. Additional work remains in order to allow a full and fair presentation. To that end, I will work with the assigned attorneys to provide a letter to the Chair detailing our concerns with respect to each of the issues listed above. I hope to have these letters completed by the end of November, 2011.

I would like to use my time before the Commission to provide feedback regarding the Commission's search for a new Chief. I would like to inform the Commission that, generally speaking, the attorneys are very pleased with the Commission's focus on finding a candidate with a strong background in management.

As the Commission is well aware, many of us have expressed concerns over the way in which the agency, as a whole, has been managed. Given the Commission's emphasis on management, we are curious if the Commission plans on making any changes vis-à-vis its statutory obligation to supervise and direct the agency? Any input would be greatly appreciated.