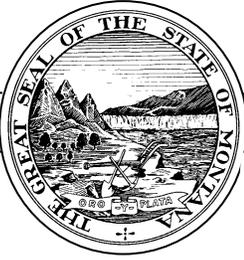


OFFICE OF THE STATE PUBLIC DEFENDER



BRIAN SCHWEITZER
GOVERNOR

KRISTINA NEAL
CONFLICT COORDINATOR

STATE OF MONTANA

Phone: (406) 444-0104
Fax: (406) 444-2669
PO Box 200145
Helena, MT 59620-0145

October 24, 2011

To: Montana Public Defender Commission

From: Kristina Neal, Conflict Coordinator

RE: Report to the Commission

UPDATES

Conflict Coordinator Office: My office is fully up and running. I am located on the first floor of the Goodkind Building, 139 N. Last Chance Gulch, Helena. My direct line is 444-2536.

Conflict cases: Since the last commission meeting, August 29, 2001 until October 11, 2011, I have assigned 389 conflict cases (see attached). I have also handled two complaints against conflict counsel, which were resolved without incident. Additionally, I have been available to field phone calls from conflict counsel to brainstorm issues in their cases and provide assistance with the pre-approval process to the conflict counsel.

Policies: I anticipate proposing to the commission changes in the conflict policies, specifically policies 119 and 116. I have also coordinated with Larry Murphy to complete the conflict section of policy 150, the assignment of cases for the Major Crimes Unit.

Standards Compliance Interviews: I have assisted Larry Murphy with standards compliance interviews of contract attorneys in Great Falls and Bozeman. Upcoming interviews are scheduled for Missoula and a second round in Great Falls. This process has been a very beneficial opportunity to meet attorneys that I had not yet worked with and also a chance to receive input and suggestions from several of the more experienced attorneys.

Concerns: I have seen an increase in the number of conflict cases in several of the regions, in which the need for contract counsel is greater than the availability. I have been in touch with these regional deputies to discuss solutions. Ideas that we have discussed have been recruitment of new contract attorneys and increase use of FTEs from other regions.



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 7/1/2011 through 9/30/2011

	*CR	*DC	*DG	*DI	*DJ	*DN	*DV	*TK	Total
Regional Office, Region 1	7	35	0	0	6	42	0	52	142
Regional Office, Region 2	27	13	0	0	5	41	0	6	92
Regional Office, Region 3	3	26	1	0	6	249	0	8	293
Regional Office, Region 4	1	0	0	0	0	23	0	5	29
Regional Office, Region 5	11	7	0	0	2	11	0	6	37
Regional Office, Region 6	0	1	0	0	0	0	0	0	1
Regional Office, Region 7	0	3	0	0	1	9	0	2	15
Regional Office, Region 8	1	6	2	0	3	16	0	25	53
Regional Office, Region 9	17	33	1	0	7	123	0	56	237
Regional Office, Region 10	1	4	0	0	0	7	0	1	13
Regional Office, Region 11	1	6	2	1	6	8	0	4	28
Major Crime Unit	0	1	0	0	0	0	0	0	1
Appellate Defender's Office	0	0	0	0	0	0	1	0	1
Total	69	135	6	1	36	529	1	165	942