



OPD FY 2026

Annual Plan

Mission

Providing the most compassionate and expert defense of clients and the Constitution.

Vision

Creating expert teams of advocates for justice, bringing respect and dignity to our clients to achieve holistic and equitable outcomes.

Office of State Public Defender FY 2026 Annual Plan

Pursuant to Montana Code Annotated § 2-12-105, OPD has prepared and filed this FY 2026 Annual Plan.

The Office of State Public Defender exists solely to provide effective assistance of counsel, by qualified and competent attorneys, to individuals in criminal and civil cases who are entitled to assistance of counsel at public expense. Mont. Code Ann. § 47-1-102.

To fulfill its purpose, OPD has adopted a single overarching goal:


Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation


To reach this goal in FY 2026, each of OPD’s four divisions have chosen three strategic outcomes, each with specific measures.


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Division 1 - Public Defender Division

 Strategic Outcome # 1	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Recruiting and Retaining Qualified Employees	
	Key Measures	Keep and hold average daily vacancy rate for public defender positions to 6% or below within Division Keep and hold annualized voluntary turnover rate for public defender positions to 15% or below within Division


 Strategic Outcome # 2	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Effectively Managing Employee Workload	
	Key Measures	Hold the average and median assignments to FTE trial public defenders to between 100 and 120% of OPD Ethical Case Management (ECM) standards within the division Hold or reduce the voluntary turnover rate due to workload for public defender positions within the division to 10% or less Monitor, manage, and improve OPD's ECM Protocols with consideration to national workload standards for public defender


 Strategic Outcome # 3	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Providing Effective, Timely Representation	
	Key Measures	Hold or reduce the average and median Time to First Assignment from a divisional assignment queue to a non-conflict, FTE public defender three (3) or less days Hold or reduce the percentage of substantiated client complaints client against FTE public defenders within the division to 7.5% or less


Division 2 - Appellate Defender Division

 Strategic Outcome # 1	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Recruiting and Retaining Qualified Employees	
	Key Measures	Keep and hold average daily vacancy rate for public defender positions to 6% or below within Division
		Keep and hold annualized voluntary turnover rate for public defender positions to 15% or below within Division
 Strategic Outcome # 2	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Effectively Managing Employee Workload	
	Key Measures	Implement Appellate Ethical Case Management (ECM) workload standards
		Track the average and median workload for FTE appellate public defenders under the implemented Appellate ECM standards
		Hold or reduce the voluntary turnover rate due to workload for public defender positions within the division to 10% or less
 Strategic Outcome # 3	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Providing Effective, Timely Representation	
	Key Measures	Hold or reduce the existing backlog of appellate matters
		Hold or reduce the average and median Time to First Assignment of an appellate matter
		Hold or reduce the percentage of substantiated client complaints client against FTE public defenders within the division to 7.5% or less




Division 3 - Conflict Defender Division

 Strategic Outcome # 1	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Recruiting and Retaining Qualified Employees	
	Key Measures	Keep and hold average daily vacancy rate for public defender positions to 6% or below within Division Keep and hold annualized voluntary turnover rate for public defender positions to 15% or below within Division

 Strategic Outcome # 2	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Effectively Managing Employee Workload	
	Key Measures	Hold the average and median assignments to FTE trial public defenders to between 100 and 120% of OPD Ethical Case Management (ECM) standards within the division Hold or reduce the voluntary turnover rate due to workload for public defender positions within the division to 10% or less Monitor, manage, and improve OPD's ECM Protocols with consideration to national workload standards for public defender

 Strategic Outcome # 3	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Providing Effective, Timely Representation	
	Key Measures	Hold or reduce the average and median Time to First Assignment from a divisional assignment queue to a non-conflict, FTE public defender three (3) or less days Hold or reduce the percentage of substantiated client complaints client against FTE public defenders within the division to 7.5% or less

Division 4 - Central Services Division

 Strategic Outcome # 1	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Recruiting and Retaining Qualified Contract Public Defenders	
	Key Measures	Hold or increase the number of contracted public defenders available Increase by 10% the number of contract public defenders that accept between 0.5 and 1.0 FTE trial public defender's worth of work
 Strategic Outcome # 2	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Ensuring Well-Trained, Effective Counsel	
	Key Measures	Provide at least 125 hours of training to OPD's employees and contractors Hold or reduce the percentage of substantiated client complaints client complaint against Contract Public Defenders to 7.5% or less
 Strategic Outcome # 3	Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation	
	by Providing Effective, Timely Contract Representation	
	Key Measures	Hold or reduce the average and median Time to First Assignment from a divisional assignment queue to a contract public defender to seven (7) or less days Increase by 10% the volume of appellate work accepted by contract public defenders