



# Office of State Public Defender

Legislative Finance  
Committee Report

*Submitted to the Governor  
and Legislative Fiscal  
Division*

September 2020

# OPD Report Contents



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## Mission

We provide effective professional legal services with equal access to quality client-centered representation.

## Vision

As trained legal professionals, we strive to represent our clients in an effective and efficient manner to ensure a more fair and balanced justice system. We are dedicated and committed to improving overall outcomes for our clients and addressing the conditions that led to their involvement with the justice system.



# Director's Letter

Fiscal Year 2020 brought several new and unexpected challenges for the Office of State Public Defender (OPD), the justice system, and the State of Montana as a whole. As the COVID-19 global pandemic affects the daily lives of so many Montanans, the justice system is no exception. While stay-at-home orders, quarantines, shutdowns, and masks became our reality, OPD has been busy behind the scenes responding to the rapidly evolving situation. Nearly every aspect of OPD's operations were - and continue to be - affected by this crisis.

Client consultations, especially for incarcerated clients, have become much more difficult. Connecting clients to services poses new challenges as providers and facilities similarly adjust to new norms. The return of jury trials brought new questions about how to effectively conduct a trial, with all the constitutional protections and other requirements, in the age of Zoom and social distancing. Even simple and routine court appearances have challenged our clients and staff as they adapt to this new and uncertain time.

Thankfully OPD has risen to these challenges. Regional office staff across the state have done everything within their power to ensure their clients continue to be fully represented while managing health and safety concerns for themselves, their families, their co-workers, and their clients. And within only a handful of days of the Governor's Stay-At-Home Order, OPD was able to scale its remote work ability to allow for nearly all 300 OPD employees to work safely from home. This was an impressively smooth technological feat, for which we are extremely thankful to our OPD Information Technology staff. The employees of OPD have shown great strength and commitment as the State navigates this changed landscape.

In addition to these unique challenges, OPD was notified that our current case management system was reaching end-of-life and would no longer be supported as of June 30, 2021. Thankfully OPD was able to quickly pivot its existing work of overhauling the case management system to planning for its replacement, including navigating the time and resource intensive Request for Proposal (RFP) process. Thinking big, and recognizing the opportunity a new system brings, OPD is seeking a future-oriented case management platform that utilizes technological improvements and data-integrations to ease data entry, reduce the rate of data errors, and allow for rapid identification and correction of data integrity issues. Such a platform will also provide agency decision makers at all levels better, more accurate data about agency operations. This is a very exciting project for OPD!

An unfortunate side-effect of this exciting development, however, is that OPD has been unable to bring a number of anticipated improvements to its data processes, including several identified in the Fiscal Year 2019 Legislative Finance Committee Report. So, while several footnotes remain in this year's report, please note OPD has not chosen to ignore these issues but instead focus resources on securing a new system which addresses these concerns through improved data processes and structure, providing long-term consistency and stability to OPD's operations.

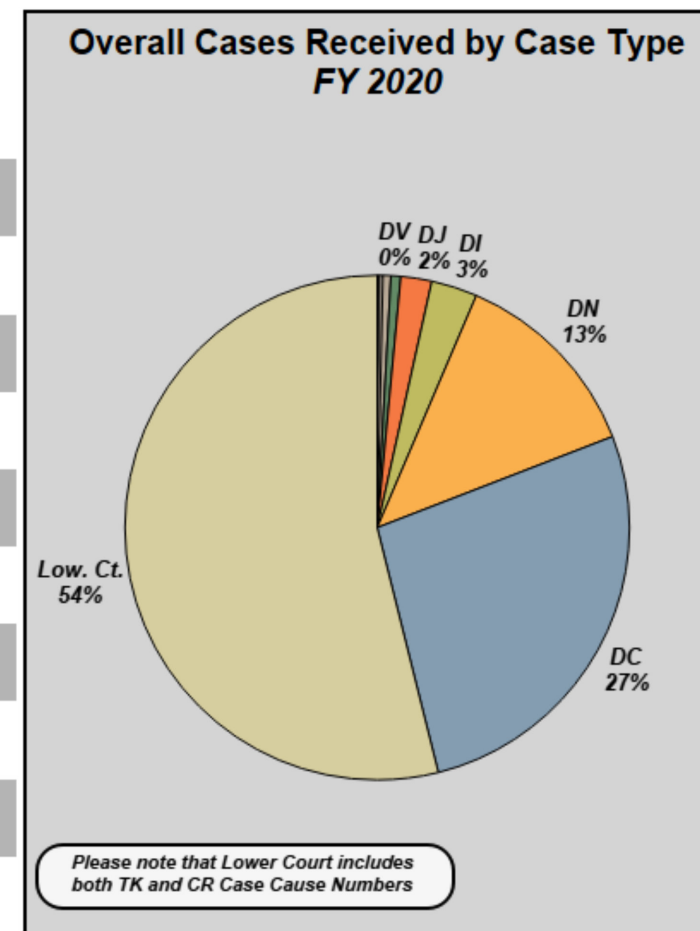
I am incredibly proud of the work OPD has done in Fiscal Year 2020 and am looking forward to the future.

- Rhonda Lindquist, Director

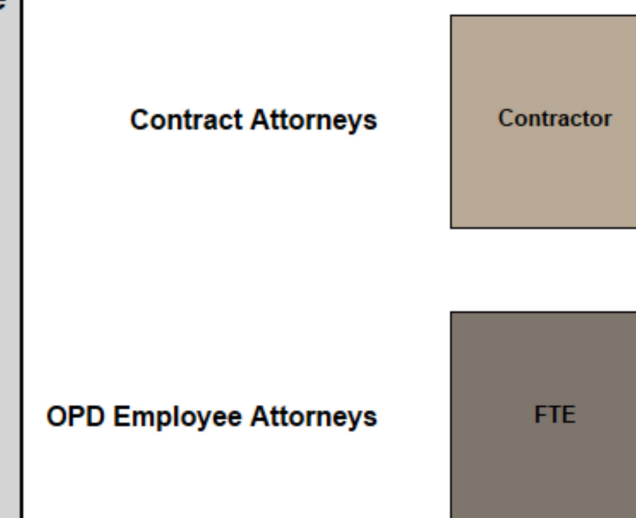
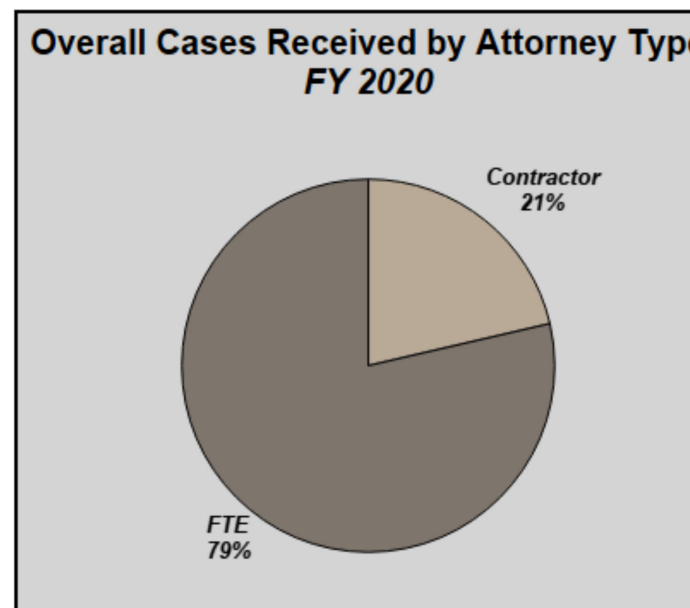
## Agency Case and Assignment Types

### OPD Represents Clients in the Following Case Types in All Courts Across the State

Case Type Code	Case Type Name
DA	Appeal
DC	District Court Criminal
DD	Developmental Disability
DG	Guardianship
DI	Involuntary Commitment
DJ	Juvenile
DN	Dependency & Neglect
DV	Post-Conviction
Low. Ct.	Misdemeanor
SR	Sentence Review
TE	Treatment Court

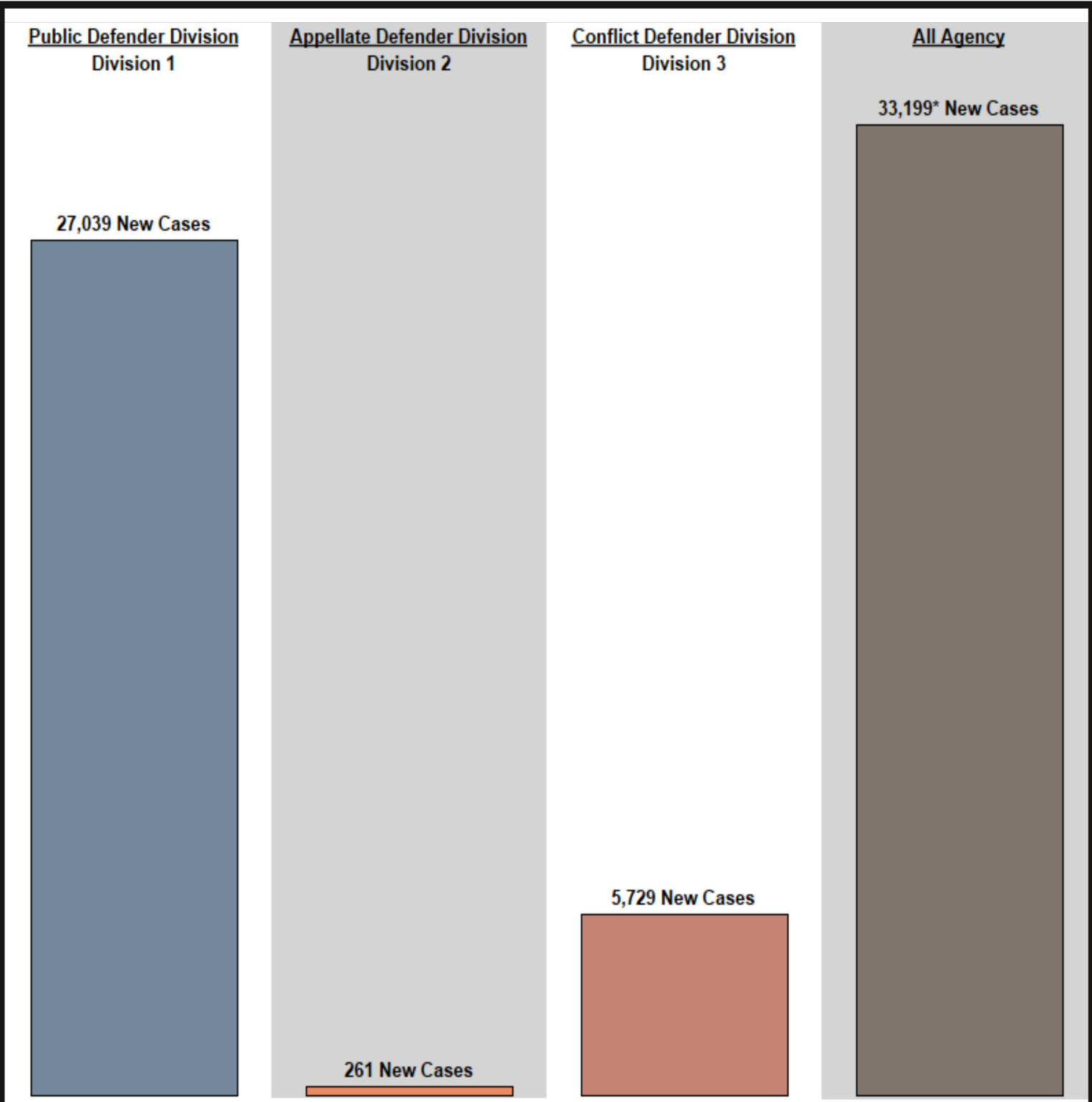


### OPD Assigns Both Internal and External Attorneys



# New Cases Received

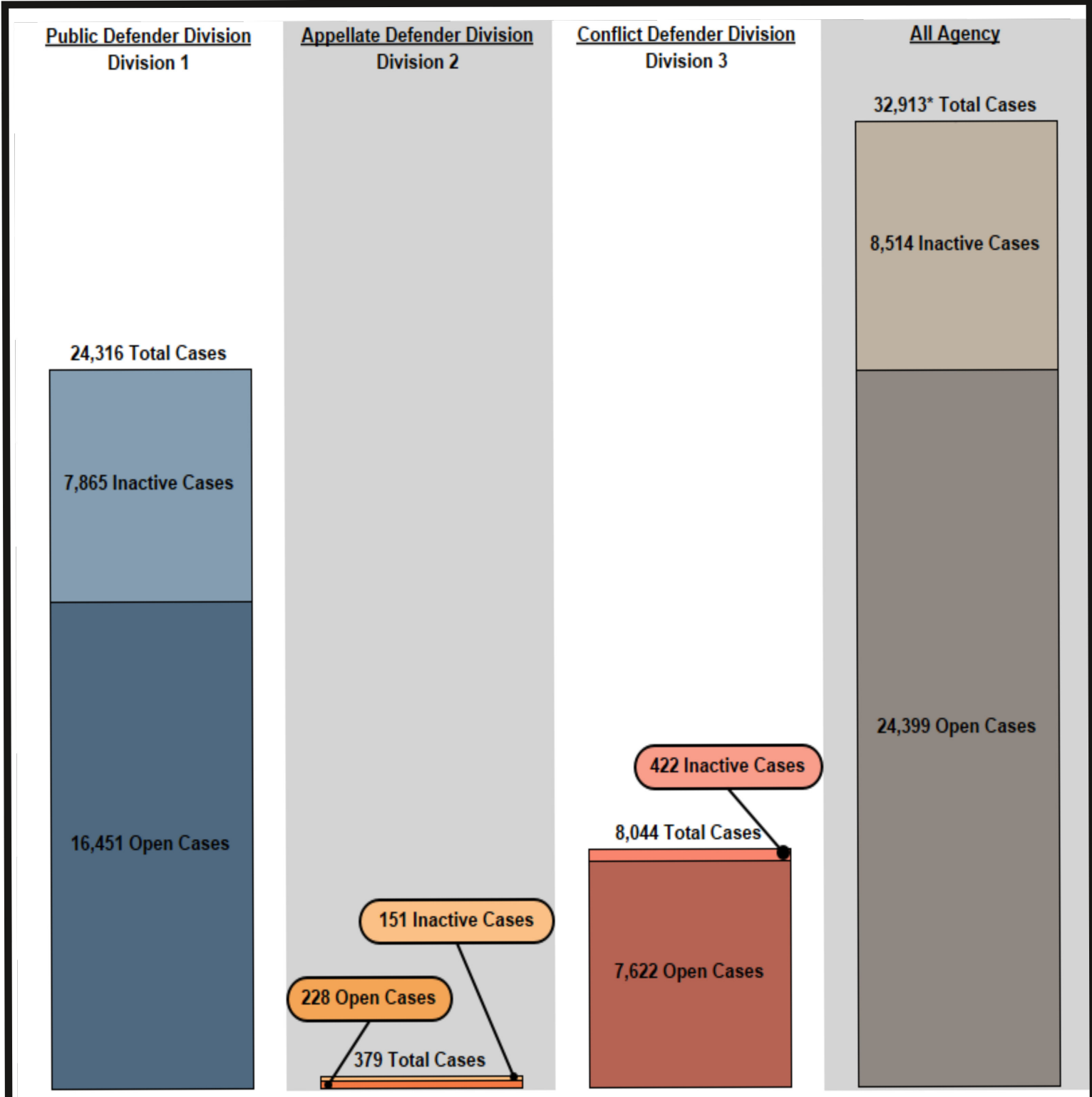
This data displays all new cases received from July 1, 2019 - June 30, 2020.



\* Agency total includes 168 Sentence Review cases and 2 Capital Cases received during FY 2020

# Cases by Status

This data displays case statuses as of June 30, 2020. Please note cases in Division 2 labeled inactive include both cases awaiting attorney assignment and cases not currently being worked on.



\* Agency total includes 94 Open and 76 Inactive Sentence Review cases and 4 Open Capital Cases as of June 30, 2020.

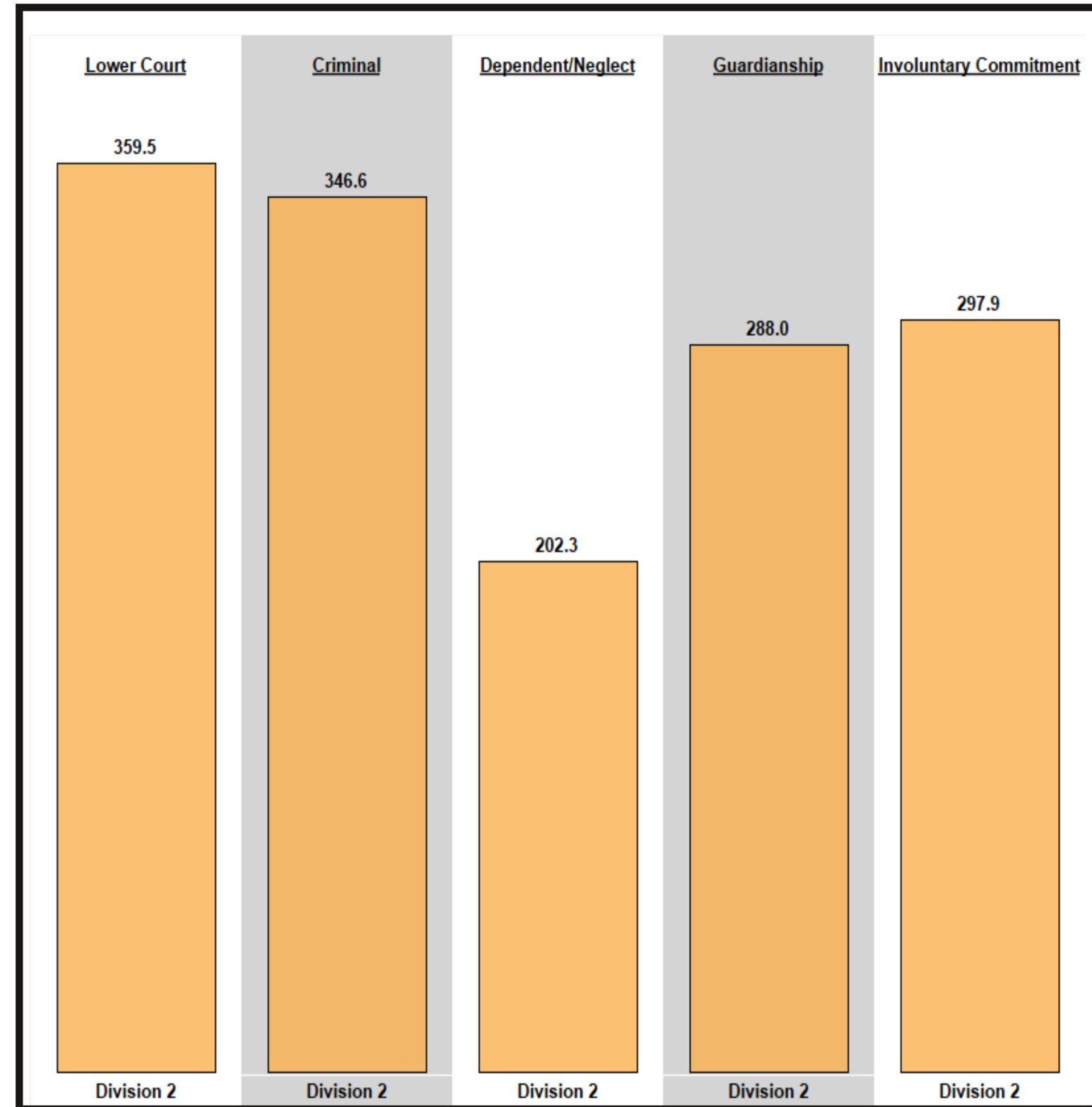
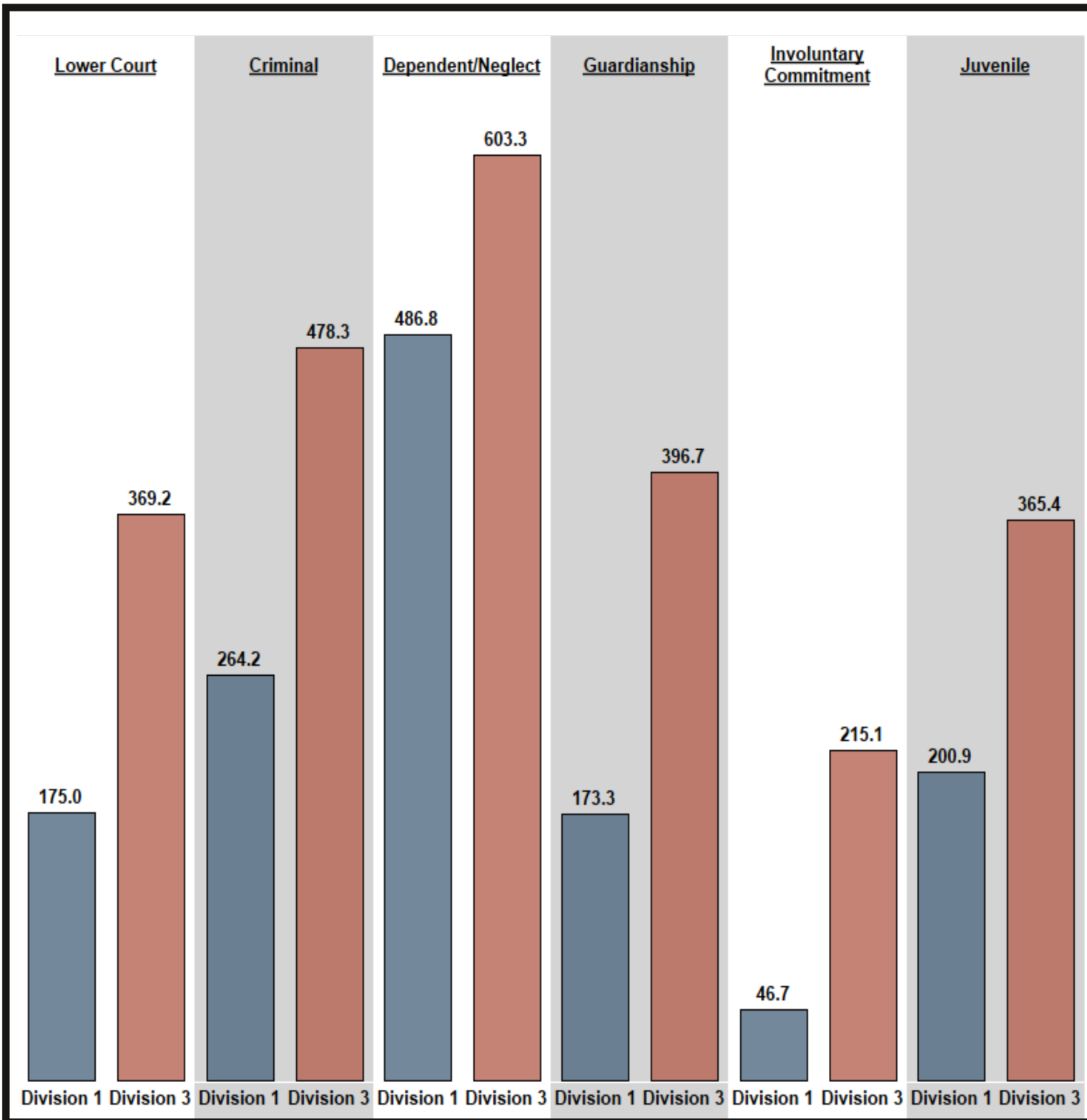


# Case Duration

This data displays the average number of days between open and close for all cases closed between July 1, 2019 - June 30, 2020\*

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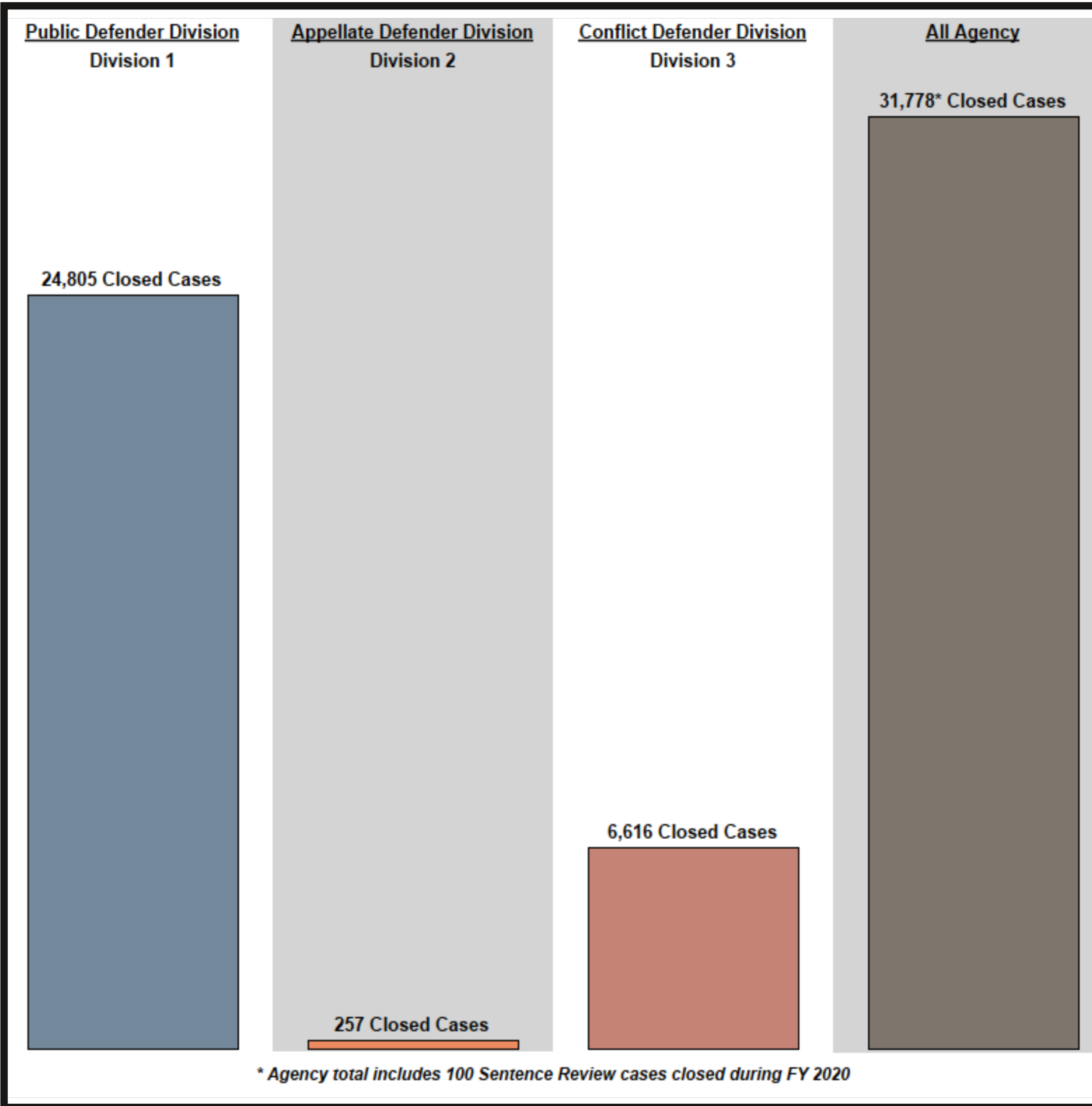


\*This may or may not represent the time from case opening to date of disposition due to delays in cases being closed.

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# Cases Closed

*This data displays all cases closed from July 1, 2019 - June 30, 2020. Please note counts may include cases closed in previous fiscal years, then re-opened and closed again in FY 20.*



**Report Prepared by OPD Operations Support Unit  
Pursuant to 47-1-125(2) MCA**

Please direct any questions to the Operations Support Unit by contacting [OPDOperations@mt.gov](mailto:OPDOperations@mt.gov).



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