

**Office of the State Public Defender
Administrative Policies
Human Resources**

Subject: Performance Evaluations	Policy No.: 515
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1. POLICY

Each employee of the Office of the State Public Defender (OPD) shall have their work performance evaluated annually. Interim evaluations will be conducted at the discretion of the individual supervisor. This policy does not apply to the OPD director.

2. PROCEDURE

2.1 Performance evaluations shall be conducted on a form approved by the Director.

2.1.1 The OPD Director shall evaluate his or her direct reports.

2.1.2 Division Administrators shall evaluate his or her direct reports.

2.1.3 Regional Deputy Public Defenders, managing attorneys, and department managers shall evaluate their direct reports.

2.2 All supervisors will review evaluations with employees at the time of hire or before they are finalized and discussed with the employee.

2.3 In conducting attorney evaluations, the evaluator may obtain information from any of the following:

2.3.1 Clients;

2.3.2 Co-workers (attorneys, investigators, office staff);

2.3.3 Judicial personnel;

2.3.4 Faculty from any training the employee attends.

2.3.5 In addition, attorneys will be observed in court by the evaluator.

2.4 The person conducting the performance evaluation shall meet with the employee to review and discuss the evaluation. If the employee disagrees with the appraisal, s/he has the right to submit, within 10 working days of receipt of the appraisal, a written rebuttal to be attached to the document.

2.5 A permanent employee may file a grievance under the state grievance procedure outlined in the State Performance Management and Evaluation Policy.

2.6 Once all parties have signed the performance evaluation, a copy will be given to the employee. If the employee refuses to sign the form, the supervisor will document on the form that the employee refused to sign the document. The original will be placed in the employee's Central Services Division personnel file along with any written comments received from the employee. The performance evaluation will be retained in compliance with the State Records Retention Schedule.

3. CLOSING

This policy shall be followed unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Questions about this policy should be address to the OPD Human Resource Officer at:

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