

COMMONLY USED TERMS IN COMMISSION MEETINGS:

OPD – Office of the State Public Defender

Region 1	<i>Kalispell/Polson</i>
Region 2	<i>Missoula/Hamilton</i>
Region 3	<i>Great Falls</i>
Region 4	<i>Helena</i>
Region 5	<i>Butte/Anaconda</i>
Region 6	<i>Havre/Glasgow</i>
Region 7	<i>Lewistown</i>
Region 8	<i>Bozeman</i>
Region 9	<i>Billings</i>
Region 10	<i>Glendive</i>
Region 11	<i>Miles City</i>
MCU	<i>Major Crimes Unit (located in Helena)</i>
OAD	<i>Office of the Appellate Defender</i>

Case Weights, aka **Case Weight System or CWS** – the tool used to monitor attorneys’ workloads

FTEs – full-time employees who work directly for OPD

AFSCME – American Federation of State, County and Municipal Employees – the union that represents staff attorneys, investigators and support staff in Program 1’s regional offices. Employees in Programs 2 and 3 and Central Services are not represented by a union.

OBPP – The Office of Budget and Program Planning (the Governor’s budget office).

General fund: The treasury fund into which all money not earmarked for a specific purpose is deposited, mostly from income and property taxes. The general fund supports the general functions of state government.

State Special Revenue (SSR) fund – includes payments of public defender fees from clients, and any gifts, grants or donations received. These funds are to be used only for the operation of the public defender system.

Fiscal year – the State of Montana’s fiscal year begins on July 1st and ends on June 30th.

Appropriation - An authorization to spend state or federal money. The Legislature appropriates money by passing bills that authorize agencies to spend money for certain purposes.

Active/Inactive Cases - Active cases are currently being worked on; inactive cases are those where the client has disappeared and a warrant has been issued for their arrest; or there has been a deferred sentence or deferred prosecution whereby the client can withdraw his guilty plea or have the charges dismissed upon the fulfillment of certain conditions.

Misdemeanors: criminal cases that carry six months to a year in jail, fines, court costs, other conditions

Felonies - serious criminal cases – must be heard in district court

Lower courts, aka Courts of Limited Jurisdiction – includes city courts, justice court and municipal court; these courts handle misdemeanor cases.

District Courts - Courts that handle felony cases and other matters. Unlike many lower courts, the judges must be attorneys.

DN – district neglect: district stands for the court, district court; neglect stands for abuse and neglect cases. Also referred to as “dependent neglect” cases.

Abuse and neglect are those cases where the government has intervened in the parent-child relationship and either removed the children from the home or are working with the parents and keeping the children in the home. The case could result in the termination of the parental rights, i.e. the parents lose their children permanently.

DC – district criminal: these are felony cases

DI – district involuntary: involuntary commitment cases where the government is seeking to commit a client to the Montana State Hospital due to a mental disorder

DJ – district juvenile: cases where children have been charged with criminal offenses and those cases are being heard in the youth court

DG – district guardianship: cases where there has been a petition filed for someone to have a guardian appointed by the court to manage their life generally: where they will live, what they will do for health care, how they will spend their money

Appeals - Where a client requests that a higher court review a decision of a lower court, e.g. one would appeal a case from a court of limited jurisdiction to the district court; one would appeal a district court case to the Montana Supreme Court

Conflict – when an attorney or office cannot represent a client due to a conflict of interest. Usually means the attorney or office currently represents another person who is intimately involved in that case.

Contract attorneys - Private attorneys who contract with OPD to handle conflict cases and other cases as needed by the region. Payment is currently \$62 per hour. The rate for capital cases is \$120 per hour.

Jurisdiction - the ability or authority of a court to hear a case, e.g. city courts do not have jurisdiction over felony cases

An “**Initial**” – when the criminal defendant first appears before the court.

Capital case – a death penalty case