

## FIELD REPORTS REPORT

### A. OPERATIONAL ISSUES

- a. Provision of Services – There were no significant changes in the provision of services in each region, other than:

Region 1 has experienced the loss of 2 or 3 contract attorneys in Libby. Without other available contract attorneys in the area, the Kalispell office is having to send attorneys over to Libby to cover the work.

Region 4 is in the process of interviewing for an investigator.

Region 9 is developing a plan for services in the court of the new judge.

- b. Each region outlined, in their original report, the provision of services in each court and in each type of case. No changes were noted in the current report.
- c. Court staffing – No new issues identified.
- d. Court Issues - Court issues identified are:

The election in November was causing regionals to identify the need to meet with newly elected judges or justices to talk to them about OPD, who would be appearing in their court, etc.

In Region 10 their use of VisionNet is hampered by its only availability being at the high school or jail.

Region 9 reports that the newly elected district court judge, Judge Nisely is bringing her municipal DUI court up into the district court and expects approximately 50 participants. Another district court judge is starting a drug court. Currently the Billings Office uses one FTE position plus \$2500 paid to a contractor to services all the specialty courts in Billings.

- e. Stakeholder issues – Most of the reports talked of contacts with or plans to contact area legislators. Sheriff candidates were contacted in Great Falls (Region 3) resulting in a hope that the access to jails will be solved under a new administration. The regionals in both Region 8 (Bozeman) and Region 9 (Billings) belong to local criminal justice councils.
- f. Client complaints – No new information other than some regions continue to report a drop in s a complaints.

### B. Caseloads

- a. Personal caseloads - All RDPD have reduced their caseloads and are continuing to move themselves to second chair on cases or simply being the mentor for the case.
- b. Most regions have experienced fairly flat caseload growth (Billings, Kalispell, Helena). Region 2 has seen a decline in DN cases whereas there has been an increase in cases including DN and DI because of a new county attorney. In Region 3, there has also been an increase in filings in Meagher County because of a new county attorney. The eastern oil boom has resulted in an increased caseload in Region 10.
- c. Jury trials –

Region 1: 24 cases in which substantive motions were filed or contemplated. As a result of filing the motions or using the grounds for motions in negotiations, the region was successful in 16 cases.

Region 2 : 8 felony trials and several misdemeanor trials.

Region 3: 2 felony trials (1 conviction, 1 hung jury) and 2 misdemeanor trials (1 conviction, 1 acquittal).

Region 4: 3 felony and 1 misdemeanor trials resulting in 1 conviction, 2 acquittals plus a case with an acquittal on 1 count and a hung jury on the other.

Region 5: 1 misdemeanor conviction and one acquittal on a misdemeanor appeal

Region 7: conviction on a homicide trial

Region 8: 2 major felony trials scheduled for October and December

Region 9: 2 misdemeanor trials resulting in acquittals and 1 felony trial resulting in a good plea offer in the middle of trial.

Region 10: none this quarter

- d. Major upcoming trials – Most regions reported upcoming trials, usually multiple ones. Region 4 is briefing the various issues in criminal charges resulting from a town ordinance that makes refusing the breathe test a crime.
  - e. Dispositions – no new information.
- C. Contractors -
- a. Contractor changes – we have lost 2 of the 3 contract attorneys in Lincoln County and the only attorney in Laurel. Several Anaconda attorneys used in DN cases have not yet signed the MOU because of concerns about the CLE requirements.
  - b. Contractor issues – nothing new.
  - c. Meeting with Contractors – same meetings as in the past report.
- D. Office issues
- a. Meeting with staff – No new information.
  - b. Future staffing needs – most identify the need for more support staff (Kalispell, Missoula, Great Falls, Butte) Several identify the need for another attorney (Billings, Bozeman, Butte)
  - c. Office leases – two office (Kalispell and Glendive) will probably be moving within the year. The rest of the leased area is okay.
- E. Informational issues
- a. Case certification – No new information.
  - b. Quirkly IQ issues – No new information.
  - c. Denials and overruling – every region denies some people within the timeframe and rarely does that determination get overturned by the judge and when they do, it is generally in a court of limited jurisdiction.
  - d. See above
  - e. Case weighting system – it is clear that all managers are aware of those attorneys who are ‘red flagged’ on the case weighting system and were able to discuss what they had done about it.
  - f. JustWare – there is still general concern about the need for further resources to comply with the requirements of Justware. There was also reference to the efforts being made to get attorneys to enter their time.
- F. Financial
- a. Every region was able to discuss their budget, both in terms of shortfalls and savings.
  - b. Needs – printers, furniture, staff
  - c. Long term budget changes – greater costs in providing attorneys for children (Billings); challenges of servicing areas without readily available contract lawyers (Lewistown, Butte)
  - d. Classification issues – no new information
  - e. FTE levels – Recognize the need for the pay ladder to be continue to be implemented to keep attorneys.
  - f. Vendor payments – No new information.
- G. Standards compliance – No new information accept that they are aware of Eric’s standard compliance project and have no issues with that.
- H. Agency policies – No new inforamtion.
- I. Top Ten Challenges – challenges identified:

- a. New judges
- b. Want team leaders
- c. Travel burnout
- d. Justware taking too much staff time away from other tasks
- e. Identifying qualified contract attorneys
- f. JustWare time entries
- g. Speciality courts and the resources needed