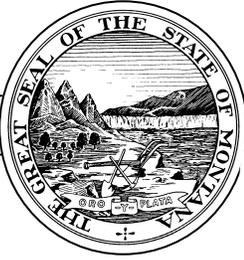


OFFICE OF THE STATE PUBLIC DEFENDER



BRIAN SCHWEITZER
GOVERNOR

KRISTINA NEAL
CONFLICT COORDINATOR

STATE OF MONTANA

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January 19, 2012

To: Montana Public Defender Commission
From: Kristina Neal, Conflict Coordinator
RE: Report to the Commission

UPDATES

Conflict cases: So far in FY 12, I have appointed counsel in 1,024 cases in the first quarter and 696 cases in the second quarter for a total of 1,720 cases (see attached). The average number of appointments is over sixty per week.

Currently each region submits the proposed conflict case to me via an e-mailed form which describes the reason for the conflict and any noteworthy information regarding the case such as whether the client is incarcerated and upcoming court dates. I have discussed with Kyle Belcher developing an electronic conflict form so that we can better track the basis for which cases are being considered a conflict.

Additional work load: Besides the appointment of counsel in conflict cases, I am also handling the claim forms, billing, and pre-approvals for the conflict cases. I also handle and resolve the conflict client complaints and then serve as a resource for conflict counsel to brainstorm strategies in their cases and other case specific guidance.

I have started keeping track of my time. Given that this is a new position, I have been working with Marsha Parr to develop categories in JustWare to track my time so that we will have a better understanding of the time requirements for the different tasks associated with my position and the overall time needs of this position.

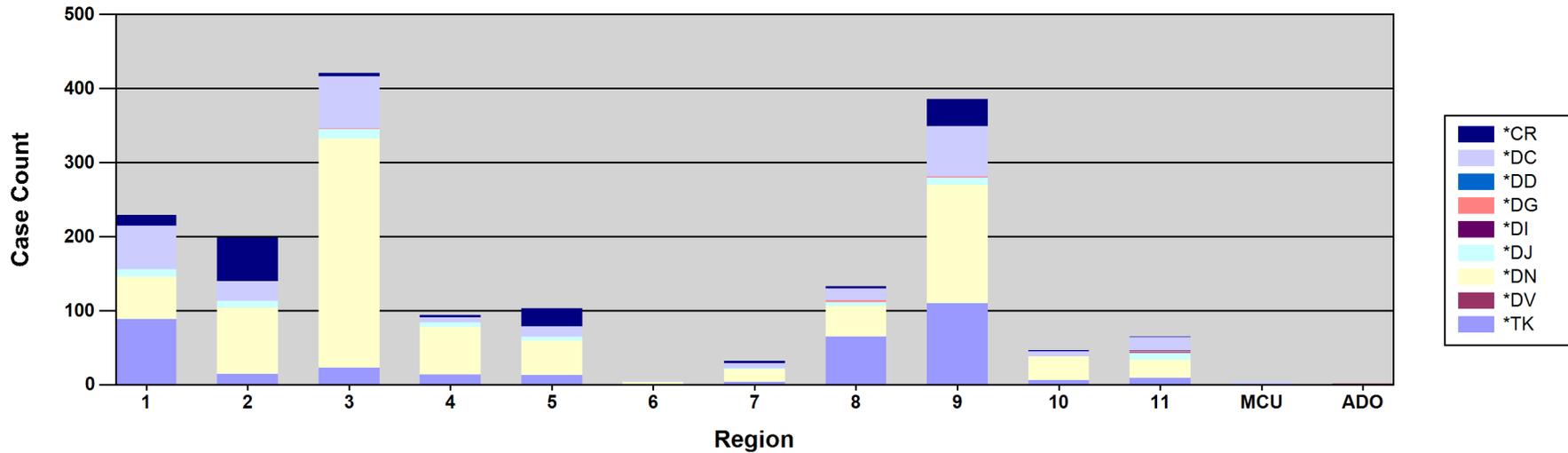
Concerns: I continue to see an increase in the number of conflict cases in several of the regions, in which the need for conflict counsel is greater than the availability. Great Falls is the region of most concern. For example, in December 2011, Region 3 had 43 conflict cases, the highest in the state. However, Great Falls only has four to five conflict attorneys that will routinely accept appointments. Even those attorneys have their own successful private practices and prefer to limit the number of public defender clients.



Office of the State Public Defender: OPD Opened Conflict Cases by Type Report

Period from: 7/1/2011 through 12/31/2011 11:59:59 PM

Opened Conflict Cases



	*CR	*DC	*DD	*DG	*DI	*DJ	*DN	*DV	*TK	Total
Regional Office, Region 1	14	59	0	0	0	10	57	0	89	229
Regional Office, Region 2	59	27	0	0	0	9	89	0	15	199
Regional Office, Region 3	5	70	0	1	0	13	309	0	23	421
Regional Office, Region 4	3	7	0	0	0	6	64	0	14	94
Regional Office, Region 5	24	14	0	0	0	5	47	0	13	103
Regional Office, Region 6	0	1	0	0	0	0	4	0	0	5
Regional Office, Region 7	3	7	0	0	0	1	17	0	4	32
Regional Office, Region 8	3	16	0	2	0	6	41	0	65	133
Regional Office, Region 9	37	68	0	1	0	10	160	0	110	386
Regional Office, Region 10	2	7	0	0	0	0	32	0	6	47
Regional Office, Region 11	1	17	1	2	1	9	25	0	9	65
Major Crime Unit	0	4	0	0	0	0	0	0	0	4
Appellate Defender's Office	0	0	0	0	0	0	0	2	0	2
Total	151	297	1	6	1	69	845	2	348	1,720