EXHIBIT 3

Office of the State Public Defender
Administrative Policies

Subject: **Conflict Cases**	Policy No.: **116**
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1.0 POLICY

The Office of the State Public Defender (OPD) has established the following procedures to ensure that when a case that is assigned to the office presents a conflict of interest for a public defender, the conflict is identified and handled appropriately and ethically.

2.0 PROCEDURE

2.1 When a case is determined to be a conflict of interest, the Regional Deputy Public Defender shall assign the case to a private attorney whose name is maintained on the conflict attorney list or to a public defender from outside his/her region.

2.2 The conflict attorney shall submit bills for the payment of attorney time to the Contracts Manager. In reviewing bills, the Contract Manager shall:

- **2.2.1** Review the total hours of work claimed;
- **2.2.2** Review the work expended without reference to the charge or the parties involved;
- **2.2.3** Review any costs claimed, referencing any pre-approval requirements.

2.3 Costs, other than attorney fees, expected to be incurred by a conflict attorney, which exceed $200.00, will be pre-approved by the Training Coordinator.

- **2.3.1** In determining pre-approval, the Training Coordinator will not disclose any information about the case to the Contracts Manager or the Chief Public Defender.
- **2.3.2** The review of pre-approval costs shall, in most cases, only question if other options are available that are more cost-effective and just as good.
- **2.3.3** For pre-approval costs that are extraordinary or questionable, the Training Coordinator may ask the Public Defender Commission's Contracts Process and Approvals Committee for assistance.

2.4 The Chief Public Defender, Contracts Manager, and Training Coordinator will confer with each other about the availability of experts or other options relating to costs in cases without reference to the specifics of any case.

3.0 CLOSING

Questions about this policy should be directed to OPD at the following address:

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