

MONTANA PUBLIC DEFENDER COMMISSION
COLLECTIVE BARGAINING COMMITTEE MEETING

Central Office □ 44 W. Park, Butte, MT 59701
and by teleconference

August 18, 2010

DRAFT MINUTES

Call to Order

The meeting of the Collective Bargaining Committee was called to order at 11:35 a.m. by Committee Chair Terry Jessee.

Commissioners Present

Terry Jessee, Billings; Fritz Gillespie, Helena; Chuck Petaja, Helena

Other Interested Parties

Randi Hood, Chief Public Defender; Harry Freebourn, Administrative Director; Niki Zupanic, American Civil Liberties Union (ACLU)

Approval of Minutes

Commissioner Petaja moved to approve the minutes of the July 24, 2009 meeting as written. Commissioner Jessee seconded and the motion carried unanimously.

American University (AU) Recommendations

AU Recommendation 2: Adjust case weighting system

AU Recommendation 3: A meaningful system should be developed for evaluating the work of the lawyers

These items were tabled because they were already discussed in the Personnel Committee under item 11.

AU Recommendation 31: Investigator resources provided to misdemeanor cases

Chief Public Defender Randi Hood reported that an investigator policy is in draft form and the investigator request form referenced in the policy is already in use. Investigative resources are considered to be a statewide function, and the new policy will help to prioritize the limited resources available. The team recommended and the agency adopted the policy. This AU recommendation is complete.

AU Recommendation 1: Information should describe: Record and report on caseloads; develop drop down boxes for dispositions; record workload of attorneys (CWS); define other reports that help all manage; write/deploy reports (caseloads/disposition/workload); develop/institute information certification process; record cultural data; institute a short-term training program; institute long-term training (orientation/annual update).

Administrative Director Harry Freebourn said the case management system is the only system unique to the agency; other systems are used by all state agencies. JustWare was inherited from the counties when OPD assumed their operations, and the agency implemented it statewide.

Brian Smith is an attorney who was part of the original agency-wide design team, and he has developed a plan to complete all remaining tasks including report development by December 31, 2010.

The agency continues to work with New Dawn (the JustWare vendor) to understand the information in the 70 plus available reports, to put processes in place to demonstrate reliability, and to survey the system see how the system is being used and how data is being entered.

The OPD Information Improvement Team is recommending a process to address major informational requests by stakeholders to the agency. In addition, defining standard reporting requirements would allow the agency to plan and set work schedules. Although the case management system is capable of tracking virtually any kind of information, the limited staff resources require that only essential vs. just “interesting” information be entered and reported on. Commissioner Petaja believes that essential information is that which ensures that the Standards are being met.

The Team also recommends the formation of an audit committee with its own budget that reports directly to the commission. The committee could then hire independent auditors with a directive to assure the commission that the information is reliable and accurate.

After a very lengthy discussion of Commissioner Taylor’s August 12 information request to OPD, the Committee decided it was an issue for discussion by the Commission as a whole and suggested that it be an agenda item at the August 30 meeting.

Public Comment

There was no public comment.

Old business/New Business (*Action Items)

There were no action items.

Adjourn

Commissioner Petaja made a motion to adjourn, Commissioner Gillespie seconded, and the motion carried. The meeting adjourned at 12:45 p.m.