



MONTANA PUBLIC DEFENDER COMMISSION STATE OF MONTANA

Goals, Objectives, and Action Items Office of the State Public Defender-Appellate Office PROGRAM 2

GOAL 1: Maintain and improve a statewide Appellate Defender system- Office to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to assistance of counsel during the appeals process at public expense.

GOAL 2: Ensure that the statewide Appellate Defender Office-system is free from undue political interference and conflicts of interest.

GOAL 3: ~~Monitor-Ensure~~ that Appellate Defender Office services are delivered by qualified and competent appellate counsel.

GOAL 4: ~~Ensure-Assure~~ that the system utilizes state employees and contracted services to avoid conflicts of interest and to process appeals in a timely manner.

GOAL 5: Advocate for adequate funding ~~for~~ the statewide- Appellate Defender Officesystem.

GOAL 6: Ensure that clients of the statewide Appellate Defender Office pay reasonable costs for services based on the clients' financial ability to pay.

GOAL 7: Advocate for parity in pay and resources with the Attorney General's Office.

GOAL 8: Ensure uniformity and consistency in the administration of the statewide Appellate Defender Office and its case management program.

GOAL 1: Maintain and improve a statewide Appellate Defender Office~~defender-system~~ to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to assistance of counsel during the appeals process ~~appeals~~ at public expense.

OBJECTIVE: Monitor the existing statewide Appellate Defender ~~o~~Office to ensure~~assure that~~ it provides high quality services at a reasonable cost.

ACTION ITEM: Periodically adjust the balance of state employees and contract services to achieve the best result.

ACTION ITEM: Periodically update the strategic agency's plan for providing Appellate Defender Office services, including a review of the office's statutory provisions. ~~for presentation to the Montana Public Defender Commission and other interested parties.~~

ACTION ITEM: Develop, monitor and adjust information systems, processes, and policies and procedures as necessary to ensure accurate and verifiable information is available to manage the agency, including but not limited to caseloads, case dispositions, attorney workload, and other operational information.

ACTION ITEM: Develop measures that allow for the periodic review of operations to verify that agency personnel are accurately implementing standards, policies, and procedures.

ACTION ITEM: Develop a plan to deal with case overloads that may include refusing cases from entering the system to assure high quality of services.

GOAL 2: Ensure that the statewide Appellate Defender Offices ~~system~~ is free from undue political interference and conflicts of interest.

OBJECTIVE: Guarantee the integrity of the relationship between attorney and client. Take all necessary steps to ensure that the Appellate Defender Office is not subject to unwarranted judicial supervision. Assist the criminal justice system to treat people without bias and to provide fair treatment to all.

ACTION ITEM: Identify and address interference issues through the Judicial Systems Committee. Monitor the agency's uniform procedure for identifying conflicts of interest.

~~ACTION ITEM: Identify attorneys who are available to handle post-conviction relief petitions.~~

GOAL 3: ~~Ensure~~ Monitor that ~~a~~ Appellate ~~d~~ Defender Office services are delivered by qualified and competent appellate counsel.

OBJECTIVE: ~~Staff and s~~ Support the agency's training function.

ACTION ITEM: The training coordinator, ~~in consultation with the Chief Public Defender and the Public Defender Commission,~~ will design annual training programs that best achieve the goals of the agency, including goals of the statewide Appellate Defender Office, in consultation with the Chief Appellate Defender, the Public Defender Commission, and by survey of agency staff.

~~ACTION ITEM: Provide for out-of-state specialized appellate training for one appellate attorney each year.~~

ACTION ITEM: The training coordinator will include staff and contract appellate attorneys in trainings to further the understanding of appellate issues for all public defenders. The training

coordinator will solicit feedback and evaluations from attendees to assure that the training provided was effective.

GOAL 4: ~~Assure~~ Ensure that the system utilizes state employees and contracted services to avoid conflicts of interest and to process appeals in a timely manner.

OBJECTIVE: ~~Assure~~ Ensure that the main focus of the statewide Appellate Defender Office ~~of the Office of the State Public Defender~~ is to provide the best appellate-client service. ~~Ensure~~ Assure that services ~~are~~ is being provided by monitoring the performance of state employees and contracts with private ~~appellate~~ attorneys.

ACTION ITEM: Continually identify attorneys willing to contract with the statewide Appellate Defender Office ~~for appellate services~~.

ACTION ITEM: Agency management will evaluate full-time and contract attorney performance to assure quality of services.

GOAL 5: Advocate for adequate funding ~~for~~ of the statewide Appellate Defender Office ~~defender system~~.

OBJECTIVE: The agency will communicate ~~to the Montana Public Defender Commission, all branches of state government, and other interested parties~~ information related to the caseloads and costs of the statewide Appellate Defender Office ~~defender system~~ to the Commission, all branches of state government, and other interested parties.

ACTION ITEM: Budget information will show the accomplishments of attorneys in serving the mission of the statewide Appellate Defender Office.

ACTION ITEM: The Commission and the statewide Appellate Defender Office will take actions to advocate its value to others.

GOAL 6: Ensure that clients of the statewide Appellate Defender Office pay reasonable costs for services based on the clients' financial ability to pay.

GOAL 7: Advocate for parity in pay and resources with the Attorney General's Office.

OBJECTIVE: The statewide Appellate Defender Office will communicate information related to disparity in pay and resources to the Commission, all branches of state government, and other interested parties.

ACTION ITEM: Continually identify the disparities and work to correct them.

GOAL 8: Ensure uniformity and consistency in the administration of the statewide Appellate Defender Office and its case management program.