

## PERFORMANCE EVALUATION FORM

### PERFORMANCE EVALUATION SUMMARY RECORD

|  |                                       |  |                                |
|--|---------------------------------------|--|--------------------------------|
| <b>Employee Name</b>                     | <b>Employee ID Number</b>             | <b>PE Due Date</b><br>12/31/2010           |                                |
| <b>Position Title</b><br>Public Defender | <b>Position Number</b>                | <b>Hire Date</b>                           |                                |
| <b>Supervisor</b>                        |                                       |  |                                |
| <b>Covering Period from</b>              |                                       | <b>to</b><br>12/31/2010                    |                                |
| <b>Type of Review</b>                    | <input type="checkbox"/> Probationary | <input checked="" type="checkbox"/> Annual | <input type="checkbox"/> Other |

### EVALUATION INFORMATION

| Competency                             | TOTAL POSSIBLE POINTS | WEIGHT | EMPLOYEE RATING   | Rating Comment                        |
|--|-----------------------|--------|-------------------|---------------------------------------|
| 1. Knowledge of Relevant Law (10%)     | 0                     | 10%    | 0.00              | #DIV/0!                               |
| 2. Written Advocacy (10%)              | 0                     | 10%    | 0.00              | #DIV/0!                               |
| 3. Legal Analysis (20%)                | 0                     | 20%    | 0.00              | #DIV/0!                               |
| 4. Research (5%)                       | 0                     | 5%     | 0.00              | #DIV/0!                               |
| 5. Oral Advocacy (15%)                 | 0                     | 15%    | 0.00              | #DIV/0!                               |
| 6. Client Service (10%)                | 0                     | 10%    | 0.00              | #DIV/0!                               |
| 7. Professionalism (10%)               | 0                     | 10%    | 0.00              | #DIV/0!                               |
| 8. Initiative and Accountability (10%) | 0                     | 10%    | 0.00              | #DIV/0!                               |
| 9. Influence (10%)                     | 0                     | 10%    | 0.00              | #DIV/0!                               |
| <b>TOTAL</b>                           | 0                     | 100%   | 0.00              | <b>STANDARD POINTS</b><br><b>0.00</b> |
|  |                       |        | <b>Percentage</b> | <b>#DIV/0!</b>                        |

The Total Possible Points are measured against the meets expectation standard of performance (rating of 1). An employee who receives exceed expectation ratings will receive an overall employee rating greater than the Total Possible Points For Employees Meeting Expectations. Employees receiving needs improvement ratings will receive an overall employee rating less than the Total Possible Points For Employees Meeting Expectations.

**Post-Appraisal Authentication:**

Employee: \_\_\_\_\_  
(Signature and Date)

I acknowledge that I received this evaluation, reviewed it, and had an opportunity to discuss any questions with the supervisor/evaluator. I understand that my signature does not signify agreement or disagreement with the contents of the evaluation and that I may submit a written response within the time allowed by administrative policy or collective bargaining, whichever is applicable.

Employee comments attached

Rating supervisor: \_\_\_\_\_  
(Signature and Date)

Reviewing Manager: \_\_\_\_\_

(Signature and Date)



Reviewer comments attached

**EMPLOYEE COMMENTS:**

**RATING SCALE**

**2 - Exceeds Expectation** - Performance exceeds the expectation on this competency. The employee at this level actively steps out of normal day-to-day roles and seeks out opportunities to contribute to the success of the agency's and unit's mission, goals and objectives. This level of performance is consistent throughout the appraisal period. The employee is a role model for others and encourages the behavior in others.

**1 Meets Expectation** - Performance meets the expectations on this competency. Performance is consistent with what is expected of the employee in the position. The employee does what is asked and what is defined in the job profile.

**0 - Needs Improvement** - Performance did not meet expectations on this competency. Performance falls below of what is expected of the employee in the position. Performance is poor to marginal. The need is evident for the employee to improve performance in one or more aspects of the competency. Performance fails to contribute much at all to achievement of the agency's or unit's mission, goals and objectives. (Examples missed deadlines, failure to follow agencies policies and procedures).

**NA - Not rated.** Have not observed the person in circumstances in which the competency can be rated.

| <b>1. Knowledge of Relevant Law and Legal Profession (10% of Total)</b>                                |          | <b>Rating</b> |
|--|----------|---------------|
| 1. Montana Criminal Law; Montana Constitutional Law; Montana Rules of Criminal and Appellate Procedure |          |               |
| 2. Montana and Federal Rules of Evidence   |          |               |
| 3. United States Constitutional Law  |          |               |
| 4. Montana Youth Court Act   |          |               |
| 5. Abuse and Neglect Law   |          |               |
| 6. Civil Commitment Law  |          |               |
| 7. OPD Policies, Procedures, and Standards   |          |               |
| 8. Court personnel and procedures.   |          |               |
| 9. Rules of Professional Conduct.  |          |               |
| <b>Number of observed behaviors:</b>   | <b>0</b> | <b>TOTAL</b>  |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>  |          | <b>0</b>      |
|  |          | <b>0.00%</b>  |

**Comments:**

| <b>2. Written Advocacy (10% of Total)</b>       |  | <b>Rating</b> |
|---|--|---------------|
| 1. Writes in plain language.                    |  |               |
| 2. Uses coherent and well-cited legal argument. |  |               |
| 3. Eliminates unnecessary detail.               |  |               |

|   |          |              |               |
|---|----------|--------------|---------------|
| 4. Uses story and character to advocate client's position.  |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
| <b>3. Legal Analysis (20% of Total)</b>   |          |              | <b>Rating</b> |
| 1. Understands and defines issues.  |          |              |               |
| 2. Possesses accurate assessment skills and applies situational subtleties not immediately observable.                    |          |              |               |
| 3. Asks appropriate questions and seeks clarification when necessary.   |          |              |               |
| 4. Recognizes the strengths and weaknesses within arguments and makes decisions accordingly.                              |          |              |               |
| 5. Weighs the risks and benefits associated with multiple alternatives before taking action.                              |          |              |               |
| 6. Logically addresses opposing arguments and authority.  |          |              |               |
| 7. Makes decisions that increase the probability of the client receiving meaningful relief.                               |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
| <b>4. Research (5% of Total)</b>  |          |              | <b>Rating</b> |
| 1. Conducts electronic and manual research of case law, statutes, regulations, procedural rules, and legislative history. |          |              |               |
| 2. Identifies controlling case law and statutes regarding the legal question at issue.                                    |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
| <b>5. Oral Advocacy (15% of Total)</b>  |          |              | <b>Rating</b> |
| 1. Speaks comfortably and clearly.  |          |              |               |
| 2. Demonstrates understanding and control over the relevant facts and law.  |          |              |               |
| 3. Responds thoughtfully to questions in a manner that advances the clients' claims.                                      |          |              |               |
| 4. Uses themes.   |          |              |               |
| 5. Maintains eye contact; enunciates properly and projects voice, while varying tone and inflection.                      |          |              |               |
| 6. Displays confidence and poise.   |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |

COMMENTS:

| 6. Client Service (10% of Total)  |          |              | Rating       |
|---|----------|--------------|--------------|
| 1. Proactively informs and resolves problems with clients.  |          |              |              |
| 2. Communicates information pursuant to OPD and State policies.   |          |              |              |
| 3. Establishes good working relationship with clients by seeking their input.                               |          |              |              |
| 4. Maintains contact with clients.  |          |              |              |
| 5. Views situation from clients' perspective to better respond to their needs and concerns.                 |          |              |              |
| 6. Speaks and writes to clients at their level of understanding, and convey information to them accurately. |          |              |              |
| 7. Negotiates agreements that are best for the clients.   |          |              |              |
| 8. Shows willingness to file motions (and go to trial).   |          |              |              |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b> |

COMMENTS:

| 7. Professionalism (10% of Total)  |          |              | Rating       |
|--|----------|--------------|--------------|
| 1. Abides by OPD standards, policies and procedures (Justware, Time Entry, Pre Approvals). |          |              |              |
| 2. Uses judgment in receiving, communicating, and managing confidential information.       |          |              |              |
| 3. Abides by the Professional Rules of Conduct   |          |              |              |
| 4. Actively pursues learning and self development.   |          |              |              |
| 5. Effectively balances professional and personal responsibilities.                        |          |              |              |
| 6. Maintains business-like and positive approach.  |          |              |              |
| <b>Number of observed behaviors:</b>   | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>  |          |              | <b>0.00%</b> |

COMMENTS:

| 8. Initiative and Accountability (10% of Total)                       |          |              | Rating       |
|---|----------|--------------|--------------|
| 1. Communicates work-related knowledge to others.                     |          |              |              |
| 2. Inspires confidence with management, associates, and peers.        |          |              |              |
| 3. Sets an example for others by establishing challenging work goals. |          |              |              |
| 4. Works well under pressure; adapts to change.                       |          |              |              |
| 5. Creates a positive work climate.                                   |          |              |              |
| <b>Number of observed behaviors:</b>                                  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>                             |          |              | <b>0.00%</b> |

Comments:

| <b>9. Influence (10% of Total)</b>                                      |          | <b>Rating</b> |
|---|----------|---------------|
| 1. Handles day-to-day work challenges effectively.                      |          |               |
| 2. Handles interruptions effectively, and stays on task.                |          |               |
| 3. Uses time wisely.  |          |               |
| 4. Handles situations before they escalate.                             |          |               |
| 5. Maintains working relationships within the organization.             |          |               |
| 6. Proactive and willing to take a leadership role without being asked. |          |               |
| 7. Sensitive to co-workers'   |          |               |
| <b>Number of observed behaviors:</b>                                    | <b>0</b> | <b>TOTAL</b>  |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>                               |          | <b>0</b>      |
|   |          | <b>0.00%</b>  |

Comments:

**CONTINUOUS IMPROVEMENT OBJECTIVES:** This would be completed to provide information as to what the employee will be expected to do to bring needs improvement ratings into compliance (i.e. include information as to what will be required to correct performance, training, etc.)

## PERFORMANCE EVALUATION FORM

### PERFORMANCE EVALUATION SUMMARY RECORD

|                                 |   |  |                                |
|---------------------------------|---|--|--------------------------------|
| <b>Employee Name</b>            | <b>Employee ID Number</b>                         | <b>PE Due Date</b>                         |                                |
|                                 |   | 12/31/2010                                 |                                |
| <b>Position Title</b>           | <b>Position Number</b>                            | <b>Hire Date</b>                           |                                |
| Regional Deputy Public Defender |   |  |                                |
| <b>Supervisor</b>               | <b>Covering Period from</b> _____ <b>to</b> _____ |  |                                |
| Randi Hood                      | 12/1/2009 12/31/2010                              |  |                                |
| <b>Type of Review</b>           | <input type="checkbox"/> Probationary             | <input checked="" type="checkbox"/> Annual | <input type="checkbox"/> Other |

### EVALUATION INFORMATION

| Competency                             | TOTAL POSSIBLE POINTS | WEIGHT | EMPLOYEE RATING   | Rating Comment         |
|--|-----------------------|--------|-------------------|------------------------|
| 1. Knowledge of Relevant Law (10%)     | 0                     | 10%    | 0.00              | #DIV/0!                |
| 2. Written Advocacy (5%)               | 0                     | 5%     | 0.00              | #DIV/0!                |
| 3. Legal Analysis (10%)                | 0                     | 10%    | 0.00              | #DIV/0!                |
| 4. Research (5%)                       | 0                     | 5%     | 0.00              | #DIV/0!                |
| 5. Oral Advocacy (10%)                 | 0                     | 10%    | 0.00              | #DIV/0!                |
| 6. Client Service (5%)                 | 0                     | 5%     | 0.00              | #DIV/0!                |
| 7. Professionalism (10%)               | 0                     | 10%    | 0.00              | #DIV/0!                |
| 8. Initiative and Accountability (10%) | 0                     | 10%    | 0.00              | #DIV/0!                |
| 9. Influence (10%)                     | 0                     | 10%    | 0.00              | #DIV/0!                |
| 10. Supervisory (25%)                  | 0                     | 25%    | 0.00              | #DIV/0!                |
| <b>TOTAL</b>                           | 0                     | 100%   | 0.00              | <b>STANDARD POINTS</b> |
|  |                       |        | <b>Percentage</b> | <b>0.00</b>            |
|  |                       |        |                   | <b>#DIV/0!</b>         |

The Total Possible Points are measured against the meets expectation standard of performance (rating of 1). An employee who receives exceed expectation ratings will receive an overall employee rating greater than the Total Possible Points For Employees Meeting Expectations. Employees receiving needs improvement ratings will receive an overall employee rating less than the Total Possible Points Total Possible Points For Employees Meeting Expectations.

**Post-Appraisal Authentication:**

Employee: \_\_\_\_\_

\_\_\_\_\_  
 (Signature and Date) \_\_\_\_\_  
 understand that my signature does not signify agreement or disagreement with the contents of the evaluation and that I may submit a written Employee comments attached

Rating supervisor: \_\_\_\_\_

(Signature and Date)

Reviewing Manager: \_\_\_\_\_

(Signature and Date)



Reviewer comments attached

**EMPLOYEE COMMENTS:**

**RATING SCALE**

**2 - Exceeds Expectation - Performance exceeds the expectation on this competency. The employee at this level actively steps out of normal day-to-day roles and seeks out opportunities to contribute to the success of the agency's and unit's mission, goals and objectives. This level of performance is consistent throughout the appraisal period. The employee is a role model for others and encourages the behavior in others.**

**1 Meets Expectation - Performance meets the expectations on this competency. Performance is consistent with what is expected of the employee in the position. The employee does what is asked and what is defined in the job profile.**

**0 - Needs Improvement - Performance did not meet expectations on this competency. Performance falls below of what is expected of the employee in the position. Performance is poor to marginal. The need is evident for the employee to improve performance in one or more aspects of the competency. Performance fails to contribute much at all to achievement of the agency's or unit's mission, goals and objectives. (Examples missed deadlines, failure to follow agencies policies and procedures).**

**NA - Not rated. Have not observed the person in circumstances in which the competency can be rated.**

| <b>1. Knowledge of Relevant Law and Legal Profession (10% of Total)</b>                                |          | <b>Rating</b>  |
|--|----------|----------------|
| 1. Montana Criminal Law; Montana Constitutional Law; Montana Rules of Criminal and Appellate Procedure |          |                |
| 2. Montana and Federal Rules of Evidence   |          |                |
| 3. United States Constitutional Law  |          |                |
| 4. Montana Youth Court Act   |          |                |
| 5. Abuse and Neglect Law   |          |                |
| 6. Civil Commitment Law  |          |                |
| 7. OPD Policies, Procedures, and Standards   |          |                |
| 8. Court personnel and procedures.   |          |                |
| 9. Rules of Professional Conduct.  |          |                |
| <b>Number of observed behaviors:</b>   | <b>0</b> | <b>TOTAL 0</b> |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>  |          | <b>0.00%</b>   |

**Comments:**

| 2. Written Advocacy (5% of Total)   |          |              | Rating       |
|---|----------|--------------|--------------|
| 1. Writes in plain language.  |          |              |              |
| 2. Uses coherent and well-cited legal argument.   |          |              |              |
| 3. Eliminates unnecessary detail.   |          |              |              |
| 4. Uses story and character to advocate client's position.  |          |              |              |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b> |
| <b>COMMENTS:</b>  |          |              |              |
|   |          |              |              |
| 3. Legal Analysis (10% of Total)  |          |              | Rating       |
| 1. Understands and defines issues.  |          |              |              |
| 2. Possesses accurate assessment skills and applies situational subtleties not immediately observable.                    |          |              |              |
| 3. Asks appropriate questions and seeks clarification when necessary.   |          |              |              |
| 4. Recognizes the strengths and weaknesses within arguments and makes decisions accordingly.                              |          |              |              |
| 5. Weighs the risks and benefits associated with multiple alternatives before taking action.                              |          |              |              |
| 6. Logically addresses opposing arguments and authority.  |          |              |              |
| 7. Makes decisions that increase the probability of the client receiving meaningful relief.                               |          |              |              |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b> |
| <b>COMMENTS:</b>  |          |              |              |
|   |          |              |              |
| 4. Research (5% of Total)   |          |              | Rating       |
| 1. Conducts electronic and manual research of case law, statutes, regulations, procedural rules, and legislative history. |          |              |              |
| 2. Identifies controlling case law and statutes regarding the legal question at issue.                                    |          |              |              |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b> |
| <b>COMMENTS:</b>  |          |              |              |
|   |          |              |              |
| 5. Oral Advocacy (10% of Total)   |          |              | Rating       |
| 1. Speaks comfortably and clearly.  |          |              |              |
| 2. Demonstrates understanding and control over the relevant facts and law.  |          |              |              |
| 3. Responds thoughtfully to questions in a manner that advances the clients' claims.                                      |          |              |              |
| 4. Uses themes.   |          |              |              |
| 5. Maintains eye contact; enunciates properly and projects voice, while varying tone and inflection.                      |          |              |              |
| 6. Displays confidence and poise.   |          |              |              |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>     |

|   |          |              |               |
|---|----------|--------------|---------------|
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
|   |          |              |               |
| <b>6. Client Service (5% of Total)</b>  |          |              | <b>Rating</b> |
| 1. Proactively informs and resolves problems with clients.  |          |              |               |
| 2. Communicates information pursuant to OPD and State policies.   |          |              |               |
| 3. Establishes good working relationship with clients by seeking their input.                               |          |              |               |
| 4. Maintains contact with clients.  |          |              |               |
| 5. Views situation from clients' perspective to better respond to their needs and concerns.                 |          |              |               |
| 6. Speaks and writes to clients at their level of understanding, and convey information to them accurately. |          |              |               |
| 7. Negotiates agreements that are best for the clients.   |          |              |               |
| 8. Shows willingness to file motions (and go to trial).   |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
|   |          |              |               |
| <b>7. Professionalism (10% of Total)</b>  |          |              | <b>Rating</b> |
| 1. Abides by OPD standards, policies and procedures (Justware, Time Entry, Pre Approvals).                  |          |              |               |
| 2. Uses judgment in receiving, communicating, and managing confidential information.                        |          |              |               |
| 3. Abides by the Professional Rules of Conduct  |          |              |               |
| 4. Actively pursues learning and self development.  |          |              |               |
| 5. Effectively balances professional and personal responsibilities.   |          |              |               |
| 6. Maintains business-like and positive approach.   |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |
| <b>COMMENTS:</b>  |          |              |               |
|   |          |              |               |
| <b>8. Initiative and Accountability (10% of Total)</b>  |          |              | <b>Rating</b> |
| 1. Communicates work-related knowledge to others.   |          |              |               |
| 2. Inspires confidence with management, associates, and peers.  |          |              |               |
| 3. Sets an example for others by establishing challenging work goals.                                       |          |              |               |
| 4. Works well under pressure; adapts to change.   |          |              |               |
| 5. Creates a positive work climate.   |          |              |               |
| <b>Number of observed behaviors:</b>  | <b>0</b> | <b>TOTAL</b> | <b>0</b>      |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>   |          |              | <b>0.00%</b>  |

Comments:

| 9. Influence (10% of Total)   |          | Rating       |
|---|----------|--------------|
| 1. Handles day-to-day work challenges effectively.                      |          |              |
| 2. Handles interruptions effectively, and stays on task.                |          |              |
| 3. Uses time wisely.  |          |              |
| 4. Handles situations before they escalate.                             |          |              |
| 5. Maintains working relationships within the organization.             |          |              |
| 6. Proactive and willing to take a leadership role without being asked. |          |              |
| 7. Sensitive to co-workers'   |          |              |
| <b>Number of observed behaviors:</b>                                    | <b>0</b> | <b>TOTAL</b> |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>                               |          | <b>0.00%</b> |

Comments:

| 10. Supervisory (25% of Total)   |          | Rating       |
|--|----------|--------------|
| 1. Demonstrates effective coaching and mentoring skills to help others build competence and develop better problem-solving approaches.                   |          |              |
| 2. Ensures that work environment fosters cooperation and team spirit. Promotes interaction among employees.  |          |              |
| 3. Sets attainable goals that provide a challenge to the employee.   |          |              |
| 4. Plans, delegates, and monitors the activities of the staff to best meet the workload requirements of the unit.  |          |              |
| 5. Provides timely and appropriate performance evaluations and consistent job profiles for all subordinates.   |          |              |
| 6. Leads by example.   |          |              |
| 7. Actively monitors attorneys within the region to insure compliance with the Standards communication issues with attorneys and staff within the region |          |              |
| <b>Number of observed behaviors:</b>   | <b>0</b> | <b>TOTAL</b> |
| <b>PERFORMANCE LEVEL: Rating x Weight</b>  |          | <b>0.00%</b> |

Comments:

**CONTINUOUS IMPROVEMENT OBJECTIVES:** This would be completed to provide information as to what the employee will be expected to do to bring needs improvement ratings into compliance (i.e. include information as to what will be required to correct performance, training, etc.)