



# Office of State Public Defender--Public Defender Division

Objective: Provide statutorily and constitutionally mandated counsel

## Outcome Goals

#	Goal	#	Strategy	Measure	Timeline
I	Timely assignment of counsel	I.A	Track average days in various offices between receipt of appointment order and initial assignment of non-conflict, FTE counsel	Reduction toward average delays of 1 business day for involuntary commitments, 2 business days for in-custody criminal cases, 2 business days for abuse and neglect cases, and 3 business days for out-of-custody criminal and other cases	Reviewed monthly.
II	Effective counsel	II.A	Survey clients' and stakeholders' assessment of Public Defender Division representation	Average survey scores on 5-point scale for Public Defender Division attorneys	Develop and set baselines in FY 2024; stakeholder surveys annually and client surveys upon individual case close
		II.B	Evaluate Public Defender Division employee performance through Montana Talent System	Average Talent rating of Public Defender Division employees	Annually at end of each calendar year
		II.C	Review client grievances	# of valid grievances per 1,000 cases represented by Public Defender Division	Annually at end of each fiscal year

## Process Goals to Effectively Recruit and Retain Qualified Employees

#	Goal	#	Strategy	Measure	Timeline
1.1	Update and develop effective workload standards for employees	1.1.1	Utilize employee time tracking to validate or update the matter weight hours associated with matter types and/or charges	Percentage of case weights that validate to attorney case time by case type	Updated annually, starting Q4 FY 2023
		1.1.2	Develop and implement data-backed processes, procedures, criteria, tools, or other resources to measure and manage attorney workloads more effectively and accurately	Deployment of new tools and resources, including home dashboard, to manage attorney workloads more effectively on reoccurring basis	Initial dashboard deployment Q2 FY 2024
		1.1.3	Develop and implement workload standards for investigators, case managers, and administrative staff in client-facing roles	Workload standards in place for non-attorney, client-facing roles	End of FY 2024
1.2	Ensure appropriate employee pay	1.2.1	Ensure implemented budget is appropriate and flexible enough to adjust to ever-changing market circumstances that affect OPD's ability to hire and retain employees	implementation of a budget that can accommodate competitive wages for FTE attorneys at or exceeding 85% of DLI's market rate for attorneys and is flexible enough to shift resources between FTE and contracted services and adjust associated rates as necessary	2023 Legislative Session
		1.2.2	Ensure collective bargaining agreement provides framework to effectively incentivize retention, increased workload, increased duties, or other reasonable efforts to recruit and retain employees	Implementation of a CBA with the Union that appropriately allows for effective recruitment and retention of employees	End of FY 2023
1.3	Ensure agency managers are effective	1.3.1	Provide robust management training on regular basis for agency managers focusing on supervisor, accountability, motivation, mentoring, and other manager specific topics	Managers training conferences that occur and percentage of Division's managers attending	Managers training conferences to continue twice per year in FY 2024 and FY 2025
		1.3.2	Standardize business process across agency to ensure effective operations and accountability	Implementation of standardized business processes with always-up-to-date documentation available	Case Management SOPs by Q1 FY 2024 with other SOPs/Documentations coming every quarter thereafter
		1.3.3	Ensure agency managers have effective communication tools, meeting cadence, and resources to allow for feedback looping with all employees	Implementation of new communication tools, standards, or resources, setting appropriate expectations on managers, and holding managers accountable for their communications	Initial Communications and Decision-Making Structure implemented Q2 FY 2023 with revisions in FY 2024 & 2025

1.4	Implement a robust recruitment plan	1.4.1	Develop an agency-needs-based recruitment plan seeking and hiring candidates where they are most needed	Existence of formal plan and reduction in number of vacant positions	Formal development beginning in Q4 FY 2023 with implementation by end of FY 2024. Vacancies tracked monthly
		1.4.2	Build on success of third-year law student recruitments through additional engagements with law schools and other stakeholders to identify and target likely candidates	Number of successful law student recruitments, number that pass the bar, and how long they stay	2023 class recruitment started Fall 2022; 2024 class recruitment Fall 2023

### Process Goals to Create and Support Expert Defense Teams

#	Goal	#	Strategy	Measure	Timeline
2.1	Provide formalized mentor program	2.1.1	Develop and implement formalized mentor program by role and specialization	Implementation of formal mentor program planning by role and specialization; percentage of employees participating	Plan development Q1 FY 2024 with initial implementation end of FY 2024; annual review at end of FY 2025
		2.1.2	Develop and implement specialized training paths by role and specialization	Implementation of formal training program planning by role and specialization	Formal plan development beginning in Q1 FY 2024 with initial implementation by end of FY 2024.
2.2	Provide robust practice tools and resources	2.2.1	Develop and implement practice standards, best practices, and practice resources by matter type and role within the agency	Implementation of standards, practices tools, and resources, by matter type and role	Initial review/updates by end of FY 2023, then review/updates in Q2 FY 2024, Q4 FY 24, Q2 FY 25, Q4 FY 25
		2.2.2	Develop framework to ensure consistent, standardized, legal, investigative, and support resources available to offices and clients regardless of location	Implementation of litigation support services framework	Development to begin Q4 FY 23 with initial implementation by end of FY 24
2.3	Provide robust Client Stabilization Services Program	2.3.1	Develop framework to ensure consistent, standardized client stabilization services are available to offices and clients regardless of location; obtain AmeriCorps Planning Grant to assist in process	If OPD receives AmeriCorps grant, Implementation of client stabilization services framework	If OPD receives grant, then development to begin Q4 FY 23 with initial implementation by end of FY 24

### Process Goals to Provide Client-Centered Representation

#	Goal	#	Strategy	Measure	Timeline
3.1	Improve communication with clients	3.1.1	Ensure clients have effective communications with OPD attorneys and staff by working with DOC, local jails, treatment providers, and other facilities to ensure clients have meaningful access to effective communications tools and by using multiple communication channels to ensure that out-of-custody clients have accurate contact information for counsel	Increase communication satisfaction score on client survey	Develop in FY 2024 and begin sending to individual clients when cases close
		3.1.2	Compile comprehensively list of all courts conducting in-custody initial appearances and which have OPD attorneys present	Percentage of initial appearance courts at which OPD attorneys are present to provide initial appearances services to in-custody defendants	Complete assessment and baseline FY 2024 and reassess for improvement FY 2025
3.2	Increasing quality and consistent representation in civil matters	3.2.1	Develop and implement a Civil bureau, unit, or structure within the Public Defender Division to improve the quality of representation in civil matters (DNs, DGs, DDs, DIs, DJs, starting initial with DN) throughout the State and improve relationship with other civil focused stakeholders which will benefit the clients	Implementation of the Civil Bureau or Unit within regions and coordinated within the Public Defender Division	End of FY 2023



# Office of State Public Defender--Appellate Division

Objective: Provide statutorily and constitutionally mandated counsel

## Outcome Goals

#	Goal	#	Strategy	Measure	Timeline
I	Timely assignment of appellate counsel	I.A	Track average days between receipt of the complete appellate record and assignment of appellate counsel with caseload capacity to begin work on appeal	Reduction toward average of 30 days from record complete to assignment of attorney.	Reviewed monthly
II	Effective counsel	II.A	Survey clients' and stakeholders' assessment of Appellate Division representation	Average survey scores on 5-point scale for Appellate Division attorneys	Develop and set baselines in FY 2024; stakeholder surveys annually and client surveys upon individual case close
		II.B	Evaluate Appellate Division employee performance through Montana Talent System	Average Talent rating of Appellate Division employees	Annually at end of each calendar year
		II.C	Review client grievances	# of valid grievances per 1,000 cases represented by Appellate Division	Annually at end of each fiscal year

## Process Goals to Effectively Recruit and Retain Qualified Employees

#	Goal	#	Strategy	Measure	Timeline
1.1	Update and develop effective workload standards for employees	1.1.1	Utilize employee time tracking to validate and update the appellate case weights associated with given recored lengths	Percentage of case weights that validate to attorney case time	Updated annually, starting FY 2024
1.2	Ensure appropriate employee Pay	1.2.1	Ensure implemented budget is appropriate and flexible enough to adjust to ever-changing market circumstances that affect OPD's ability to hire and retain employees	Implementation of a budget that can accommodate competitive wages for FTE attorneys at or exceeding 85% of DLI's market rate for attorneys and is flexible enough to shift resources between FTE and contracted services and adjust associated rates as necessary.	2023 Legislative Session
1.3	Ensure agency managers are effective	1.3.1	Provide robust management training on regular basis for agency managers focusing on supervisor, accountability, motivation, mentoring, and other manager specific topics	Managers training conferences occur and percentage of Division's managers attending	Managers training conferences to continue twice per year in FY 2024 and FY 2025
		1.3.2	Standardize business process across agency to ensure effective operations and accountability	Implementation of standardized business processes with always-up-to-date documentation available	Case Management SOPs by Q1 FY 2024 with other SOPs/Documentations coming every quarter thereafter
		1.3.3	Ensure agency managers have effective communication tools, meeting cadence, and other resources to allow for feedback looping with all employees	Implementation of new communication tools, standards, or resources, setting appropriate expectations on managers, and holding managers accountable for their communications	Initial Communications and Decision-Making Structure implemented Q2 FY 2023 with revisions in FY 2024 & 2025
1.4	Implement a robust recruitment plan	1.4.1	Develop an agency-needs-based recruitment plan seeking and hiring candidates	Existance of formal plan and reduction in number of vacant positions	Formal development beginning in Q4 FY 2023 with implementation by end of FY 2024. Vacancies tracked monthly
		1.4.2	Build on success of third-year law student recruitments in Trial and Conflict Divisions to consider expanding implementation to Appellate Division (potentially including fixed period rotation in Appellate Division for hires to other Divisions)	Number of successful law student recruitments placed in Appellate Division	Fall 2024

### Process Goals to Create and Support Expert Defense Teams

#	Goal	#	Strategy	Measure	Timeline
2.1	Provide formalized mentor program	2.1.1	Continue and refine appellate attorney mentoring program	Percentage of appellate attorneys participating	Annual review at end of fiscal year
		2.1.2	Develop and implement specialized training paths by role and specialization	Implementation of formal training program planning by role and specialization	Formal plan development beginning in Q1 FY 2024 with initial implementation by end of FY 2024.
2.2	Provide robust practice tools and resources	2.2.1	Develop and implement practice standards, best practices, and practice resources	Implementation of standards, practices tools, and resources for appellate representation	Initial review/updates by end of FY 2023, then review/updates in Q2 FY 2024, Q4 FY 24, Q2 FY 25, Q4 FY 25
		2.2.2	Develop framework to ensure consistent, standardized, legal, investigative, and support resources available to offices and clients regardless of location	Implementation of support services framework	Development to begin Q4 FY 23 with initial implementation by end of FY 24

### Process Goals to Provide Client-Centered Representation

#	Goal	#	Strategy	Measure	Timeline
3.1	Improve communication with clients	3.1.1	Ensure clients have effective communications with OPD attorneys and staff by working with DOC, local jails, treatment providers, and other facilities to ensure clients have meaningful access to effective communications tools and by using multiple communication channels.	Obtain safe, confidential and effective access to available video conference tools provided by the Department of Corrections through its third party-telephone contracts.	Assure safety protocols with DOC in Q4 FY 2023 with video calls by start of FY 2024.



# Office of State Public Defender--Conflict Division

Objective: Provide statutorily and constitutionally mandated counsel

## Outcome Goals

#	Goal	#	Strategy	Measure	Timeline
I	Timely assignment of conflict counsel	I.A	Track average days between receipt of appointment order and initial assignment of conflict, FTE counsel	Reduction toward average delays of 3 business days for in-custody criminal cases, 3 business days for abuse and neglect cases, and 4 business days for out-of-custody criminal and other cases	Reviewed monthly
II	Effective counsel	II.A	Survey clients' and stakeholders' assessment of Conflict Division representation	Average survey scores on 5-point scale for Conflict Division attorneys	Develop and set baselines in FY 2024; stakeholder surveys annually and client surveys upon individual case close
		II.B	Evaluate Conflict Division employee performance through Montana Talent System	Average Talent rating of Conflict Division employees	Annually at end of each calendar year
		II.C	Review client grievances	# of valid grievances per 1,000 cases represented by Conflict Division	Annually at end of each fiscal year

## Process Goals to Effectively Recruit and Retain Qualified Employees

#	Goal	#	Strategy	Measure	Timeline
1.1	Update and develop effective workload standards for employees	1.1.1	Utilize employee time tracking to validate or update the matter weight hours associated with matter types and/or charges	Percentage of case weights that validate to attorney case time by case type	Updated annually, starting Q4 FY 2023
		1.1.2	Develop and implement data-backed processes, procedures, criteria, tools, or other resources to measure and manage attorney workloads more effectively and accurately	Deployment of new tools and resources, including home dashboard, to manage attorney workloads more effectively on reoccurring basis	Initial dashboard deployment Q2 FY 2024
		1.1.3	Develop and implement workload standards for investigators, case managers, and administrative staff in client-facing roles	Workload standards in place for non-attorney, client-facing roles	End of FY 2025
1.2	Ensure appropriate employee pay	1.2.1	Ensure implemented budget is appropriate and flexible enough to adjust to ever-changing market circumstances that affect OPD's ability to hire and retain employees	Implementation of a budget that can accommodate competitive wages for FTE attorneys at or exceeding 85% of DLI's market rate for attorneys and is flexible enough to shift resources between FTE and contracted services and adjust associated rates as necessary	2023 Legislative Session
		1.2.2	Ensure collective bargaining agreement provides the framework to effectively incentivize retention, increased workload, increased duties, or other reasonable efforts to recruit and retain employees.	Implementation of a CBA with the Union that appropriately allows for effective recruitment and retention of employees	End of FY 2023
1.3	Ensure agency managers are effective	1.3.1	Provide robust management training on regular basis for agency managers focusing on supervisor, accountability, motivation, mentoring, and other manager specific topics	Managers training conferences occur and percentage of Division's managers attending	Managers training conferences to continue twice per year in FY 2024 and FY 2025
		1.3.2	Standardize business process across agency to ensure effective operations and accountability	Implementation of standardized business processes with always-up-to-date documentation available	Case Management SOPs by Q1 FY 2024 with other SOPs/Documentations coming every quarter thereafter
		1.3.3	Ensure agency managers have effective communication tools, meeting cadence, and other resources to allow for feedback looping with all employees	Implementation of new communication tools, standards, or resources, setting appropriate expectations on managers, and holding managers accountable for their communications	Initial Communications and Decision-Making Structure implemented Q2 FY 2023 with revisions in FY 2024 & 2025

1.4	Implement a robust recruitment plan	1.4.1	Develop an agency-needs-based recruitment plan seeking and hiring candidates where they are most needed	Existence of formal plan and reduction in number of vacant positions	Formal development beginning in Q4 FY 2023 with implementation by end of FY 2024. Vacancies tracked monthly
		1.4.2	Build on success of third-year law student recruitments through additional engagements with law schools and other stakeholders to identify and target likely candidates	Number of successful law student recruitments, number that pass the bar, and how long they stay	2023 class recruitment started Fall 2022; 2024 class recruitment Fall 2023

### Process Goals to Create and Support Expert Defense Teams

#	Goal	#	Strategy	Measure	Timeline
2.1	Provide formalized mentor program	2.1.1	Develop and implement formalized mentor program by role and specialization	Implementation of formal mentor program planning by role and specialization; percentage of employees participating	Plan development Q1 FY 2024 with initial implementation end of FY 2024; annual review at end of FY 2025
		2.1.2	Develop and implement specialized training paths by role and specialization	Implementation of formal training program planning by role and specialization	Formal plan development beginning in Q1 FY 2024 with initial implementation by end of FY 2024.
2.2	Provide robust practice tools and resources	2.2.1	Develop and implement practice standards, best practices, and practice resources by matter type and role within the agency	Implementation of standards, practices tools, and resources, by matter type and role	Initial review/updates by end of FY 2023, then review/updates in Q2 FY 2024, Q4 FY 24, Q2 FY 25, Q4 FY 25
		2.2.2	Develop framework to ensure consistent, standardized, legal, investigative, and support resources available to offices and clients regardless of location	Implementation of litigation support services framework	Development to begin Q4 FY 23 with initial implementation by end of FY 24
2.3	Provide robust Client Stabilization Services Program	2.3.1	Develop framework to ensure consistent, standardized client stabilization services are available to offices and clients regardless of location; obtain AmeriCorps Planning Grant to assist in process	If OPD receives AmeriCorps grant, Implementation of client stabilization services framework	If OPD receives grant, then development to begin Q4 FY 23 with initial implementation by end of FY 24

### Process Goals to Provide Client-Centered Representation

#	Goal	#	Strategy	Measure	Timeline
3.1	Improve communication with clients	3.1.1	Ensure clients have effective communications with OPD attorneys and staff by working with DOC, local jails, treatment providers, and other facilities to ensure clients have meaningful access to effective communications tools and by using multiple communication channels to ensure that out-of-custody clients have accurate contact information for counsel	Increase communication satisfaction score on client survey	Develop in FY 2024 and begin sending to individual clients when cases close
		3.1.2	Compile comprehensively list of all courts conducting in-custody initial appearances and which have OPD attorneys present	Percentage of initial appearance courts at which OPD attorneys are present to provide initial appearances services to in-custody defendants	Complete assessment and baseline FY 2024 and reassess for improvement FY 2025



# Office of State Public Defender--Central Services Division

Objective: Provide statutorily and constitutionally mandated counsel

## Outcome Goals

#	Goal	#	Strategy	Measure	Timeline
I	Timely assignment of contract counsel	I.A	Track average days between receipt of appointment order and initial assignment of contract counsel	Reduction toward average delays of 3 business days for in-custody criminal cases, 3 business days for abuse and neglect cases, and 5 business days for out-of-custody criminal and other cases	Reviewed monthly
II	Effective counsel	II.A	Survey clients' and stakeholders' assessment of contract attorney representation	Average survey scores on 5-point scale for contract attorneys	Develop and set baselines in FY 2024; stakeholder surveys annually and client surveys upon individual case close
		II.B	Review client grievances	# of valid grievances per 1,000 cases represented by contract attorneys	Annually at end of each fiscal year

## Process Goals to Effectively Recruit and Retain Qualified Contractors

#	Goal	#	Strategy	Measure	Timeline
1.1	Develop effective workload standards for contractors	1.1.1	Utilize contractor time billing to assess the matter weight hours associated with matter types and/or charges	Percentage of case weights that validate to contractor billing time by case type	Updated annually, starting Q4 FY 2023
		1.1.2	Develop and implement data-backed processes, procedures, criteria, tools, or other resources to measure and manage attorney workloads more effectively and accurately	Deployment of new tools and resources, including home dashboard, to manage attorney workloads more effectively on reoccurring basis	Initial dashboard deployment Q2 FY 2024
1.2	Ensure market competitive contractor rates	1.2.1	Ensure implemented budget is appropriate and flexible enough to adjust to ever-changing market circumstances that affect OPD's ability to effectively leverage contracted services	Implementation of a budget that allows for competitive contracted services rates and is flexible enough to shift resources between FTE and contracted services and adjust associated rates as necessary.	2023 Legislative Session
1.3	Ensure agency managers are effective	1.3.1	Provide robust management training on regular basis for agency managers focusing on supervisor, accountability, motivation, mentoring, and other manager specific topics	Managers training conferences occur and percentage of Division's managers attending	Managers training conferences to continue twice per year in FY 2024 and FY 2025
		1.3.2	Standardize business process across agency to ensure effective operations and accountability	Implementation of standardized business processes with always-up-to-date documentation available	Case Management SOPs by Q1 FY 2024 with other SOPs/Documentations coming every quarter thereafter
		1.3.3	Ensure agency managers have effective communication tools, meeting cadence, and other resources to allow for feedback looping with all employees	Implementation of new communication tools, standards, or resources, setting appropriate expectations on managers, and holding managers accountable for their communications	Initial Communications and Decision-Making Structure implemented Q2 FY 2023 with revisions in FY 2024 & 2025

## Process Goals to Create and Support Expert Defense Teams

#	Goal	#	Strategy	Measure	Timeline
2.1	Provide robust practice tools and resources	2.1.1	Develop and implement practice standards, best practices, and practice resources by matter type	Implementation of standards, practices tools, and resources, by matter type	Initial review/updates by end of FY 2023, then review/updates in Q2 FY 2024, Q4 FY 24, Q2 FY 25, Q4 FY 25
2.2	Provide robust Client Stabilization Services Program	2.2.1	Develop framework to ensure consistent, standardized client stabilization services are available to clients regardless of location; obtain AmeriCorps Planning Grant to assist in process	If OPD receives AmeriCorps grant, Implementation of client stabilization services framework	If OPD receives grant, then development to begin Q4 FY 23 with initial implementation by end of FY 24

## Process Goals to Utilize Technology in Public Defense and the Justice System

#	Goal	#	Strategy	Measure	Timeline
3.1	Utilize data to educate and inform stakeholders across the justice system	3.1.1	Provide accurate, informative, effective data and reports regarding OPD's operations to justice system stakeholders	Uses of OPD data in communications/reporting	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
		3.1.2	Obtain relevant data from other stakeholders to create datasets, reports, or other information to ensure OPD's narrative is properly understood and explained in context	Uses of OPD data combined with other stakeholder's data in communications and reporting	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
3.2	Support integrated justice system data efforts	3.2.1	Support integrated justice system bills, participate in discussions, and provide information	OPD's support for integrated justice system efforts	2023 Legislative Session
		3.2.2	Collaborate with executive agencies to seek alignment on integrated justice system efforts and deliverables	Multi-agency support for integrated justice system efforts or other integrations to improve efficiency and effectiveness of OPD's operations	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
3.3	Improve platform user experience and reduce burden of platform usage and data entry	3.3.1	Develop and implement new processes, tools, and resources to reduce the burden case management, time keeping, administration, use management, security access, and other processes across platforms	Deployment of new processes, tools, and resources to OPD's platforms that ease the burden of case management/data entry	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
		3.3.2	Develop and implement new processes and tools to expand the functionality of OPD's platforms	Deployment of new processes, tools, and resources to OPD's platforms	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
3.4	Ensure robust agency data management	3.4.1	Ensure OPD's platforms effectively enforce data controls, alert to exceptions, and ensure data is accurate and reliable	Reduction in number of exceptions identified, fewer caveats on usages of OPD's data	On-going effort with routinely developed deliverables as part of a continuous improvement cycle
		3.4.2	Ensure OPD's data structure is capable of answering questions, producing datasets, and generally supporting OPD's operational and strategic decision making	Reduction in instances where OPD is unable to provide data requested or required	On-going effort with routinely developed deliverables as part of a continuous improvement cycle

## Process Goals to Provide Client-Centered Representation

#	Goal	#	Strategy	Measure	Timeline
4.1	Improve communication with clients	4.1.1	Ensure clients have effective communications with contract attorneys by working with DOC, local jails, treatment providers, and other facilities to ensure clients have meaningful access to effective communications tools and by using multiple communication channels to ensure that out-of-custody clients have accurate contact information for contract counsel	Increase communication satisfaction score on client survey	Develop in FY 2024 and begin sending to individual clients as cases close