

**OPD.MT.GOV**



# **OPD FY 2025**

## **Agency Annual Plan**

### **Mission**

Providing the most compassionate and expert defense of clients and the Constitution.

### **Vision**

Creating expert teams of advocates for justice, bringing respect and dignity to our clients to achieve holistic and equitable outcomes.

## Executive Summary

The Office of State Public Defender provides effective and timely assistance of counsel to indigent persons who by law are entitled to representation by an attorney for a variety of cases—not only those accused of crimes, but parents and children who are experiencing the child welfare system, elderly people losing autonomy over their affairs, and mentally ill people facing commitment. Public defenders have the same obligations toward the client and their case as do private attorneys.

OPD has four divisions with over 20 offices statewide dedicated to providing zealous and effective legal services with a focus on quality client-centered representation.



## Strategic Outcome

# # 1

### **Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation**

**Recruit and Retain Qualified Employees and Contractors – provide competitive pay for employees, and rates for private partners, increasing willingness and ability to accept employment with or assignments from OPD**

#### **Key Measures**

#### **Make progress towards eliminating the Public Defender Shortfall**

*The Public Defender Shortfall is the number of FTE attorneys' worth of work received that is unable to be assigned to either FTE or contract attorneys within 14 days for trial divisions and within 6 months of record complete for appellate division.*

#### **Increase by 10% the number of contract public defenders that accept at least a half an FTE public defender's workload**

#### **Keep and hold average daily vacancy rate for public defender positions to 6% or below**

*The daily vacancy rate is the number of vacant OPD positions, including modifieds, minus double filled positions, divided by the total number of OPD positions available on that day.*

#### **Keep and hold annualized voluntary turnover rate for public defender positions to 15% or below**

*The annualized turnover rate is the number of individuals who voluntarily left OPD employment during the fiscal year divided by the average number of individuals employed each day in the fiscal year.*



## Strategic Outcome

# # 2

### **Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation**


**Effectively Manage Employee Workload – update, improve, and enforce robust workforce management standards to ensure all individuals providing services to OPD clients are assigned an ethically reasonable volume of work**

#### Key Measures

Reduce and hold the average and median monthly assignments to FTE trial public defenders to between 100 and 120% of OPD Ethical Case Management (ECM) standards

Increase the number of individual FTE appellate public defenders completing between 100 and 120% of OPD Appellate ECM standards

Monitor, manage, and improve OPD’s ECM Protocols with consideration to national workload standards for public defender

 <p>Strategic Outcome</p> <p># 3</p>	<p><b>Provide Effective and Timely Constitutionally, Statutorily, and Court-Mandated Representation</b></p>	
	<p>Provide Effective, Timely Representation – provide qualified, competent, well-trained, and ethically managed counsel without unnecessary delay in all matters where an individual is entitled to OPD representation</p>	
	<p><b>Key Measures</b></p>	<p><b>Reduce and hold the average number of business days to first, non-conflict, FTE public defender assignment to within 3 business days of OPD appointment</b></p>
		<p><b>Reduce and hold the average number of business days to first, conflict, FTE public defender assignment to within 3 business days of a matter being referred to Conflict Division</b></p>
		<p><b>Reduce and hold the average number of business days to first, contract public defender assignment to within 7 business days of a matter being referred to Contract Office</b></p>
		<p><b>Make measurable progress towards reducing the existing backlog and reducing the average time to first appellate public defender assignment.</b></p>
		<p><b>Offer at least 125 hours of training to OPD employees and contractors</b></p>
		<p><b>Hold or reduce the percentage of substantiated client complaints client complaint against OPD assigned attorneys to 7.5% or less</b></p>