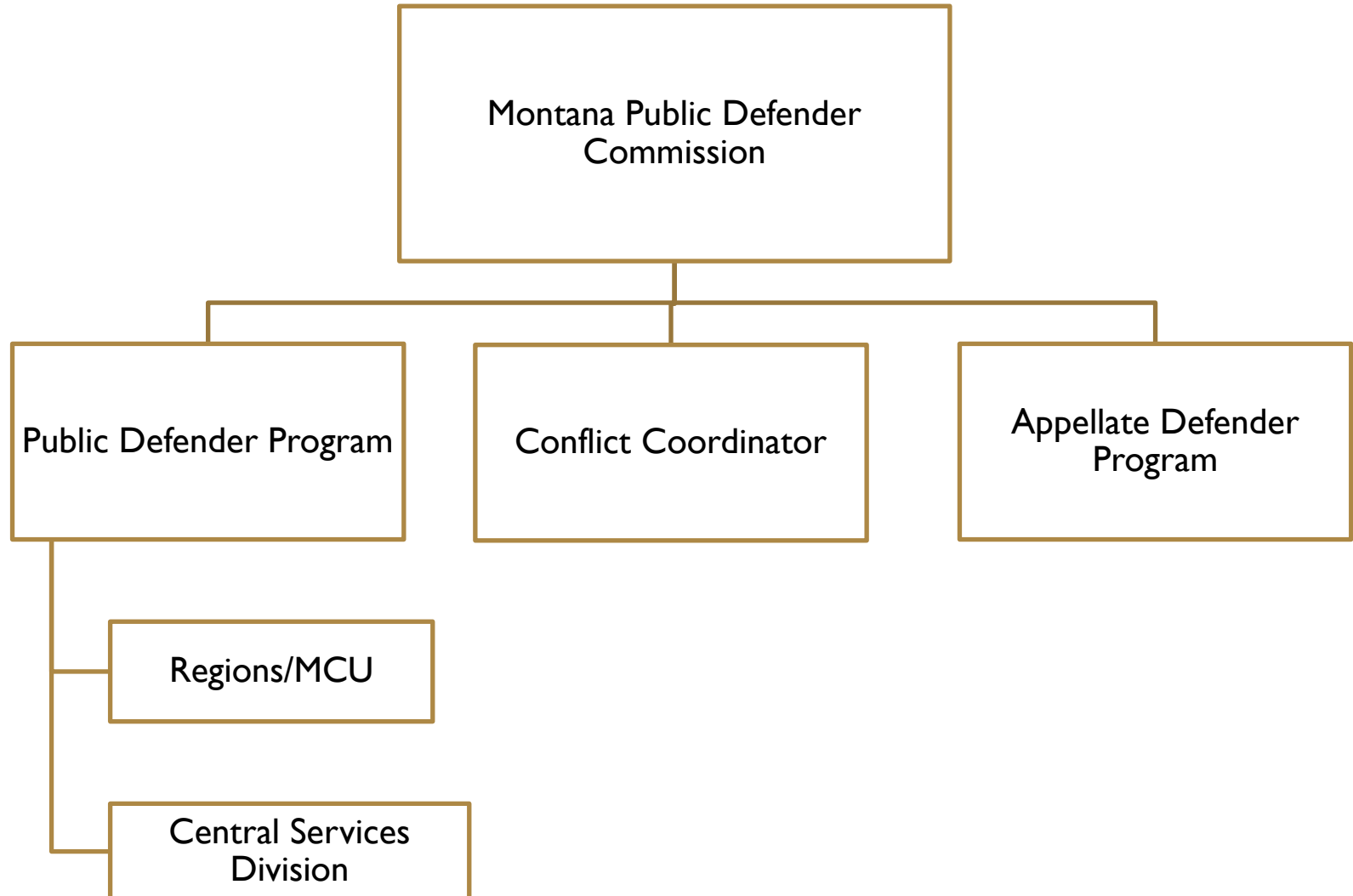


Organizational Structure





Office of the State Public Defender Original Program Estimates Compared to Actual Expenditures

Expenditures Category	Original Program Estimates			Actual Expenditures							
	August 9, 2004	September 8, 2004	Fiscal Note	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Central Services	\$ 1,814,542	\$ 1,826,534	\$ 1,826,534	\$ 1,666,459	\$ 1,995,046	\$ 1,863,938	\$ 1,861,704	\$ 1,901,265	\$ 1,991,579	\$ 2,137,467	\$ 2,154,280
District Court	9,619,170	8,557,041	8,688,728	9,372,785	9,314,682	9,165,502	9,299,046	10,056,621	10,548,725	10,938,365	13,113,092
DN cases	515,019	515,019	724,527	2,178,015	1,991,178	2,321,566	2,608,949	2,803,717	3,117,383	3,788,613	4,240,735
Courts of Limited Jurisdiction	8,000,000	1,777,546	1,777,546	5,441,511	5,635,112	6,272,573	5,646,075	5,508,968	6,212,564	6,874,131	8,027,135
Capital Defense								149,787	397,963	1,102,344	611,860
Appellate	192,290	769,160	769,160	782,606	833,125	897,724	976,196	1,022,225	1,141,249	1,289,717	1,622,643
Totals	\$ 20,141,021	\$ 13,445,300	\$ 13,786,495	\$ 19,441,376	\$ 19,789,143	\$ 20,521,303	\$ 20,392,570	\$ 21,440,583	\$ 23,409,483	\$ 26,130,637	\$ 29,769,745
Funding											
General Fund	\$ 20,141,021	\$ 13,445,300	\$ 13,786,495	\$ 19,441,376	\$ 19,739,143	\$ 20,486,828	\$ 20,322,967	\$ 21,362,646	\$ 23,309,505	\$ 25,944,544	\$ 28,688,957
State Special Revenue	-	-	-	-	30,000	30,000	43,418	41,762	99,958	186,093	1,080,788
Federal	-	-	-	-	-	4,475	26,185	36,175	-	-	-
Totals	\$ 20,141,021	\$ 13,445,300	\$ 13,786,495	\$ 19,441,376	\$ 19,789,143	\$ 20,521,303	\$ 20,392,570	\$ 21,440,583	\$ 23,409,483	\$ 26,130,637	\$ 29,769,745

Case Load Counts

	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
District Court	* 10,891	7,465	8,235	7,681	7,768	8,365	8,521	8,873
DN cases		2,181	2,073	2,258	2,219	3,061	3,129	3,029
Courts of Limited Jurisdiction	14,730	16,910	18,109	17,721	17,677	19,456	20,330	19,803
Totals	25,621	26,556	28,417	27,660	27,664	30,912	31,980	31,705

*2007 District Court cases not broken out.



Commonly Used Terms by the Agency

- **OPD** – Office of the State Public Defender
 - **Region 1** – Kalispell/Polson
 - **Region 2** – Missoula/Hamilton
 - **Region 3** – Great Falls
 - **Region 4** – Helena
 - **Region 5** – Butte/Anaconda
 - **Region 6** – Havre/Glasgow
 - **Region 7** – Lewistown
 - **Region 8** – Bozeman
 - **Region 9** – Billings
 - **Region 10** – Glendive
 - **Region 11** – Miles City
 - **MCU** – Major Crimes Unit (located in Helena)
 - **OAD** – Office of the Appellate Defender
- **Case Weights**, aka **Case Weight System or CWS** – the tool used to monitor attorneys' workloads
- **FTEs** – full-time employees who work directly for OPD
- **AFSCME** – American Federation of State, County and Municipal Employees – the union that represents staff attorneys, investigators and support staff in Program 1's regional offices. Employees in Programs 2 and 3 and Central Services are not represented by a union.

Commonly Used Terms by the Agency (cont.)

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Commonly Used Terms by the Agency (cont.)

- **State Special Revenue (SSR) fund** – includes payments of public defender fees from clients, and any gifts, grants or donations received. These funds are to be used only for the operation of the public defender system.
- **Active/Inactive Cases** - Active cases are currently being worked on; inactive cases are those where the client has disappeared and a warrant has been issued for their arrest; or there has been a deferred sentence or deferred prosecution whereby the client can withdraw his guilty plea or have the charges dismissed upon the fulfillment of certain conditions.
- **Misdemeanors**: criminal cases that carry six months to a year in jail, fines, court costs, other conditions
- **Felonies** - serious criminal cases – must be heard in district court
- **Lower courts, aka Courts of Limited Jurisdiction** – includes city courts, justice court and municipal court; these courts handle misdemeanor cases.
- **District Courts** - Courts that handle felony cases and other matters. Unlike many lower courts, the judges must be attorneys.

Commonly Used Terms by the Agency (cont.)

- **DN** – district neglect: district stands for the court, district court; neglect stands for abuse and neglect cases. Also referred to as “dependent neglect” cases.
 - Abuse and neglect are those cases where the government has intervened in the parent-child relationship and either removed the children from the home or are working with the parents and keeping the children in the home. The case could result in the termination of the parental rights, i.e. the parents lose their children permanently.
- **DC** – district criminal: these are felony cases
- **DI** – district involuntary: involuntary commitment cases where the government is seeking to commit a client to the Montana State Hospital due to a mental disorder
- **DJ** – district juvenile: cases where children have been charged with criminal offenses and those cases are being heard in the youth court
- **DG** – district guardianship: cases where there has been a petition filed for someone to have a guardian appointed by the court to manage their life generally: where they will live, what they will do for health care, how they will spend their money

Commonly Used Terms by the Agency (cont.)

- **Appeals** - Where a client requests that a higher court review a decision of a lower court, e.g. one would appeal a case from a court of limited jurisdiction to the district court; one would appeal a district court case to the Montana Supreme Court.
- **Conflict** – when an attorney or office cannot represent a client due to a conflict of interest. Usually means the attorney or office currently represents another person who is intimately involved in that case.
- **Contract attorneys** - Private attorneys who contract with OPD to handle conflict cases and other cases as needed by the region. Payment is currently \$62 per hour. The rate for capital cases is \$120 per hour.
- **Jurisdiction** - the ability or authority of a court to hear a case, e.g. city courts do not have jurisdiction over felony cases
- An “**Initial**” – when the criminal defendant first appears before the court.
- **Capital case** – a death penalty case