



# MONTANA LEGISLATIVE AUDIT DIVISION

## FINANCIAL-COMPLIANCE AUDIT

### Office of the State Public Defender

For the Two Fiscal Years Ended June 30, 2010

SEPTEMBER 2010

10-28

REPORT SUMMARY

The 59<sup>th</sup> Legislature created the State Public Defender Commission, which supervises Montana’s statewide public defender system. The Chief Public Defender, appointed by the Commission, administers the system through two programs, the Public Defender Program and the Appellate Defender Program.

#### Context

The Office of the State Public Defender provides legal representation primarily to indigent clients. The office’s Public Defender Program is organized into 11 regions, with a deputy regional public defender supervising each region. The Appellate Defender Program is located in Helena and represents indigent clients during post conviction relief.

The office is authorized 200.5 full-time equivalent employee positions. The regional offices employ and/or contract with attorneys to provide legal representation. The office spent approximately \$40.9 million during the two fiscal years ended June 30, 2010, of which, approximately \$13 million was for Other Services (primarily contracted services). The office’s personal services costs were approximately \$24 million for the same period.

#### Results

This audit report has no recommendations. The prior audit report contained three recommendations, two of which were fully implemented. The third recommendation was partially implemented and is discussed on page 2 of the report.

The report does contain two disclosure issues. The first discusses transfers of appropriation authority. The second discusses fees for noncriminal public defense representation.

Recommendation Concurrence	
Concur	0
Partially Concur	0
Do Not Concur	0

Source: Agency audit response included in final report.

For a complete copy of the report or for further information, contact the Legislative Audit Division at 406-444-3122; e-mail to [lad@mt.gov](mailto:lad@mt.gov); or check the website at <http://leg.mt.gov/audit>. Report Fraud, Waste, and Abuse to the Legislative Auditor’s FRAUD HOTLINE Call toll-free 1-800-222-4446, or e-mail [lad@mt.gov](mailto:lad@mt.gov).