

Reorganization of the appellate defender function		Agency/Program #: 6108-02-G1
		Division: Appellate Defender
		Program: Appellate Defender
Agency Name:	Office of Public Defender	
Agency Contact:	Harry Freebourn	496-6084
LFC Contact:	Representative Hiner, Senator Bales and Schmidt	
LFD Liaison:	Pat Gervais	444-1795
OBPP Liaison:	Brent Doig	444-4118

Program or Project Description:

Appellate Defender- This program provides appeal services for indigent services

Appropriation, Expenditure and Source					
Fund Name:	2008		2009		Approp & Expenditure numbers are as of August 31, 2008
	Approp.	Expended	Approp.	Expended	
General Fund					
State Special					
Federal Funds					
Total:	\$0	\$0	\$0	\$0	

Legislative Goal(s):

Reorganization of the appellate defender function so that effective assistance of counsel is provided upon appeal and in a timely manner – generally within 30 days and without continuance in dependent and neglect cases

Legislative Performance Measur

of appeals filed (prior years compared to current)
 # of continuances requested (prior years compared to current)
 % of cases assigned to contract counsel (prior years compared to current)

2009 Biennium Significant Milestones:	Completion Dates	
	Target	Actual
1		
2		
3		
4		
5		

Agency Performance Report:

Fiscal Year	APD Opening Briefs	APD Reply Briefs	Non-APD Opening Briefs	Non-APD Reply Briefs	Respondent Briefs	PCR
FY2005	21	16	130	N/A	157	
FY2006	5	8	68	N/A	129	
FY2007	128	57	74	57	182	16
FY2008	176	104	14	32	185	11

*APD - Appellate Public Defender

*PCR - Post Conviction Relief

2. The percentage of cases assigned to internal attorneys as of the date of this report is 76% vs. the number assigned to external attorneys of 24%.

LFD Narrative:

LFD Assessment: On track

Data Relevance: Yes

Appropriation Status: Not provided

Comments/Issues: The workgroup may wish to request an update on the appropriation status of the appellate defender program.

Options:

- Change LFD Assessment



Version	Date	Author
AO-1	12/4/07	Gervais
AO-2	5/19/08	Gervais
DO-3	9/23/08	Gervais

Change Description
1st Report
June 2008 update, not requested by workgroup
Sept 2008 update