



JUDICIAL BRANCH  
**OFFICE OF THE  
ALTERNATE DEFENSE COUNSEL**

**FISCAL YEAR 2015-2016  
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**PERFORMANCE PLAN**

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# Table of Contents

<b>I. Agency Overview</b>	
Background	3
Statutory Mandate/Directive	3
Mission	3
Vision	3
<b>II. Major Functions of the Department</b>	
State Wide Representation	4
Effective Court Appointed Counsel	4
Controlling Case Costs	4
<b>III. Performance Measures &amp; Goals</b>	
Insure Adequate Contractor Rates	5
Contain Case Costs	5
Provide High-Quality Annual Trainings	6
Provide Cost-Effective Research Tools and Assistance	8
Monitor and Evaluate Contractors	9
Support the use of Evidence Based Practices	10
<b>IV. Strategies</b>	
Increasing Compensation Rates	11
Provide Ongoing Training	11
Conducting Periodic Evaluations	11
Providing Legal Resources and Technology	11
Update Brief and Motions Bank	11
Provide Law Practice Management Support	11
Institute Paperless and Administrative Efficiency	11
Ancillary Services to reduce Attorney Hours	12
Fraud, Waste, & Abuse Prevention	12
<b>V. Recent Performance Evaluations</b>	
Annual Evaluation of Performance Plan	13
Contractor Survey and Evaluation	13
CAC System Survey and Evaluation	13
Evaluation of Prior Year Performance	13

# I. Agency Overview

## Background

The United States and Colorado Constitutions provide every accused person with the right to be represented by counsel in criminal prosecutions. U.S. Const., amend. VI; Colo. Const., art. II, §16. This constitutional right has been interpreted to mean that counsel will be provided at state expense for indigent persons in all cases in which incarceration is a possible penalty.

The Office of the Alternate Defense Counsel (OADC) was established pursuant to C.R.S. § 21-2-101, *et. seq.* as an independent governmental agency of the State of Colorado Judicial Branch. The OADC is funded to provide legal representation for indigent persons in criminal and juvenile delinquency cases where the Office of the State Public Defender (OSPD) has an ethical conflict of interest.

## Statutory Mandate/Directive

The Office of the Alternate Defense Counsel is mandated by statute to "provide to indigent persons accused of crimes, *legal services that are commensurate with those available to non-indigents*, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association Standards relating to the administration of criminal justice, the defense function." C.R.S. § 21-2-101(1) (emphasis added).

## Mission

The mission of the Office of the Alternate Defense Counsel is to provide indigent individuals (adults and juveniles) charged with crimes the best legal representation possible. This representation *must* uphold the federal and state constitutional and statutory mandates, ethical rules, and nationwide standards of practice for defense lawyers. As a state agency, the OADC strives to achieve this mission by balancing its commitment to insuring that indigent defendants and juveniles receive high quality, effective legal services with its responsibility to the taxpayers of the State of Colorado.

## Vision

- ★ *To foster high-quality, cost-effective legal representation for indigent defendants and juveniles through exemplary training, thorough evaluation, and the effective use of modern technology.*

## II. Major Functions of the Department

### State Wide Representation

The OADC contracts with approximately 400 private lawyers across Colorado to represent indigent defendants where the OSPD has a conflict of interest. Each of these lawyers is an independent contractor. Investigators, paralegals, experts, and other ancillary services are available to these lawyers through the OADC. The Agency is committed to insuring that the representation is of the highest quality possible. Today, in every courtroom in Colorado, there are Office of Alternate Defense Counsel (OADC) contract lawyers available to accept court appointments in both juvenile delinquency and adult criminal cases.

### Effective Court Appointed Counsel

The OADC interviews and approves or denies contracts with all contract attorneys and investigators. All attorneys and investigators are on a contract renewal cycle. During this renewal process, OADC requests and receives feedback from all judicial districts and visits courtrooms across the state to monitor and evaluate the level of practice. OADC has a rigorous training program for lawyers, investigators and paralegals. This training is also generally webcasted to allow contractors all over the state to attend. All contractors have access to a number of legal and technical resources including the web based Brief and Motions Bank; legal research and motion drafting assistance; weekly case law summaries of new criminal legal opinions issued by the Colorado Court of Appeals, the Colorado Supreme Court, the 10<sup>th</sup> Circuit, and the United States Supreme Court; comprehensive manuals on complex but frequently used subject matters such as COCCA, Habitual Criminal Cases, and Handling Client's Files in Post-Conviction Matters.

### Controlling Case Costs

The OADC has several key functions in controlling case costs including average hour per case analysis, providing cost effective research tools, and offering ancillary services on cases. These functions are monitored and reviewed on a monthly basis by the executive staff of the Agency.

1. **Average hours per case:** Analysis of these measures are broken down by case type (i.e. Type A & B felony, Adult Misdemeanor, Juvenile, and Death Penalty). Historical analysis, combined with current trending activity, allows the agency to not only monitor for isolated anomalies that affect costs but also provides appropriate justification and forecasts for the upcoming budget request cycle.
2. **Cost effective research tools:** Another highly utilized tool the OADC uses in controlling case costs is the Brief and Motions Bank. This web-based repository streamlines case related research, thereby lowering case costs.
3. **Ancillary services:** The Agency continues to explore new ways to control costs through the use of ancillary services. In addition to the Brief and Motions Bank the Agency has an in-house appellate and post-conviction case management system, provides eDiscovery in certain case types and jurisdictions, and is expanding its social worker program.

### III. Performance Measures & Goals

#### Performance Measure A: Insure Adequate Contractor Rates

In the FY14–15 Budget Request the OADC submitted a Decision Item regarding an increase to Contractor hourly rates by \$10. The Joint Budget Committee approved that Decision Item and the OADC was appropriated an additional \$3,559,986 to accommodate for that rate increase.

		FY 09-13 Actual	FY 14 Actual	FY15 Budget	FY16 Request	FY17 Anticipated	FY18 Anticipated
OADC average hourly Attorney Rates	Target	\$75	\$75	\$75	\$75	undetermined	undetermined
	Actual	\$65	\$65	\$75	\$75		

#### Performance Measure B: Contain Case Costs

The OADC analyzes the cost per case on a monthly basis and strives to find innovative and effective strategies to contain those costs.

		FY13 Actual	FY14 Actual	FY15 Budget	FY16 Request	FY17 Anticipated	FY18 Anticipated
Contain the total number of Attorney hours per case. Includes all case type hours.	Target	19.64	19.64	19.64	19.64	19.64	19.64
	Actual	17.94	17.91				
Contain the total Attorney hours per case excluding Death Penalty cases.	Target	18.65	18.65	18.65	18.65	18.65	18.65
	Actual	15.85	16.19				
Contain the total Attorney hours per Death Penalty case.	Target	2,697.46	2,787.74	2,787.74	2,787.74	2,787.74	2,787.74
	Actual	2,787.74	2,599.73				
Contain the total Attorney hours per Type A Felony case.	Target	46.44	46.44	46.44	46.44	46.44	46.44
	Actual	43.00	46.43				
Contain the total Attorney hours per Type B Felony case.	Target	15.48	15.48	15.48	15.48	15.48	15.48
	Actual	13.83	14.89				
Contain the total Attorney hours per Adult Misdemeanor/Juvenile.	Target	7.24	7.24	7.24	7.24	7.24	7.24
	Actual	6.94	6.13				
Keep ancillary costs per case to a minimum.	Target	\$120.38	\$132.78	\$132.78	\$132.78	\$132.78	\$132.78
	Actual	\$132.78	\$128.49				

## **Performance Measure C: Provide High-Quality Annual Trainings**

The Agency has developed three basic components to its training program.

1. Assess and determine the types of training needed for OADC contractors.
2. Organize and present continuing legal education training for OADC lawyers, investigators, and paralegals.
3. Facilitate access to trainings through in-person attendance, DVD reproduction, and webcasting.

	<b>FY14 Actual</b>	<b>FY15 Actual</b>	<b>FY16 Request</b>	<b>FY16 Revised</b>	<b>FY17 Anticipated</b>	<b>FY18 Anticipated</b>
Appellate Training		14 hours 99 Attendees	3 hours 20 Attendees		8 hours 30 Attendees	14 hours 80 Attendees
Research and Motions Practice						6 hours 40 Attendees
Ethics for Lawyers	7 hours 38 Attendees	7 hours 45 Attendees	7 hours 35 Attendees	7 hours 35 Attendees	7 hours 35 Attendees	7 hours 35 Attendees
Trial Practice Institute	38 hours 52 Attendees	39 hours 52 Attendees	35 hours 45 Attendees	35 hours 45 Attendees	38 hours 52 Attendees	38 hours 52 Attendees
Juvenile Training	25.5 hours 60 Attendees	25.5 hours 240 Attendees	20 hours 100 Attendees	20 hours 100 Attendees	20 hours 100 Attendees	20 hours 100 Attendees
Post-Conviction Training	3.75 hours 8 Attendees	5 hours 42 Attendees			5 hours 42 Attendees	
Social Work Training	23.5 hours 18 Attendees	12 hours 10 Attendees	12 hours 12 Attendees	12 hours 12 Attendees	12 hours 12 Attendees	12 hours 12 Attendees
Investigator Training	6 hours 86 Attendees	13 hours 155 Attendees	6 hours 50 Attendees	12 hours 90 Attendees	12 hours 90 Attendees	12 hours 90 Attendees
Sentencing		7.25 hours 54 Attendees	7 hours 50 Attendees	7 hours 50 Attendees	7 hours 50 Attendees	7 hours 50 Attendees
Adobe Prof. Training	12 hours 28 Attendees		8 hours 25 Attendees			
Legal Technology	7 hours 25 attendees	7 hours 44 Attendees	6 hours 30 Attendees	6 hours 30 Attendees		
Paralegal Training	6 hours 52 Attendees	3 hours 65Attendees	6 hours 35 Attendees	6 hours 35 Attendees	6 hours 70 Attendees	6 hours 70 Attendees
Evidence Based Practices			8 hours 50 Attendees	7 hours 45 Attendees	7 hours 45 Attendees	7 hours 45 Attendees
Criminal Law Update	15 hours 225 Attendees	15 hours 200 Attendees	15 hours 200 Attendees	15 hours 200 Attendees	15 hours 200 Attendees	15 hours 200 Attendees
Train the Trainers			7 hours 15 Attendees	7 hours 24 Attendees		7 hours 24 Attendees
Organized Crime Act			6 hours 25 Attendees	6 hours 25 Attendees		
Evidence and Objections	7 hours 40 Attendees	7 hours 41 Attendees		7 hours 35 Attendees	7 hours 35 Attendees	7 hours 35 Attendees

<i>Continued from previous page</i>	<b>FY14 Actual</b>	<b>FY15 Actual</b>	<b>FY16 Request</b>	<b>FY16 Revised</b>	<b>FY17 Anticipated</b>	<b>FY18 Anticipated</b>
Plea Bargaining and Negotiation		6.5 hours 54 Attendees	4 hours 50 Attendees	6 hours 50 Attendees	6 hours 50 Attendees	6 hours 50 Attendees
Jury Selection				7 hours 50 Attendees		
Training on Drug Sentencing Changes	2 hours 41 Attendees					
Advanced Litigation Training	15 hours 40 Attendees					
Forensics	6 hours 40 Attendees					6 hours 40 Attendees
Storytelling for Lawyers and Investigators	14 hours 10 Attendees					
Leadership/Team Building Training						7 hours 40 Attendees
Incorporating Social Workers on Legal Teams				7 hours 40 Attendees		
Westlaw Training		10 hours 50 Attendees				

**Performance Measure D: Provide Cost-Effective Research Tools and Assistance**

To advance quality and efficiency in OADC contractors, the Agency recognized the need for providing cost-effective research tools and resources. To accomplish this, the Agency is:

1. Improving and expanding the Brief and Motions Bank;<sup>1</sup>
2. Providing legal research and motion drafting assistance to contractors;
3. Providing timely case law summaries of new criminal legal opinions issued by the Colorado Court of Appeals, the Colorado Supreme Court, the 10<sup>th</sup> Circuit, and the United States Supreme Court;
4. Analyzing and introducing best practice applications to OADC contractors;  
 Creating comprehensive manuals on complex but frequently used subject matters such as COCCA, Habitual Criminal Cases, and Handling Client’s Files in Post-Conviction Matters.

		FY13 Actual	FY14 Actual	FY15 Budget	FY16 Request	FY17 Anticipated	FY18 Anticipated
Brief and Motions Bank	Target	Continue to populate and update Brief and Motions Bank, and populate 80% of the browse categories. Train contractors on use. 20% increase in monthly users.	Continue to populate and update Brief and Motions Bank and populate 100% of existing browse categories. Add categories as needed. Increase usage to 50% of OADC contractors.	Over 5,000 documents. Average users per month: 250	Over 6,000 documents with ability to Browse subject matters in three different areas (General Legal, Juvenile and EBP/Social Sciences). Increase average users to 250 per month	Juvenile materials: 500 documents.  Social Sciences materials: 500 documents.	Juvenile materials: 500 documents.  Social Sciences materials: 500 documents.  Mental Health materials: 100 documents
	Total Documents			5,000	6,000	6,000	6,000
	Total users or queries per month			250 users	250 users	1,000 Queries	1,200 Queries
	Actual	Over 3,600 documents. Average users per month: 180	4,800 documents Average User per Month: 200 95% of browse categories populated	5,400 documents			
Provide Cost-Effective Personalized Legal Research Assistance	Target	60 cases	120 cases	200 cases	300 cases	400 cases	500 cases
	Actual	120 cases	360 cases	360 cases			
Provide Cost-Effective Personalized Assistance Specific to Mental Health Issues in Criminal Case	Target	na	na	na	na	40 Cases	60 Cases
	Actual	na	na	na	na		
Provide Cost-Effective Personalized Assistance Specific to Social Sciences Issues in Criminal Cases	Target	na	na	na	na	40 Cases	60 Cases
	Actual	na	na	na	na		
Provide Summaries of New Opinions.	Target	Quarterly summaries	12 monthly summaries	50 weekly summaries	50 weekly summaries	50 weekly summaries	50 weekly summaries
	Actual	Monthly Summaries	52 weekly summaries	52 weekly summaries			

<sup>1</sup> The Brief and Motions Bank is an electronic data base containing high quality briefs and motions that have been indexed by topic. OADC contractors can use this resource as a starting point to efficiently address important legal issues in their cases.



**Performance Measure E: Monitor and Evaluate Contractors**

		<b>FY13 Actual</b>	<b>FY14 Actual</b>	<b>FY15 Budget</b>	<b>FY16 Request</b>	<b>FY17 Anticipate</b>	<b>FY18 Anticipate</b>
Interview Attorney Applicants	Target	100%	100%	100%	100%	100%	100%
	Actual	99%	100%				
Interview Investigator Applicants	Target	100%	100%	100%	100%	100%	100%
	Actual	99%	100%				
Court Room Observations and Case Brainstorming	Target	na	na	na	na	75	75
	Actual	na	na				
Mock Oral Arguments	Target	na	na	na	na	10	12
	Actual	na	na				
Oral Arguments	Target	na	na	na	na	20	24
	Actual	na	na				
Review Pleadings	Target	na	na	na	na	80	100
	Actual	na	na				

Pursuant to the state performance audit of 2006, the OADC began a process to insure that all OADC lawyers and investigators are under a current contract. This process includes interviewing and evaluating all attorney contractors and contracting with investigators.

1. Create a data base to track all attorney and investigator contractors that includes contract renewal dates.
2. Contact and request renewal applications from attorney contractors, interview and evaluate contractors, and renew contracts if appropriate.
3. Receive feedback from judicial districts concerning OADC lawyers.
4. Verify attorney status with the Office of Attorney Regulation.
5. Monitor and evaluate lawyer court room practices through courtroom observations.
6. Review pleadings submitted by contractors and provide feedback where needed.
7. Mandate training and testing for investigators prior to contract issuance and renewal.
8. Conduct audit and time-efficiency studies of select OADC contractors.
9. Run reports on OADC contractors using the new Court Appointed Attorney Payment System (CAAPS).
10. Require at least 5 hours of juvenile or defense specific CLE training per year.

**Performance Measure F: Support the use of Evidenced Based Practices**

		<b>FY14 Actual</b>	<b>FY15 Budget</b>	<b>FY16 Request</b>	<b>FY17 Anticipated</b>	<b>FY18 Anticipated</b>
Expand the OADC Social Worker Pilot Program	Target	10 cases	70 cases	100 cases	100 cases	100 cases
	Actual	10 cases				
Increase the number of Social Worker Contractors	Target	2 contractors	6 contractors	6 contractors	8 contractors	10 contractors
	Actual	2 contractors				
Provide on-line EBP / social sciences materials on the Brief and Motions Bank.	Target		250 documents 10 users/month	1000 documents 30 users/month	500 documents	500 documents
	Actual					
Ensure that a part of OADC's training program is focused on EBP.	Target		3 trainings	3 trainings	3 trainings	3 trainings
	Actual					

**Evidence Based Practices (EBP)**

In 2011, the legislature amended the “purposes of sentencing,” C.R.S. §18-1-102.5. These changes were the first substantive changes in nearly 30 years. The changes represent the embracing of standardized risk/needs assessments and supervision and treatment tailored to reduce recidivism. In addition, the cost of alternative sentences is to be considered by judges. Statewide endeavors in agencies such as probation, parole, corrections, Colorado Commission on Criminal Juvenile Justice (CCJJ), and other stakeholder agencies, to enact and monitor Evidence Based Practices, have gained both funding and legislative support. The OADC has, since 2011, acknowledged and worked at implementing these changes in the sentencing structure, and although committed to this implementation process, change has been sporadic. The purpose of performance measure F is to create an implementation strategy to effectuate Evidence Based Practices in juvenile and criminal defense with the following components:

1. Expand the OADC Social Worker Pilot Program;
2. Create a separate social science component to the Agency’s Brief and Motions Bank; and
3. Ensure that a part of the OADC’s training program is focused on EBP.

## **IV. Strategies**

### **Increase Compensation Rates**

As mentioned in the Performance Measures and Goals section of this plan, the OADC received a rate increase beginning FY14-15, as requested in the Agency's FY14-15 budget request. In the Performance Measures and Goals relating to Contractor Rates, the Agency indicates that a potential rate increase for FY16-17 is still undetermined. The Agency, in conjunction with its Commission, will continue to explore future rate increases based on cost of living increases and the state of the economy.

### **Provide Ongoing Trainings**

The Performance Measures and Goals section provides a list of the OADC's commitment to trainings in the upcoming 3 fiscal years. The types of trainings provided are based on an assessment of the needs of the OADC contractors.

### **Conducting Periodic Evaluations**

Section V (Recent Performance Evaluations) outlines several tools that the Agency uses to evaluate its programs. The Agency's billing system overhaul, which goes into effect on July 23, 2015, will enhance the Agency's ability to monitor and evaluate its contractor performance. The OADC will also be conducting annual system-wide surveys to help improve the functionality of this automated billing system.

### **Improved and Cost Effective Research Tools**

As described in the Performance Measures and Goals, the OADC will continue to provide legal resources and technology to its contractors. A highly utilized resource that the Agency has developed is a centralized, online, legal research and information platform called the Brief and Motions Bank that continues to expand and assist many of the Agency's contractors. This asset is vital to the Agency because it reduces average case costs by streamlining research time for the attorney contractors while simultaneously improving the effectiveness of representation. This Bank is expanding to eventually include a separate juvenile section, a separate social sciences section, and a separate mental health section.

### **Institute Paperless and Administrative Efficiencies**

In order to keep administrative costs low and use state resources to pay contractors directly, the OADC began developing its automated payment system, WEBPAY, in FY02. By FY05, all regular contractors were billing on line and continue to do so today.

The Agency's revamped billing system (CAAPS) will go live on July 23, 2015. This overhaul will significantly enhance the Agency's monitoring capabilities, benefiting not only internal audit procedures but also the annual fiscal note process and individual contractors' payment monitoring options.

### **Ancillary Services to Reduce Attorney Hours**

The OADC reviews each individual contractor bill for reasonableness and accuracy. In an effort to increase the quality and efficiency of the OADC contract attorneys, the Agency has implemented and will continue to seek out measures that will reduce billable contractor hours and associated ancillary costs. These measures include:

1. Continuing the in-house appellate case management system that streamlines the OADC appellate cases from inception through transmittal of the record on appeal.
2. Continuing the in-house post-conviction case management system to include triage and per case fee contracting.
3. Contracting with document management and paralegal professionals who specialize in organization and distribution of discovery in Colorado Organized Crime Control Act (COCCA) cases, death penalty cases, and other voluminous cases.
4. Attorney access to electronic court records pursuant to HB 08-1264.
5. Expanding and promoting the Brief and Motions Bank.
6. Providing expert legal research and legal motion drafting assistance.
7. Evaluating contractor efficiency and auditing contractor billing.
8. Closely monitoring expert requests.
9. Coordinating cost reduction methods for electronic and paper discovery charges from individual district attorney offices across the state. It is also hoped that the development of the statutorily mandated statewide discovery system will contain or reduce discovery costs paid by the State of Colorado.
10. Identifying and promoting technologies that increase attorney efficiency.

### **Fraud, Waste, & Abuse Prevention**

The OADC continues to be diligent in monitoring all financial transactions processed by the Agency. In addition to the annual audit performed by the Office of the State Auditor, the Agency reviews all payments, insuring that there is appropriate documentation and support, and utilizes segregation of duties throughout this process. This includes, payment processing, and second level approvals, as well as executive review of over the maximum requests. Semiannual vendor totals are also audited for anomalies and/or invoicing abnormalities. The Agency also verifies all internal monthly payroll functions by using the State financial and payment processing system.

## V. Recent Performance Evaluations

### Contractor Evaluations

This year's annual contractor survey focused on the following areas:

1. Suggestions for improvements to the Agency's on-line billing system.
2. Improvements for the Agency's informational web site.
3. Benefits of the Agency's Brief and Motions bank.

The responses to this survey are assisting the Agency in polishing its new and robust billing system (CAAPS) that will be rolled out on July 23, 2015, has facilitated a revamp of the Agency's informational web site to enhance ease of use, and supported the continued improvement of the Brief and Motions Bank, including the addition of a social sciences tab as well as a juvenile tab. .

### OADC Staff Evaluations

The Agency has continued its employee self-evaluations. This annual evaluation includes such topics as; Job Knowledge, Work Quality, Attendance/Punctuality, Initiative, Communication/Listening Skills, and Dependability. Each staff member completed the survey and met with the Executive Director, Deputy Director, or Controller to discuss the results, concerns, and overall performance of each employee.

### Evaluation of Prior Year Performance

**Insure Adequate Contractor Rates:** From FY09 to FY14, the OADC did not request a rate increase due to the uncertainty of the economy and state budget shortfalls. Prior rate increases assisted with recruitment and retention of competent lawyers. In its FY15 budget request, the Agency requested and received a \$10.00 per hour rate increase for its attorney contractors, and a \$5.00 per hour rate increase for its investigators and paralegals. This rate increase has certainly helped with recruitment and retention of competent contractors. However, it still falls significantly below the federal government's court-appointed attorney<sup>2</sup> hourly rate of \$127 per hour for non-capital cases, and for capital crime (death penalty) cases, the hourly rate is \$181 per hour.

**Contain Case Costs:** The Agency continues to contain its attorney hours per case, and keep ancillary costs per case to a minimum. The implementation of cost saving measures as listed in the following paragraphs is assisting in containing attorney billable hours, and therefore case costs.

1. **Legal Resources and Technology:** The OADC Brief and Motions Bank, coupled with the legal research assistance to OADC contractors, have created a centralized system of

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<sup>2</sup> Federal court-appointed attorneys are referred to as Criminal Justice Act (CJA) lawyers.

legal resources and technology available to all contractors to reduce duplication of efforts. This past year OADC has highlighted the creation of practitioner manuals in specific topic areas (COCCA and Habitual Criminal cases and Handling Client's files in Post-Conviction matters to name a few) as a priority.

In FY14, the Bank grew to over 4,800 documents, broken down into searchable categories. The Agency has also recognized a need for legal research and drafting assistance. The Agency receives numerous requests for this assistance every week. This is not only a valuable resource for the Agency's contractors, but also assists in reducing case costs. As one contractor commented:

*This was great, thank you. It allowed me to finish up my analysis in a much quicker fashion.*

Another contractor stated:

*You are wonderful!!! Thank you so much. (Honestly, you are a blessing to us ADC contractors). Have a nice weekend and I appreciate your help.*

2. **Discovery:** The OADC continues to provide electronic distribution of discovery in certain cases. Contracting with document management and paralegal professionals has allowed the OADC to take thousands of pages of paper discovery and reduce it to an electronic format, costing very little to reproduce. Although OADC's use of modern technology has reduced the distribution cost of discovery in complex cases, the discovery costs paid to many district attorneys' offices statewide continues to increase. It is hoped that the creation of a statewide discovery sharing system that is in its beginning stages will alleviate this concern.
3. **Appellate and Post-Conviction Cases:** The Agency has successfully reduced the number of attorney hours per case for appellate appointments. The Agency's former appellate paralegal pilot program has transitioned to an appellate case management position, and now also includes case management for post-conviction cases. Each post-conviction case is triaged by a very experienced post-conviction lawyer who produces a memorandum suggesting a course of action for the assigned lawyer. Based on this memorandum a contract price is assigned to the case. This process has dramatically shortened the time that post-conviction cases are open by providing the attorneys with significant information regarding the case at the time of appointment. Feedback from OADC contractors, court clerks and judges has all been positive. As one OADC contractor stated:

*The assistance in obtaining transcripts across the state is invaluable. It saves immeasurable time to have a centralized location, and a person that knows exactly who to contact to get the information we need.*

OADC is also currently involved in an *ad hoc* brainstorming group with other stakeholders (Court of Appeals judges and staff, Department of Law Appellate Division, and the OSPD Appellate Division) to explore options to streamline post-conviction cases.

4. **Auditing of Contractors:** The OADC continues to audit individual contractors and analyze their billing procedures and patterns. The OADC has tailored trainings to address time management inefficiencies to reduce the number of hours per case. The new OADC billing system (CAAPS) has been designed to enhance the Agency's ability to monitor its contractor billing.
5. **Death Penalty:** Capital cases are the most expensive case class. This includes attorney time, investigator time, paralegal time, and ancillary costs. As long as there is a death penalty in Colorado, and OADC has a case, it will be expensive. Currently there are two death penalty cases proceeding under the Unitary Appeal Bill, and both defendants are represented by OADC contractors. All of these death penalty cases arise out of prosecutions from the 18<sup>th</sup> Judicial District.
6. **Trainings:** The OADC met its training program target. The attendance at the trainings surpassed expectations and feedback was excellent. The Agency was able to train on a variety of subjects that concern its contractors. For contractors who are unable to attend in-person, most trainings are webcast and accessible to anyone with a high speed internet connection and/or recorded and reproduced on DVD. As one contractor commented,

*“Great training overall. One of the best I’ve attended locally. Appreciated that this process/focus is not win/lose but what can be accomplished for our clients.”*

During FY12, the OADC recognized a need to provide increased technology training for its contractors and provided hands-on training in technology tools such as Adobe Acrobat Professional for use with electronic discovery and transcript review. The demand and provision of this type of training continued in FY13 and FY14. In FY15, based on the increased need for technology training, the Agency conducted day long training on technology in the courtroom.

7. **Applicants and Contract renewals:** The Agency has essentially interviewed and approved or denied contracts with all contract attorneys and investigators. All attorneys and investigators are on a contract renewal cycle. The Agency has a procedure in place to process applications from new attorneys and investigators and is continuing its training and screening/testing process prior to issuance of investigator contracts.