



**JUDICIAL BRANCH**

**OFFICE OF THE**

**ALTERNATE DEFENSE COUNSEL**

**Fiscal Year 2018-2019**  
**August 01, 2018**

**Performance Management System**

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**Agency 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 in which the State Public Defender has a 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).

**FY 2018-19 Timeline:**

July/ August 2018	- Research, Complete, and post the Performance Management System on the Office of the Alternate Defense website.
September 2018	- Review Agency Data/Information, comments, and observations obtained through the fiscal year with regards to increased efficiency and lean government tactics. - Solicit feedback from Agency employees.
October 2018	- Review Agency's job descriptions to ensure accuracy and revise as necessary. - Review Agency's Core Objectives and Performance Measures and evaluate and amend as needed. - Prepare Agency's FY19-20 Budget, taking into consideration information obtained from the Agency evaluation as outlined above.
November 2018	- Research, Complete, and post the Performance Report on the Office of the Alternate Defense website.
November/ December 2018	- Present to Joint Committee of Reference as required by HB13-1299.
April 2019	- Solicit feedback from Agency contractors
May 2019	- Employees to complete a self-assessment survey. - Conduct formal performance assessment meeting with each employee. - Meet with employee to discuss contributions, competencies, goals, and growth opportunities. Agree on action plan. Finalize employee performance evaluation document.
June 2019	- Develop Agency's Performance Plan
July 2019	- Post Agency's Performance Plan

## Process Map:

### Office of the Alternate Defense Counsel - Strategy / Process Map

<b>Vision</b>	To foster high-quality, cost-effective legal representation for indigent defendants and juveniles through exemplary training, evaluation, and the effective use of modern technology and evidence based practices.
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<b>Mission</b>	The mission of the Office of the Alternate Defense Counsel is to provide indigent 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 ensuring that indigent defendants and juveniles receive high quality, effective legal services with its responsibility to the taxpayers of the State of Colorado.
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<b>Goals</b>	I. Promote a culture of excellence in criminal and juvenile defense.	II. Provide superior legal and technological resources.	III. Cost Containment
<b>Strategies</b>	<p>A. Increase compensation rates for contractors.</p> <p>B. Provide topical trainings.</p> <p>C. Evaluate Contractors.</p> <p>D. Publish periodic newsletters.</p>	<p>A. Update and maintain eLibrary.</p> <p>B. Legal research and writing support.</p> <p>C. Offer online legal research. Includes Westlaw and Data Access.</p> <p>D. Offer assistance with specific technology platforms.</p>	<p>A. Provide ancillary services to reduce attorney hours and average cost per case.</p> <p>B. Disseminate legal research and information including weekly case summaries of new relevant cases.</p> <p>C. Institute paperless options to improve administrative efficiency.</p> <p>D. Fraud, Waste, &amp; Abuse Prevention.</p>