



JUDICIAL BRANCH

**OFFICE OF THE
ALTERNATE DEFENSE COUNSEL**

**Fiscal Year 2019-2020
August 01, 2019**

Performance Management System

Lindy Frolich, Director

Agency Background:

The United States and Colorado Constitutions provide every accused person with the right to legal representation by counsel in criminal prosecutions. [U.S. Const., amend. VI](#); [Colo. Const., art. II, §16](#). This constitutional right means 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 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).

FY 2019-20 Timeline:

July/ August 2019	- Research, Complete, and post the Performance Management System on the Office of the Alternate Defense website.
September 2019	- Review Agency Data/Information, comments, and observations obtained through the fiscal year regarding increased efficiency and lean government tactics. - Solicit feedback from Agency employees.
October 2019	- 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 FY20-21 Budget, taking into consideration information obtained from the Agency evaluation as outlined above.
November 2019	- Research, Complete, and post the Performance Report on the Office of the Alternate Defense Counsel website.
November/ December 2019	- Presentation to Joint Judiciary as required by HB13-1299.
April 2020	- Solicit feedback from Agency contractors
May 2020	- Employees to complete a self-assessment survey. - Conduct formal performance assessment meeting with each employee. - Meet with employees to discuss contributions, competencies, goals, and growth opportunities. Agree on an action plan. Finalize employee performance evaluation documents.
June 2020	- Develop Agency's Performance Plan
July 2020	- Post Agency's Performance Plan

Office of the Alternate Defense Counsel - Strategy / Process Map

Vision	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 best practices.
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Mission	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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Goals	I. Promote a culture of excellence in criminal and juvenile defense.	II. Provide superior legal and technological resources.	III. Cost Containment
Strategies	<div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">A. Increase compensation rates for contractors.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">B. Provide topical trainings.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">C. Evaluate Contractors and Municipal Court Attorneys.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px;">D. Publish periodic newsletters.</div>	<div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">A. Update and maintain eLibrary.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">B. Legal research and writing support.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">C. Offer online legal research, including Westlaw and Data Access.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px;">D. Offer assistance with specific technology platforms.</div>	<div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">A. Provide ancillary services to reduce attorney hours and average cost per case.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">B. Disseminate legal research and information including weekly written and podcast case summaries.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px; margin-bottom: 5px;">C. Explore additional technologies to improve contractor efficiencies.</div> <div style="background-color: #6A5ACD; color: white; padding: 5px;">D. Fraud, Waste, & Abuse Prevention.</div>