



JUDICIAL BRANCH

**OFFICE OF THE
ALTERNATE DEFENSE COUNSEL**

FISCAL YEAR 2020-2021

August 01, 2020

**PERFORMANCE
MANAGEMENT SYSTEM**

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).

July/ August 2020	- Research, Complete, and post the Performance Management System on the Office of the Alternate Defense website.
September 2020	- 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 2020	- 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 FY21-22 Budget, taking into consideration information obtained from the Agency evaluation as outlined above.
November 2020	- Research, complete, and post the Performance Report on the Office of the Alternate Defense Counsel website.
November/ December 2020	- Presentation to Joint Judiciary as required by HB13-1299.
April 2021	- Solicit feedback from Agency contractors
May 2021	- Employees to complete a self-assessment survey. - Conduct a 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 2021	- Develop Agency's Performance Plan
July 2021	- 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.

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.

Goals

I. Promote a culture of excellence in criminal and juvenile defense.

II. Provide superior legal and technological resources.

III. Cost Containment

Strategies

A. Increase compensation rates for contractors.

B. Provide topical trainings.

C. Evaluate Contractors and Municipal Court Attorneys.

D. Publish periodic newsletters.

A. Update and maintain eLibrary.

B. Legal research and writing support.

C. Offer online legal research, including Westlaw and Data Access.

D. Offer assistance with specific technology platforms.

A. Provide ancillary services to reduce attorney hours and average cost per case.

B. Disseminate legal research and information including weekly written and podcast case summaries.

C. Explore additional technologies to improve contractor efficiencies.

D. Fraud, Waste, & Abuse Prevention.