

Public Defense Services Commission

The Executive Director's 2014 Annual Report (January 2015)

Introduction

It was another year of change and accomplishment for the Public Defense Services Commission. The agency made progress toward some of its long-term goals while also maintaining core services. Some of the most notable accomplishments were the launch of the Parent Child Representation Program; compensation improvements for attorneys in non-profit defender offices and for employees of the Office of Public Defense Services; and the development of policy option packages that offer rate increases to consortium and small firm providers in Oregon's 36 counties and specifically address the biggest challenges in providing quality public defense services. Of additional note, the Appellate Division's long-time Chief Defender, Peter Gartlan, announced his intent to retire in the spring of 2015. Following a national recruitment, Ernest Lannet, a well-respected Deputy Chief Defender within the Appellate Division, was selected to be the next Chief Defender. The agency will spend the first half of 2015 concentrating on the legislative session and ensuring a smooth transition for management and staff in the Appellate Division. These and other accomplishments will be explained in greater detail in the remainder of this report.

PDSC's Accomplishments in 2014

Parent Child Representation Program (PCRP)

The PCRP became a realistic possibility at the close of the 2013 session, when the Legislature provided partial funding for improved quality of representation in juvenile court.¹ For years, the agency has closely monitored efforts in Washington State to improve the quality of legal services in juvenile dependency and termination of parental rights cases.² Following the 2013 legislative directive, OPDS evaluated options, conducted research, and elected to implement a pilot program similar to that of Washington State.

¹ Policy Option Package 100, Juvenile Dependency Representation, requested \$3.8 million for the 2013-2015 biennium for the purpose of reducing trial-level dependency caseloads in order to address chronic and serious quality of representation issues. The requested amount was one third of what would be required to address disproportionately large caseloads statewide, and the Legislature was able to fund only a portion of the requested amount during the 2013 session.

² The Washington State Parent Representation Program was launched in 2000 as a pilot program. Since that time, it has expanded to 36 counties. Program evaluations have shown that children served by the

The key components of the PCRCP are reduced caseloads for lawyers, additional training opportunities, greater oversight of attorney use of best practices, and the availability of social work support for parent and child clients. Through these four elements, the PCRCP seeks to improve the quality of representation for parents and children. Quality legal representation has been shown to lead to higher rates of permanency for children.³ Initial results of PCRCP are positive: attorneys are spending over a third of their time with clients, attorneys regularly attend juvenile law trainings, the use of investigators and experts has increased by 68%, attorneys are present at all court proceedings including initial shelter hearings, and local system improvements have been implemented in both pilot counties.⁴

Diversity Study

The Office of Public Defense Services has developed, in collaboration of public defense leaders from across Oregon, a set of best practices for all public defense providers.⁵ One recommended best practice is for each provider organization to “achieve a diverse and culturally competent organization that meets the needs of the community in which it operates.” In 2014, OPDS completed a survey of contract providers to measure the diversity of their workforces.

Of the 112 contractors surveyed, nearly 90% responded to the request for information, and the responses show some indicators of diversity within the practice. The gender distribution is 65% male and 35% female. In comparison to the 2010 Contractor Diversity survey, we find a decrease in representation provided by African American and Asian attorneys. Representation provided by Hispanic/Latino remained nearly the same and there is an increase in Native American attorneys. Diversity of support staff at contract provider offices is showing a decline for the African American, Native American and Asian groups. There is a significant increase in support staff identifying themselves as Hispanic/Latino. Nearly ten percent of provider offices have attorneys or support staff who are bilingual and able to serve clients who are non-native English speakers. Spanish is predominantly the language spoken.

program return home one month sooner than children in non-program counties and reach other permanency outcomes one year sooner. In 2013, the program saved \$7.5 million in foster care and adoption subsidy costs. See Washington Partners for Our Children, *Washington’s Parents Representation Program helping children in child welfare systems reach permanency*, Partners for Our Children Issue Brief (February 2011). ABA Center on Children and the Law, *ABA National Project to Improve Representation for Parents*, <http://schubert.case.edu/files/2014/02/ABAFactsheet.pdf>.

³ Courtney, Hook & Orme, *Evaluation of the impact of enhanced parental legal representation on the timing of permanency outcomes*, Partners for Our Children (Discussion Paper Vol. 1(1)) (2011).

⁴ System improvements include: PCRCP attorneys providing training for CASA volunteers, development of a process for receiving discovery from DHS in a timely manner, addressing indiscriminate shackling of youth offenders through in and out of court advocacy, and working with the court to increase the number of dependency cases reaching jurisdiction within 60 days.

⁵ *Best Practices for Oregon Public Defense Providers* (March 2010), <http://www.oregon.gov/OPDS/CBS/pages/bestpractices.aspx>.

The average age of attorneys is almost equally distributed among the age groups of 30-39, 40-49 and 50-60, though attorneys under the age of 30 represent only 6% of the provider community, while 19% are over the age of 60. The low percent of attorneys under the age of 30, with almost 50% over the age of 50, serve as a reminder to the Commission that it must work to attract a new generation of public defense lawyers.

The Commission

The Public Defense Services Commission held eight meetings in 2014, as well as a retreat on March 20, 2014. Much of the Commission's work focused on agency efforts to improve representation in Oregon, including discussion of the agency's key performance measures, contractor performance expectations, and budget building for the 2015-17 agency request budget.

Development of the 2015-17 agency request budget began in October 2013, when contract providers were asked to identify the biggest barriers in providing quality representation. The agency held eight separate regional meetings between December 2013 and April 2014 to gather information specific to each region of the state, as well as to specific practice areas (e.g. post-conviction relief and death penalty representation). In addition to regular updates regarding information gathered at regional meetings and testimony from providers across the state, the Commission reviewed draft policy option packages in April and May before approving the 2015-17 policy option packages in June 2014. The Commission approved the completed agency request budget in September 2014.

The Commission's examination of agency key performance measures was similarly lengthy, with discussions in January, March, June, and September. After significant debate and exploration of alternatives, the Commission chose to request the adoption of two new measures focused on provider education and attorney-client contact time in the Parent-Child Representation Program. While these were not seen as the best measure of quality representation, they are critical components that must be present in order to provide quality representation. Without appropriate continuing education, and without sufficient client contact, lawyers cannot provide the kind of representation that is expected by the Commission. Finally, the Commission reduced the target for its Appellate Division measure of days from the date of transcript settlement to filing the opening brief from 210 days to 180 days.

As part of the Commission's effort to ensure quality representation, it focused some of its time discussing litigation in other jurisdictions across the country.⁶ This subject will be further explored in the quality assurance portion of this report, but it is worth noting here that in other jurisdictions, the United States Department of Justice has intervened in litigation challenging the sufficiency of public defense services. Oregon's system, with statewide oversight that focuses on quality of representation and regulation of contract providers, differentiates it from jurisdictions where problems arise. Nonetheless, those

⁶ For more information on this litigation, go to: <https://www.ils.ny.gov/content/hurrell-harring-settlement-information>, and http://www.opd.wa.gov/documents/0181-2013_WilburDecision.pdf

cases offer important lessons about why investment in public defense systems, and regular monitoring of the quality of services, are essential component of all public safety systems.

When the Commission met in January 2014, it recognized the 50th anniversary of Oregon's Public Defender Office. Stories of the office history revealed chronic underfunding with gradual implementation of improvements in representation. In comparing today's office to what existed even twenty years ago, it is clear that the agency has made great strides in its ability to protect the rights of some of Oregon's most vulnerable citizens. And yet, this essential component of Oregon's public safety system still lags behind its counterparts in the state. The Commission must continue to make gains to ensure the continued preservation of constitutional rights for all Oregonians.

Contracts

In 2014, OPDS analysts managed 98 statewide contracts. Total contract payments for 2014 were approximately \$90,436,643, with representation provided in approximately 167,281 criminal and juvenile case proceedings. In 2014 there were 17 new death penalty cases filed, adding to the number already in the system pending resolution in the trial courts, in post-conviction proceedings and in the state appellate courts.

In an effort to get input from contractors across the state regarding budget priorities for public defense, and to better understand the challenges associated with representation as a public defense contract provider, OPDS scheduled a total of six regional meetings around the state, between December 7, 2013 and March 21, 2014. Two additional meetings were scheduled with death penalty and post-conviction relief contractors. Ultimately, the agency was able to get feedback from all of its trial-level providers in criminal and juvenile cases, as well as our contractors who provide specialized representation in post-conviction relief, habeas corpus and capital murder cases. Although public defense priorities and concerns varied around the state, and among different providers, some common themes emerged. One of the most common themes was concern about the lack of predictability in funding for public defense work. When fixed costs such as rent, technology, and professional expenses continue to increase, compensation based exclusively on low case rates becomes a bigger challenge. Another common concern for contractors is attempting to manage costs associated with running private businesses while relying upon contract rates that are much lower than what most private sector lawyers earn. Combined with this concern is the inability to recruit and retain good lawyers to continue doing this work at the low levels of pay offered. OPDS has proposed policy option packages to address the funding concerns and priorities raised by contract providers.

Financial Services

Contract and hourly providers, as well as experts retained by counsel, must submit information to the Office of Public Defense Services in order to be paid for their work. The Financial Services unit processed 19,406 nonroutine expense requests and 38,168 billings in 2014. Each expense requested, and billing submitted, is reviewed before authorization to ensure that expenses are necessary and reasonable for defending the case.

Quality Assurance

General Counsel, in collaboration with others at OPDS, continued to pursue a number of quality assurance measures in 2014.

In 2014, OPDS General Counsel planned and staffed a peer review of the six entities providing public defense representation in criminal and juvenile cases in Washington County. The review team included administrators of four other public defense contractors, representing a public defender office, consortia and a law firm, a senior judge, and staff from OPDS, including a lawyer handling juvenile appellate cases. OPDS intends to follow up on the review with a Commission service delivery review in Washington County in 2015.

In October 2014, the OPDS Executive Director, along with an OPDS analyst and PDSC Commissioner John Potter, conducted interviews with justice system stakeholders in Marion County, as a follow-up to the 2013 peer review of providers there handling criminal cases. A report of those interviews will be presented to the Commission in January 2015 as part of a new service delivery review for Marion County.

Also in 2014, General Counsel completed work, begun in 2012, as chair of a small task force formed by the Oregon State Bar Board of Governors (BOG) to update that organization's performance standards for defense representation in criminal and delinquency cases. General Counsel appeared before the BOG to explain the recommended revisions, which were formally adopted on May 23, 2014. Other OPDS staff, including Deputy General Counsel, worked to complete revisions to the OSB performance standards for juvenile dependency representation, which were also adopted by the BOG. The PDSC has adopted the standards promulgated by the Oregon State Bar as the performance standards for public defense attorneys in Oregon, pursuant to ORS 151.216(1)(e)(G).

As in preceding years, in early 2014 General Counsel conducted a statewide survey of public defense performance. He then participated in follow-up contacts, along with OPDS Analysts, to speak personally with survey respondents who provided their name and expressed specific concerns about public defense services in their counties. General Counsel reported to the Commission on survey results at its March 2014 meeting.

In 2014, OPDS received approximately 80 complaints concerning public defense services, which is about the same number received in 2013. Many complainants are referred to OPDS by the Client Assistance Office (CAO) of the Oregon State Bar. In 2014, General Counsel met with the new director of the CAO to discuss the handling of these referrals. In most instances, telephone and email complaints concern problems with attorneys not responding to client requests for case information and assistance. General Counsel is usually able to quickly resolve these matters through telephone or email contact with the appointed attorney and the administrator of the contract entity with whom the attorney works. General Counsel also devoted significant attention to several matters where corrective measures were taken through the Commission's complaint policy and procedure.

General Counsel continued work with the Oregon Criminal Defense Lawyers Association Education Committee, which plans seminars for the organization. He also spoke about OPDS quality assurance matters at the OCDLA Juvenile Law seminar in 2014, and at a seminar sponsored by the public defense contractor in Yamhill County. He also moderated one day of the OCDLA annual seminar in June.

General Counsel, along with the OPDS Executive Director, Human Resources Manager and others, worked to create the position description for a Deputy General Counsel, and then recruit, hire and train a person for that limited duration position. The primary work of Amy Miller, Deputy General Counsel, is management of the Parent Child Representation Program. She also has other quality improvement responsibilities focused on monitoring and improving the quality of legal representation of parents and children in juvenile court cases. She investigates and resolves complaints related to juvenile matters, handles all juvenile nonroutine expenditure requests, and regularly consults with trial practitioners.

Ms. Miller coordinated the 2014 Juvenile Law Training Academy, which had a record number of attendees and was well-received. She presented to Citizen Review Board Managers and to CRB board members in Washington and Multnomah County on the revised performance standards for juvenile dependency practitioners. She serves on the OCDLA Juvenile Law Committee and has contributed articles to the Juvenile Law Reader, the Oregon Defense Attorney Magazine, and the Oregon State Bar Juvenile Law Section Blog.

As indicated, reviewing funding requests for nonroutine expenses is an important component of monitoring attorney performance, and is a function shared by General Counsel, Deputy General Counsel, and the contract analysts. From this review, OPDS staff gains information about the quality of case investigation and preparation conducted by attorneys and can address specific concerns that come to light during the review of funding requests. The review also assists in cost containment efforts and in predicting cost trends related to the preparation of particular case types.

General Counsel continued his responsibility for reviewing certificates of attorney qualification submitted by lawyers wishing to provide public defense services. This year marked the use of a new enhanced certificate questionnaire for attorneys handling capital cases. General Counsel also began work on the design of an enhanced certificate form for other case types.

Finally, General Counsel tracked and reported to the Commission developments in litigation outside of Oregon concerning the responsibility of public bodies to provide constitutionally sound public defense services. Such information is important for OPDS staff and the Commission to understand the public defense challenges facing other jurisdictions, how those challenges are being met, and to measure our work in Oregon in light of those developments.

Appellate Division

The Appellate Division (AD) is comprised of a Criminal Section and a Juvenile Appellate Section (JAS).

A. Criminal Section

The Criminal Section (with 36 attorneys) is significantly larger than the JAS (5 attorneys). The Criminal Section represents individuals on direct appeal in misdemeanor and felony criminal cases (including capital cases), parole appeals, denial of applications for DNA testing, and victim's rights challenges, and acts as a resource for mandamus actions.

The Chief Defender and three Chief Deputies manage the Criminal Section, with each Chief Deputy responsible for a discrete aspect of the practice (outreach, operations, and personnel). AD management meets regularly with the Chief Judge of the Court of Appeals and the Solicitor General to address systemic issues, and meets with the Chief Justice or a justice of the Oregon Supreme Court on an as-needed basis.

The Criminal Section trains, supervises, and regularly evaluates its 33 non-management attorneys, sets caseload expectations, allocates and redistributes manageable individual caseloads, and maintains documentation of its workflow.

Four entry-level attorneys joined the section in 2014, replacing attorneys with several years of experience. All attorneys work in teams, led by a senior attorney, that meet weekly to review pending cases, discuss briefs and prepare for oral argument. With the addition of a new Court of Appeals panel, and a number of newer attorneys in AD, and more argument days for public defense lawyers, AD teams were struggling to edit briefs quickly enough. A sixth team was recently created to improve the Criminal Section's case processing time.

Case Referrals. During 2014, the Criminal Section processed 1,574 incoming criminal case referrals (versus 1633 in 2013) and filed 1058 notices of appeal (versus 1079 in 2013).

In 2014, the Criminal Section filed 779 merit briefs in the Court of Appeals. By comparison, the section filed 807 merit briefs in 2013; 720 merit briefs in 2012; 654 merit briefs in 2011; and 690 merit briefs in 2010.

Filing Dates. The Criminal Section's Key Performance Measure (KPM) is tied to the median age for its opening brief. In February, 2014, at the agency's request, the legislature reduced the KPM from 210 days to 180 days.

At the end of 2013, the Criminal Section had reduced the median filing date to 224 days. At the end of 2014, the median brief filing date was 223 days. The agency expects the number of days to decrease as newer attorneys gain experience.

Supreme Court Practice. The Division has an active practice in the Oregon Supreme Court. In 2014 the Oregon Supreme Court issued 15 opinions in cases litigated by the criminal section plus one opinion in which the Court sought AD's appearance as amicus.

In 2014, the Supreme Court again requested the Appellate Division to appear as amicus in two cases that have been briefed but not yet been argued. One case involves post-conviction relief and the other involves sentencing. The Court's requests signal the recognition of AD's institutional role in the appellate system and the Court's confidence in AD's practice.

Practices and Procedures Manual. AD management revised the AD Practices and Procedures Manual and released it to the Criminal Section in October 2014. The 163-page manual is a desktop resource for AD employees and management. It describes the office structure, documents office policies and procedures for routine issues confronting criminal section attorneys, and identifies attorney performance expectations.

In-house CLE Programs. Most notably, national appellate expert Bryan Garner presented his day-long "The Winning Brief" seminar to the division in October 2014. The Appellate Division produced its annual "Holidaze" half-day CLE program, as well as several brown bag CLE presentations on various topics throughout the year, including an overview of China's criminal justice system (from Deputy Defender Marc Brown), how to respond to the suicidal client, and an introduction to the Supreme Court's reconstruction of the exploitation doctrine in search and seizure law. The office also held several "PD Coffee, Pastry, and Chit-Chat" sessions featuring judges from the Court of Appeals and Supreme Court.

Outreach. AD changed internal practice in an important respect in 2014. Historically, when a case was first assigned, the appellate attorney would contact the trial attorney only if the trial attorney requested contact when referring the case for appeal. Now, when a case is first assigned, the criminal section appellate attorney contacts the trial attorney to discuss the case and the client, unless the trial attorney affirmatively indicates otherwise.

AD attorneys have regular contact with the criminal defense bar and the public. A designated "officer of the day" is available to field inquiries from the trial bar and the public every business day; attorneys participate on OCDLA's "pond" listserv exchanges; several AD attorneys telecommute several days a month at Public Defender firms in Portland and Eugene and provide occasional noon-time "brown bag" CLE presentations at the firms; and the Criminal Section issues media releases for prominent opinions.

Appellate Division attorneys present regularly at the annual Oregon State Bar (OSB) Criminal Law Section CLE, the OSB's Appellate Section CLE, the OCDLA annual conference, and at various OCDLA-sponsored CLE programs. Deputy Defender David Sherbo-Huggins co-edited OCDLA's Search and Seizure Manual and Deputy Defender Morgen Daniels contributed a chapter. The division regularly submits an appellate perspective column for the OCDLA newsletter.

In June, the section sent Senior Deputy Dan Bennett to New York for a several-day training seminar through the Innocence Project at the Cardozo School of Law at Yeshiva University in New York City.

Legislative Activity. Chief Deputy Shawn Wiley served as a resource to OCDLA's substantive lobbyist and stayed current with the Department of Justice's legislative agenda through meetings with DOJ's legislative director Aaron Knott.

B. Juvenile Appellate Section

The 2007 legislature funded the creation of the Juvenile Appellate Section (JAS) in AD. The section represents parents in juvenile dependency appeals. The five-attorney section is an unqualified success, thanks in large part to the section leader, Chief Deputy Shannon Storey.

The section provides superior representation to its clients and affects Oregon dependency practice statewide by litigating cases and issues that prompt appellate opinions, which, in turn, bring clarity and consistency to the interpretation and application of Oregon's dependency laws. In 2014, the unit obtained seventeen opinions from the Court of Appeals and its second opinion from the Oregon Supreme Court (*Department of Human Services v. S.M.*, 355 Or 241 (2014)). In another important case, *Department of Human Services v A.R.S.*, 258 Or App 264 (2013), the section successfully defended the Court of Appeals holding that the department has the burden at review hearings to show a continuing basis for jurisdiction. After the Supreme Court allowed the child's petition for review and after full briefing by the several parties, the section successfully moved the Supreme Court to dismiss review as improvidently allowed.

Case Referrals and Briefing. The Juvenile Appellate Section processed 312 case referrals in 2014 (versus 283 in 2013), filed 258 notices of appeal (versus 262 in 2013), and assigned 191 cases internally (versus 224 in 2013), and filed 102 briefs (versus 121 in 2013).

Juvenile dependency cases are on an expedited appellate timeline. The Oregon Rules of Appellate Procedure allow a maximum 42-day limit per party for filing the appellate briefs. The expedited schedule produces a frenetic pace for the unit, particularly in those cases where the exhibits are not timely made available.

Outreach. The juvenile section attorneys regularly serve as a resource to the trial bar, providing daily consultation and support. Because most dependency cases are ongoing at the trial and appellate levels, the JAS unit often consults with trial attorneys and, on occasion, drafts motions and memoranda for trial attorneys. The unit has worked successfully with trial counsel in several cases to obtain favorable outcomes in the trial courts that obviate the need for appeal.

JAS attorneys are recognized leaders in the juvenile dependency community. They presented at various CLE presentations in 2014, including the Oregon State Bar Juvenile

Law CLE, the OCDLA annual conference, the annual OCDLA Juvenile Law Training Academy in Eugene, and before juvenile dependency providers at the county level.

Notably, in June 2014, Shannon Storey was a member of the faculty that presented on juvenile dependency issues to judges as part of the Juvenile Court Improvement Program (JCIP).

Finally, Ms. Storey served on the Oregon State Bar task force that ultimately published revised performance standards for juvenile practitioners in June 2014.

Appellate Panel. By February 2014, OPDS established a panel of juvenile appellate practitioners to represent parents and children in overflow and conflict cases that did not remain in the unit. Like the criminal panel, the panel members are pre-approved to serve on the panel and are compensated pursuant to a prescriptive administrative model that reflects case type and transcript length.

Executive Director

In 2014, the Executive Director continued to focus on finalization of the office reorganization started in 2013, continuation of smooth office operations, and on external affairs. As part of the effort to ensure smooth office operations, the Executive Director held weekly meetings of the OPDS Executive Team, bi-monthly OPDS All Staff meetings, and dedicated significant time to process changes necessitated by unionization of the Appellate Division's non-management lawyers. The agency also continued in several important traditions, including the Food Drive, Charitable Fund Drive, and Toy Drive. The agency is very grateful to the OPDS employees who coordinate and contribute to these events, as they unite staff in pursuits that complement the Commission's mission and benefit OPDS's client population.

In an effort to better understand the challenges facing contract providers, the Executive director participated in over a dozen meetings with providers throughout the year. The Public Defense Advisory Group (PDAG), comprised of contract administrators who are viewed as leaders in their communities, met in January, April, June, and November, and offered valuable insight and assistance during development of the agency budget and proposed key performance measures, as well as information about transitioning to the Oregon eCourt system, and other matters of importance to contract providers. As noted earlier, the Executive Director also participated in regional meetings with contract providers to ensure a thorough understanding of provider and client needs during the budget-building process. In addition to these meetings, the Executive Director participated in meetings with Oregon Circuit Court judges and administrators and other public safety system partners to discuss justice system issues and get feedback about the performance of public defense providers.

The Executive Director also dedicated time to scheduling and convening Commission meetings, communicating with members and staff of the Oregon State Legislature, and participating in work groups, committees, and continuing legal education planning. Work

group and committee activities included regular meetings of the Juvenile Court Improvement Program, All Agency Directors meetings, the Uniform Collateral Consequences Act Work Group, Governor's Public Safety Team, OJD Audit Committee, *Juvenile Law Reader* (as a contributing editor), JR Justice Loan Review Panel, OCDLA's Juvenile Law Committee, American Council of Chief Defenders System Development and Reform Committee, House Bill 3363 Juvenile Task Force, the Multnomah County Courthouse Reference Design Committee, and the Oregon State Bar's Bar Press Broadcasters Council.

Challenges for 2015

There is no doubt that 2015 will bring new challenges, including the familiar challenge of securing adequate funding for the statewide public defense system. While the agency is always grateful for the legislative support it receives, lawyers and staff who provide services in public defense cases are compensated below their public safety system counterparts. The ripple effect of low case rates can be observed in several ways. First and foremost, many providers are not able to attract and retain qualified lawyers and staff. Staff turnover in some public defender offices is extraordinary. In Marion County, the public defender office has had complete lawyer turnover (seven lawyer positions vacated and filled) on an almost annual basis. The most common reason cited for attorneys leaving the office is inadequate compensation. Many lawyers in consortium and law firm groups typically receive a lower rate for each case than non-profit public defender groups, and while some make up the difference through privately retained cases, others simply take too many cases. As the Commission continues to develop its methodology for gathering information about provider caseloads, contract administrators must be prepared with business models that will sustain a drop in caseload. In most instances, this will require an increase in case rates. The Commission has made increasing case rates for consortia and law firm providers its top priority for the 2015 legislative session.

Continued efforts to improve the quality of public defense services are also a top priority. Several agency performance measures and initiatives focus on this critical goal, and the agency must secure permanent resources to ensure the success of these efforts. Peer reviews, system delivery reviews, performance reports and monitoring, and the provision of educational tools and training all require significant time and resources, but are essential components of a stable public defense system.

The agency will also continue to improve its internal operations. Early adoption of a paperless office model benefitted the agency significantly, but current programs will need to be replaced in order to avoid unexpected data losses and unacceptably slow processing speeds. The agency has been approaching this transition with caution and a thorough investigation of available options. Additionally, with an almost complete shift in leadership over the last three years, the management team will engage in training to ensure that managers have the skills and strategies necessary to develop and support the work of all agency employees.

Conclusion

The agency expects to spend the majority of 2015 focused on the legislative session, continued development and implementation of quality assurance mechanisms, improved office operations, development of a statewide contracting plan for 2016-17, and a harmonious transition to a new leadership team within the Appellate Division.