

**OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER
STRATEGIC PLAN FY2017 - FY2021**

Mission

Defending zealously, advancing fairness, and advocating with integrity.

Vision

A better Idaho where the legal system treats each person with fairness and dignity.

Goals

Provide Competent, Constitutionally Sufficient Representation to All SAPD Clients

Objective	Strategy	Performance Measure	Benchmark
The Deputy SAPD's will engage in a legal practice that comports with professional and ethical obligations, and will provide each client with constitutionally adequate representation.	The State Appellate Public Defender ("SAPD") will provide regular information on ethical obligations and constitutionally required services to Deputy SAPD's and encourage communication and discussion of impediments to meeting those obligations, including excessive workloads.	<ol style="list-style-type: none"> 1) The attorneys of the State Appellate Public Defender's office will not have reprimands from the Office of Bar counsel or the Idaho Supreme Court. 2) There will be no affirmed findings of ineffective assistance of counsel against an attorney of the Office of the SAPD. 	<ol style="list-style-type: none"> 1) Presentation of information, including case law and legal opinions, to the attorneys of the SAPD relevant to ethical and professional responsibilities each quarter. 2) Open discussion of ethical and professional issues and anything that impedes adherence to standards as issues arise.
Members of the SAPD office will be sufficiently trained on appropriate procedures and	Attorneys and staff will be encouraged to identify free and low-cost training opportunities,	<ol style="list-style-type: none"> 1) Each attorney will have sufficient continuing legal education credits in topics relevant 	Once each fiscal year, each member of the SAPD's staff will attend training relevant to their

<p>substantive law such that they can adequately handle their responsibilities as well as be a resource for other attorneys providing indigent defense services.</p>	<p>including applying for scholarships.</p> <p>Support staff will identify training relating to their positions including that offered by other state agencies.</p> <p>SAPD attorneys will be encouraged to present at CLE programs to outside groups in exchange for free attendance at the rest of a seminar.</p>	<p>to criminal defense practice for renewal of their legal license.</p> <p>2) All non-attorney staff members will have sufficient training to independently fulfill the requirements of their position.</p>	<p>position.</p> <p>Once each year, non-attorney employees will attend a training seminar presented by an outside entity and relevant to their duties.</p>
<p>Workloads will be controlled, in a financially responsible manner, to ensure that sufficient time is available for both legal services and client communication.</p>	<p>Review both caseload and workload data each year from the prior three years to determine whether either has increased and whether the SAPD is sufficiently staffed.</p>	<p>The completion of a report each year on the status of caseload and workload for the prior three fiscal years.</p>	<p>The report will be completed by August 31 of each year for the prior three fiscal years.</p>

<i>Provide Services In An Efficient Manner</i>			
Objective	Strategy	Performance Measure	Benchmark
<p>Workloads will be controlled to ensure that clients are not subjected to unnecessary delay in having their appeals heard by Idaho's appellate courts.</p>	<p>Reduce the average time it takes to have an initial appellant's brief filed by reducing the attorneys' workloads to an appropriate level of no more than 35 points per year.</p>	<p>In FY2017, reduce the number of initial appellant's briefs filed on any more than two extensions by 25% from FY2016 levels.</p> <p>The completion of a report each year on the status of caseload and workload for the prior three fiscal years.</p>	<p>1) Gather data on the SAPD's caseloads during the prior three fiscal years.</p> <p>2) Gather data on attorneys' actual workloads and average workloads during the prior three fiscal years.</p> <p>3) Gather data on average number</p>

		<p>Make a determination, based upon data, of whether the SAPD has a sufficient number of attorneys to handle the workload or whether additional attorney positions should be sought.</p>	<p>of days from receipt of the transcript and record to attorney assignment, and the number of cases with Appellant's Briefs filed on more than a second extension of time.</p> <p>4) Evaluate data to determine whether the SAPD is sufficiently staffed in time to include any needed additional positions in the upcoming fiscal year's budget request.</p>
<p>The SAPD will work with the Idaho Supreme Court to implement an efficient and cost-saving case management system.</p>	<p>As soon as available, which is in approximately the fourth quarter of FY2017, integrate the SAPD's case management system with the Idaho Supreme Court's system such that electronic records and transcripts can be utilized by the SAPD and the courts. Both personnel time and cost savings will be realized by reducing the need for the creation of clerk's records on appeal and by the reduced need for items to be manually docketed.</p>	<p>By the end of FY2017, the SAPD will have updated its Prolaw case management software to be compatible with the Idaho Supreme Court's case management system.</p>	<p>1) In FY2017, continue participating in the Idaho Supreme Court Technology Committee to plan implementation of new software for Idaho's court system.</p> <p>2) By FY2018, the SAPD will file all documents electronically, thus reducing the costs of preparation of documents and briefs.</p>

Collaborate With Other Entities To Improve Idaho's Criminal Justice System

Objective	Strategy	Performance Measure	Benchmark
<p>Provide educational opportunities to trial-level attorneys in an effort to improve the practice of criminal defense, thereby reducing and streamlining the time and cost necessary to appeals.</p>	<p>Partner with the Idaho Public Defense Commission, Idaho Association of Criminal Defense Attorneys, and the Idaho State Bar to offer educational programs during regularly scheduled events.</p>	<p>Presentation of appellate update programs by SAPD attorneys during the IACDL's annual seminar each year.</p> <p>Presentation of substantive CLE programs each year by SAPD attorneys for the Public Defense Commission and at the IACDL's seminars.</p> <p>Production and organization of training seminars for public defenders statewide. The program will focus on appellate practice. The program will be funded through an application for funds from the Idaho Public Defense Commission.</p>	<p>1) Preparation of appellate update handouts, including case summaries and suggestions for potential impact of appellate cases.</p> <p>2) Identification of substantive topics and preparation of CLE handouts.</p> <p>3) Application for funds to produce a seminar specific to appellate practice for Idaho's public defenders.</p> <p>4) Presentation of programs.</p>
<p>Participate in relevant working groups to ensure that people's constitutional rights are protected when policy decisions are made and implemented, and the needs and costs of providing clients with constitutionally sufficient representation is a factor in decision making.</p>	<p>Participation in committees which determine and implement policies that affect SAPD clients as well as the cost and effectiveness of constitutionally sufficient legal representation.</p>	<p>Participation in:</p> <p>Idaho Public Defense Comm'n; Idaho Criminal Justice Comm'n; Idaho Grant Council; Idaho Supreme Court Technology Committee; Idaho Supreme Court Criminal Rules Committee; Idaho Supreme Court Appellate Rules Committee; and National Association for Public Defense.</p>	<p>1) Identification of relevant committees;</p> <p>2) Secure representation on the committee;</p> <p>3) Dedication of sufficient time to adequately research and present relevant data and information;</p> <p>4) Consistent participation in meetings.</p>

<p>Encourage and support legislative efforts to review and reform Idaho's indigent defense delivery system to ensure that any changes result in more effective and efficient delivery of services.</p>	<p>Participation in the Idaho Public Defense Commission's writing of rules pertaining to distribution of funds for training for public defenders.</p> <p>Participation in the Idaho Public Defense Commission's work on recommendations for caseload/workload standards and educational requirements.</p>	<p>Idaho's adoption of additional statutes and rules reforming the indigent defense delivery system during the 2017 legislative session.</p>	<ol style="list-style-type: none"> 1. Provision of documents and information as requested by the legislature; 2. Legislative testimony as needed; 3. Active participation in the Idaho Public Defense Commission.
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External Factors

The ability of the Office of the State Appellate Public Defender to achieve its goals is limited by the time and resources available which is impacted by the number of cases assigned to the SAPD and the available financial and personnel resources. For example, a key requirement of many goals is the ability to control workloads such that cases can be processed in a timely fashion and sufficient time is available to ensure that counsel can review each case and respond to the needs of each client. In addition, if the workloads are excessive there is little to no time which can be dedicated to necessary training or participation in relevant criminal justice organizations. However, the SAPD's ability to control workloads is dependent upon the number of cases assigned to the SAPD by Idaho's district courts, and by the legislature's approval of full-time positions. Increases in the number of cases assigned to the SAPD must be met with additions in personnel and resources to meet the increased workload. The SAPD's ability to add personnel is, in turn, dependent upon outside forces including a sufficient budget appropriation and approval for additional full-time employees. Finally, the SAPD's ability to identify and implement a software system that is integrated with the Idaho Supreme Court is dependent upon the Supreme Court's implementation of electronic filing, adoption of appellate case management software, and the SAPD's ability to identify and implement software that will be compatible.