

IDAHO STATE PUBLIC DEFENSE COMMISSION
STRATEGIC PLAN
FY 2020 through FY 2023

MISSION

The Idaho State Public Defense Commission is committed to improving the delivery of trial-level indigent defense services by serving the counties and indigent defense providers of Idaho. We strive to ensure that the safeguards for the accused guaranteed by the 6th Amendment to the United States Constitution and Article I, Sect. 13 of the Idaho Constitution are fulfilled by collecting data, supporting compliance with standards, providing training and administering grants to stakeholders.

VISION

Ensuring constitutionally guaranteed fair and just representation for indigent persons in Idaho.

GOALS

FIRST GOAL **The Commission will continue to implement its 5-year plan to adopt and enforce indigent standards.**

Objective 1: **The Commission will promulgate a rule implementing the principle that the delivery of indigent defense services should be independent of political and judicial influence.**

STRATEGY 1: The Commission will create a rule pursuant to Idaho Code § 19-850(1)(a)(vii)(1).

PERFORMANCE MEASURE: The Commission will undertake the negotiated rulemaking process in July 2019 for a proposed rule to be submitted for review and publication in August 2019.

BENCHMARK: The publication and comment period will occur in October 2019 and the Commission will consider the pending rule in November 2019 for publication and presentation to the legislature in January 2020.

Objective 2: The Commission will promulgate a rule implementing the principle of reasonable equity between defending attorneys and prosecuting attorneys with respect to resources, staff and facilities.

STRATEGY 1: The Commission will create rules pursuant to Idaho Code § 19-850(1)(a)(vii)(7).

PERFORMANCE MEASURE: The Commission will undertake the negotiated rulemaking process in July 2019 for a proposed rule to be submitted for review and publication in August 2019.

BENCHMARK: The publication and comment period will occur in October 2019 and the Commission will consider the pending rule in November 2019 for publication and presentation to the legislature in January 2020.

Objective 3: The Commission will develop model indigent defense services contracts pursuant to Idaho Code § 19-850(1)(a)(ii).

STRATEGY 1: The staff will survey the needs of counties and defending attorneys regarding indigent defense services contracts.

PERFORMANCE MEASURE: During the third and fourth quarters of 2019, the staff will seek input from boards of county commissioners, clerks and defending attorneys regarding model indigent defense services contracts.

BENCHMARK: By December 31, 2019, the staff will compile comments from the stakeholders, and make recommendations about developing model contract(s) to the Commission.

STRATEGY 2: The Commission will develop model indigent defense services contract(s).

PERFORMANCE MEASURE: During the first and second quarters of 2020, the staff will implement the Commission's vote regarding the development of the model contract(s).

BENCHMARK: By June 1, 2020, the staff will present model contract(s) and recommendations to the Commission for further action.

SECOND GOAL The Commission will further develop training and continuing legal education programs for defending attorneys and their staff members.

Objective 1: The Commission will develop a long-term plan to promote competency and consistency in case types.

STRATEGY 1: The staff will prepare a comprehensive one to three-year training plan consistent with Idaho Code § 19-850(1)(a)(i) and IDAPA 61.01.08.004.02, *Standards for Defending Attorneys – edition 2019*, Section V.

PERFORMANCE MEASURE: By April 1, 2020, the staff will complete a comprehensive training plan, including specialized training, and proposed annual training budgets including the required and identified case types.

BENCHMARK: In April 2020, the staff will present the comprehensive training plan and proposed budgets to the Commission.

THIRD GOAL The Commission will collect accurate indigent defense services data and provide appropriate recommendations to the Idaho legislature.

Objective 1: The Commission will compile indigent defense caseload and expenditure data.

STRATEGY 1: The Commission will collaborate with stakeholders, the Administrative Office of the Courts, policy experts and other partners to provide case and workload data.

PERFORMANCE MEASURE: The staff, including the newly appropriated Research Analyst, Sr., will collaborate with stakeholders and partners in the third and fourth quarters of 2019 to identify and obtain relevant and accurate data.

BENCHMARK: The Commission will present the data to the Idaho Legislature and use the data to inform its continuing workload assessment.

STRATEGY 2: The Commission will collaborate with stakeholders, the Administrative Office of the Courts, policy experts and other partners to provide methods of resolution and outcomes data.

PERFORMANCE MEASURE: The staff, including the newly appropriated Research Analyst, Sr., will collaborate with stakeholders and partners in the third and fourth quarters of 2019 to identify and obtain relevant and accurate data

BENCHMARK: The Commission will present the data to the Idaho Legislature and use the data to inform its training plans and outreach to stakeholders.

STRATEGY 3: The Commission will collect indigent defense expenditure data from defending attorneys and counties.

PERFORMANCE MEASURE: During FY 2020, the staff, including the newly appropriated Research Analyst, Sr. will collaborate with counties and defending

attorneys and review reports during FY 2020 to obtain and analyze indigent defense expenditure data.

BENCHMARK:

The Commission will present the data to the Idaho Legislature and use the data to assess the needs of stakeholders and to inform grant disbursement.

EXTERNAL FACTORS

In part, the goals of the strategic plan are dependent on the negotiated rule-making process and reaching a consensus with stakeholders. The Commission will revisit the strategic plan as necessary to ensure responsiveness to the needs of the stakeholders in Idaho.

RED TAPE REDUCTION ACT

In accordance with the Red Tape Reduction Act, Executive Order No 2019-02, the Idaho State Public Defense Commission will 1) complete its critical and comprehensive review of the agency's rules in FY 2020 and 2) propose simplified and updated rules in FY 2021.

Addendum to Agency Strategic Plans: Adoption of the NIST Cybersecurity Framework and Implementation of CIS Critical Security Controls 1 – 5.

As a technology customer of the Office of Information Technology Services (ITS) in the Governor's Office, we are using the cybersecurity systems and technical expertise in ITS to fulfill requirements related to Executive Order 2017-02. Staff from ITS briefed the NIST Core Framework, CIS Controls 1-5, and their plan for adoption of the NIST Cybersecurity Framework. We participate in DHR and ITS administered cybersecurity training, as awareness is a critical component of an effective cybersecurity program. As briefed by ITS staff, implementation of the CIS Controls 1-5 will be their responsibility for the systems they operate and, as technological tools applied to the computer systems, largely invisible to us as a customer. ITS is refining the cybersecurity incident response plan in support of our agency.