

Agency Summary And Certification

FY 2024 Request

Agency: Public Defense Commission

437

In accordance with 67-3502 Idaho Code, I certify the included budget properly states the receipts and expenditures of the departments (agency, office, or institution) for the fiscal years indicated.

Signature of Department Director:

Kathleen Elliott

Date: 08/31/2022

	FY 2022 Total Appropriation	FY 2022 Total Expenditures	FY 2023 Original Appropriation	FY 2023 Estimated Expenditures	FY 2024 Total Request
Appropriation Unit					
Public Defense Commission	11,290,800	10,043,400	11,679,400	11,679,400	12,029,700
Total	11,290,800	10,043,400	11,679,400	11,679,400	12,029,700
By Fund Source					
G 10000 General	11,290,800	10,043,400	11,679,400	11,679,400	12,029,700
Total	11,290,800	10,043,400	11,679,400	11,679,400	12,029,700
By Account Category					
Personnel Cost	733,500	620,200	778,400	778,400	789,100
Operating Expense	261,400	127,800	260,100	260,100	260,100
Trustee/Benefit	10,295,900	9,295,400	10,640,900	10,640,900	10,980,500
Total	11,290,800	10,043,400	11,679,400	11,679,400	12,029,700
FTP Positions	7.00	7.00	7.00	7.00	7.00
Total	7.00	7.00	7.00	7.00	7.00

Agency: Public Defense Commission

437

Division: Public Defense Commission

PD1

Statutory Authority:

The Public Defense Commission was created by statute in 2014. Pursuant to Section 19-849, Idaho Code, the commission consists of nine members as follows:

- 1) Two members of the Idaho Legislature, one from each chamber;
- 2) One person appointed by the Chief Justice of the Idaho Supreme Court; and
- 3) Six people appointed by the Governor, to include representatives from the Idaho Association of Counties (2), Office of the State Appellate Public Defender (1), and Juvenile Justice Commission (1), as well as attorneys with experience defending indigent persons (2).

The commission is charged with promulgating administrative rules regarding public defender training and continuing legal education; data reporting; requirements for contracts between counties and private attorneys for the provision of public defense services; procedures for grant applications with which counties can apply for state funds to offset the cost of compliance with indigent defense standards; procedures for administrative review of commission decisions; and procedures for the creation, oversight, implementation, enforcement, and modification of indigent defense standards with which public defenders must comply.

The commission is also charged with making recommendations to the Idaho Legislature regarding funding issues and formulas.

The commission is permitted to hire an executive director; employ persons in addition to the executive director; provide an office, equipment, and facilities for the proper performance of the duties of the commission and/or the duties of the executive director and other personnel; provide training to public defenders; establish procedures by which counties may apply for extraordinary litigation costs; and hire private counsel to represent the commission.

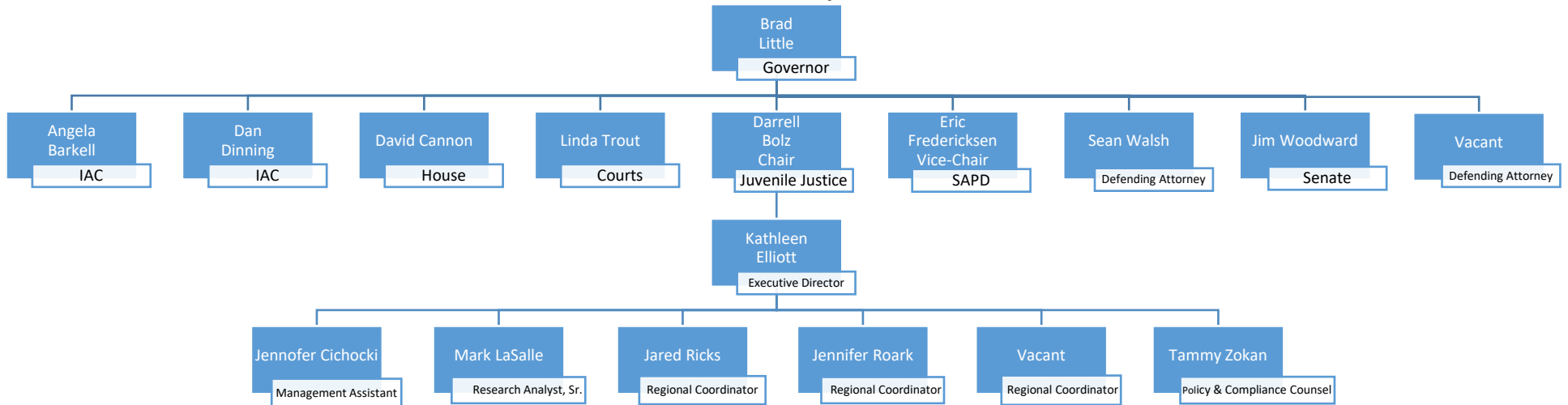
Public Defense Commission

Organizational Chart FY 2024 Budget Request

As of 8/29/2022

7.0 FTP

1.0 Vacancy



		FTP	Personnel Costs	Operating Expense	Capital Outlay	Trustee Benefit	Total
Agency	Public Defense Commission						437
Division	Public Defense Commission						PD1
Appropriation Unit	Public Defense Commission						SGPD
FY 2022 Total Appropriation							
1.00	FY 2022 Total Appropriation						SGPD
	H0269						
	10000 General	7.00	733,500	261,400	0	10,295,900	11,290,800
		7.00	733,500	261,400	0	10,295,900	11,290,800
1.61	Reverted Appropriation Balances						SGPD
	10000 General	0.00	(113,300)	(133,600)	0	(1,000,500)	(1,247,400)
		0.00	(113,300)	(133,600)	0	(1,000,500)	(1,247,400)
FY 2022 Actual Expenditures							
2.00	FY 2022 Actual Expenditures						SGPD
	10000 General	7.00	620,200	127,800	0	9,295,400	10,043,400
		7.00	620,200	127,800	0	9,295,400	10,043,400
FY 2023 Original Appropriation							
3.00	FY 2023 Original Appropriation						SGPD
	H0721						
	10000 General	7.00	778,400	260,100	0	10,640,900	11,679,400
		7.00	778,400	260,100	0	10,640,900	11,679,400
FY 2023 Total Appropriation							
5.00	FY 2023 Total Appropriation						SGPD
	10000 General	7.00	778,400	260,100	0	10,640,900	11,679,400
		7.00	778,400	260,100	0	10,640,900	11,679,400
FY 2023 Estimated Expenditures							
7.00	FY 2023 Estimated Expenditures						SGPD
	10000 General	7.00	778,400	260,100	0	10,640,900	11,679,400
		7.00	778,400	260,100	0	10,640,900	11,679,400
FY 2024 Base							
9.00	FY 2024 Base						SGPD
	10000 General	7.00	778,400	260,100	0	10,640,900	11,679,400
		7.00	778,400	260,100	0	10,640,900	11,679,400
Program Maintenance							
10.11	Change in Health Benefit Costs						SGPD
	10000 General	0.00	8,800	0	0	0	8,800
		0.00	8,800	0	0	0	8,800
10.12	Change in Variable Benefit Costs						SGPD

		FTP	Personnel Costs	Operating Expense	Capital Outlay	Trustee Benefit	Total
10000	General	0.00	(4,800)	0	0	0	(4,800)
		0.00	(4,800)	0	0	0	(4,800)
10.61	Salary Multiplier - Regular Employees						SGPD
10000	General	0.00	6,700	0	0	0	6,700
		0.00	6,700	0	0	0	6,700
FY 2024 Total Maintenance							
11.00	FY 2024 Total Maintenance						SGPD
10000	General	7.00	789,100	260,100	0	10,640,900	11,690,100
		7.00	789,100	260,100	0	10,640,900	11,690,100
Line Items							
12.01	Indigent Defense Financial Assistance						SGPD
10000	General	0.00	0	0	0	339,600	339,600
		0.00	0	0	0	339,600	339,600
FY 2024 Total							
13.00	FY 2024 Total						SGPD
10000	General	7.00	789,100	260,100	0	10,980,500	12,029,700
		7.00	789,100	260,100	0	10,980,500	12,029,700

Agency: Public Defense Commission

437

Appropriation Unit: Public Defense Commission

SGPD

Decision Unit Number	12.01	Descriptive Title	Indigent Defense Financial Assistance			
			General	Dedicated	Federal	Total
Trustee/Benefit						
	885	Non Federal Payments Subgrantees	339,600	0	0	339,600
		Trustee/Benefit Total	339,600	0	0	339,600
			339,600	0	0	339,600

Explain the request and provide justification for the need.

More than 90% of the agency’s appropriation is for Trustee and Benefits funding for the counties. To carry-out its mission of improving public defense, the PDC follows fiscally prudent policies in awarding funds to the counties including: 1) considering the ongoing and inflationary costs for funds requested by counties prior to awarding such funds; and 2) Financial awards that remain from prior years are used to offset county financial awards for the following fiscal year.

On August 4, 2022, the Public Defense Commission approved the FY 2024 budget increase request for Trustee and Benefits funding to be awarded to counties to hire workload attorneys and staff.

The need for workload attorneys continues to increase as counties improve their data reporting and populations grow. Pursuant to IDAPA, The counties are responsible for complying with the public defense caseload/workload rules. Compliance with these rules is contingent upon the appropriation of state funds at a level necessary to implement the numeric standard. If caseload/workload maximums are exceeded and the county has timely requested and not received Financial Assistance to pay for the resources needed to comply, the county’s failure to comply will not be deemed a deficiency.

The PDC projects that for FY 2024 workload limits will necessitate the addition of 3 workload attorneys (\$284,500), 1 staff member (\$54,000) and support costs (\$1,100). The total budget increase request for this Trust and Benefits line item for FY 2024 is \$339,600. It is important to note that this request does not include increases for the hiring and retention costs for contracting attorneys.

If a supplemental, what emergency is being addressed?

This is not a supplemental request.

Specify the authority in statute or rule that supports this request.

Idaho Code Section 19-862A; and IDAPA 61.01.04.020.03.d.

Indicate existing base of PC, OE, and/or CO by source for this request.

FY2023 Trustee and Benefits: \$10,640,900

What resources are necessary to implement this request?

No additional agency or staff resources are necessary for implementation.

List positions, pay grades, full/part-time status, benefits, terms of service.

N/A.

Will staff be re-directed? If so, describe impact and show changes on org chart.

N/A.

Detail any current one-time or ongoing OE or CO and any other future costs.

There are no additional OE or CO requests related to this TB line item.

Describe method of calculation (RFI, market cost, etc.) and contingencies.

The PDC projections are based on the mean Felony Case Equivalents for the prior three county fiscal years. For FY 2023, we projected the need for 3.5 attorneys and compliance workload standards required an additional 4 attorneys. In FY 2023, the State provided 40.5 total full-time workload attorneys and the need is projected to increase to 43.4 in FY 2024. The increasing need is based on improving case counting data provided by counties, inflation and population growth.

Provide detail about the revenue assumptions supporting this request.

This is a General Fund request.

Who is being served by this request and what is the impact if not funded?

The counties and defending attorneys are requesting additional funds and ultimately the indigent defendants and juveniles will benefit from the reduced caseloads carried by their appointed counsel.

FORM B6: WAGE & SALARY RECONCILIATION

		Rounded Appropriation	7.00	569,900	88,700	119,800	778,400			
4.11	Appropriation Adjustments:									
	Reappropriation		0.00	0	0	0	0			0
4.31	Supplemental		0.00	0	0	0	0			0
5.00	FY 2023 TOTAL APPROPRIATION		7.00	569,900	88,700	119,800	778,400			
	Expenditure Adjustments:									
6.31	Transfer between programs		0.00	0	0	0	0			0
6.41	FTP or Fund Adjustment		0.00	0	0	0	0			0
7.00	FY 2023 ESTIMATED EXPENDITURES		7.00	569,900	88,700	119,800	778,400			
	Base Adjustments:									
8.31	Transfer Between Programs		0.00	0	0	0	0			0
8.41	Removal of One-Time Expenditures		0.00	0	0	0	0			0
8.51	Base Reduction		0.00	0	0	0	0			0
9.00	FY 2024 BASE		7.00	569,900	88,700	119,800	778,400			
10.11	Change in Health Benefit Costs				8,800		8,800			8,800
10.12	Change in Variable Benefits Costs					(4,800)	(4,800)			(4,800)
	Indicator Code									0
10.51	Annualization			0	0	0	0			0
10.61	CEC for Permanent Positions	1.00%		5,600		1,100	6,700			6,700
10.62	CEC for Temp/Group Positions	1.00%		0		0	0			0
10.63	CEC for Elected Officials & Commissioners			0		0	0			0
11.00	FY 2024 PROGRAM MAINTENANCE		7.00	575,500	97,500	116,100	789,100			
	Line Items:									
12.01										0
12.02										0
12.03										0
13.00	FY 2024 TOTAL REQUEST		7.00	575,500	97,500	116,100	789,100			

PCF Detail Report

Request for Fiscal Year: 2024

Agency: Public Defense Commission
 Appropriation Unit: Public Defense Commission
 Fund: General Fund

437
 SGPD
 10000

PCN	Class	Description	FTP	Salary	Health	Variable Benefits	Total
Totals from Personnel Cost Forecast (PCF)							
		Permanent Positions	6.00	487,426	75,000	102,301	664,727
		Total from PCF	6.00	487,426	75,000	102,301	664,727
		FY 2023 ORIGINAL APPROPRIATION	7.00	570,028	87,500	120,872	778,400
		Unadjusted Over or (Under) Funded:	1.00	82,602	12,500	18,571	113,673
Other Adjustments							
	500	Employees	1.00	75,000	0	0	75,000
	512	Employee Benefits	.00	0	0	15,900	15,900
	513	Health Benefits	.00	0	12,500	0	12,500
Estimated Salary Needs							
		Permanent Positions	7.00	562,426	87,500	118,201	768,127
		Estimated Salary and Benefits	7.00	562,426	87,500	118,201	768,127
Adjusted Over or (Under) Funding							
		Original Appropriation	.00	7,602	0	2,671	10,273
		Estimated Expenditures	.00	7,602	0	2,671	10,273
		Base	.00	7,602	0	2,671	10,273

PCF Summary Report

Request for Fiscal Year: 2024

Agency: Public Defense Commission

437

Appropriation Unit: Public Defense Commission

SGPD

Fund: General Fund

10000

DU		FTP	Salary	Health	Variable Benefits	Total
3.00	FY 2023 ORIGINAL APPROPRIATION	7.00	570,028	87,500	120,872	778,400
5.00	FY 2023 TOTAL APPROPRIATION	7.00	570,028	87,500	120,872	778,400
7.00	FY 2023 ESTIMATED EXPENDITURES	7.00	570,028	87,500	120,872	778,400
9.00	FY 2024 BASE	7.00	570,028	87,500	120,872	778,400
10.11	Change in Health Benefit Costs	0.00	0	8,800	0	8,800
10.12	Change in Variable Benefit Costs	0.00	0	0	(4,800)	(4,800)
10.61	Salary Multiplier - Regular Employees	0.00	5,600	0	1,100	6,700
11.00	FY 2024 PROGRAM MAINTENANCE	7.00	575,628	96,300	117,172	789,100
13.00	FY 2024 TOTAL REQUEST	7.00	575,628	96,300	117,172	789,100

FIVE-YEAR FACILITY NEEDS PLAN, pursuant to IC 67-5708B

AGENCY INFORMATION

AGENCY NAME:	Executive Office of the Governor	Division/Bureau:	Public Defense Commission
Prepared By:	Jason Martinez	E-mail Address:	jason.martinez@dfm.idaho.gov
Telephone Number:	208-854-3063	Fax Number:	208-334-2438
DFM Analyst:	Adam Jarvis	LSO/BPA Analyst:	Tim Hibbard
Date Prepared:	8/15/2022	For Fiscal Year:	2023

FACILITY INFORMATION (please list each facility separately by city and street address)

Facility Name:	Garro Building				
City:	Boise	County:	Ada		
Property Address:	816 W. Bannock Street			Zip Code:	837202
Facility Ownership (could be private or state-owned)	Private Lease:	<input type="checkbox"/>	State Owned:	<input checked="" type="checkbox"/>	Lease Expires:
					7/16/1905

FUNCTION/USE OF FACILITY

Administrative Space, Boise

COMMENTS

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WORK AREAS

FISCAL YR:	ACTUAL 2022	REQUEST 2023	REQUEST 2024	REQUEST 2025	REQUEST 2026	REQUEST 2027
Total Number of Work Areas:	7	7	7	7	7	7
Full-Time Equivalent Positions:	6	7	7	7	7	7
Temp. Employees, Contractors, Auditors, etc.:	0	0	0	0	0	0

SQUARE FEET

FISCAL YR:	ACTUAL 2022	REQUEST 2023	REQUEST 2024	REQUEST 2025	REQUEST 2026	REQUEST 2027
Square Feet:	1480	1480	1480	1480	1480	1480

FACILITY COST

(Do NOT use your old rate per sq ft; it may not be a realistic figure)

FISCAL YR:	ACTUAL 2022	REQUEST 2023	REQUEST 2024	REQUEST 2025	REQUEST 2026	REQUEST 2027
Total Facility Cost/Yr:	\$25,952.73	\$26,731.31	\$27,533.25	\$28,359.25	\$29,210.03	\$30,086.33

SURPLUS PROPERTY

FISCAL YR:	ACTUAL 2022	REQUEST 2023	REQUEST 2024	REQUEST 2025	REQUEST 2026	REQUEST 2027
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IMPORTANT NOTES:

- Upon completion, please send to Leasing Manager at the State Leasing Program in the Division of Public Works via email to Caitlin.Cox@adm.idaho.gov. Please e-mail or call 208-332-1933 with any questions.
- If you have five or more locations, please summarize the information on the Facility Information Summary Sheet and include this summary sheet with your submittal.
- Attach a hardcopy of this submittal, as well as the Facility Information Summary Sheet, if applicable, with your budget request. **DPW LEASING DOES NOT NEED A COPY OF YOUR BUDGET REQUEST, JUST THIS FORM.**

AGENCY NOTES:

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Part I – Agency Profile

Agency Overview

The State Public Defense Commission (PDC) was established in 2014 to improve the delivery of indigent defense services throughout the state. The PDC strives to ensure that the safeguards of the Sixth 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 financial assistance.

Core Functions/Idaho Code

Pursuant to Idaho Code §§19-849 - 851 and 862A, the PDC:

- Promulgated rules establishing:
 - Training, data reporting, County/Defending Attorney contracting, financial assistance, administrative review and fair hearings and oversight and enforcement requirements and procedures; and
 - Minimum Defending Attorney requirements for providing effective representation to Indigent Persons;
- Serves as a clearinghouse of information for stakeholders;
- Administers and allocates funds appropriated by the Legislature, to Counties in accordance with §§ 19-850(e) and 862A, and to Defending Attorneys in accordance with §19-850(e), to support compliance with PDC Rules;
- Provides training to Defending Attorneys and their staff;
- Keeps the Legislature informed, and makes recommendations about, indigent defense services in Idaho; and
- Reviews County and Defending Attorney compliance with PDC Rules and financial assistance terms.

Revenue and Expenditures

Revenue		FY 2019	FY 2020	FY 2021	FY 2022
General Fund		\$5,814,800	\$10,689,200	\$10,711,200	\$11,290,800
	Total	\$5,814,800	\$10,689,200	\$10,711,200	\$11,290,800
Expenditures		FY 2019	FY 2020	FY 2021	FY 2022
Personnel Costs		\$516,800	\$532,200	\$533,900	\$620,200
Operating Expenditures		\$244,600	\$131,500	\$139,300	\$127,800
Capital Outlay		\$4,440	\$8,000	\$100	\$0
Trustee/Benefit Payments		\$4,682,200	\$9,162,800	\$8,670,300	\$9,295,500
	Total	\$5,448,000	\$9,834,500	\$9,343,600	\$10,043,500

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2019	FY 2020	FY2021	FY2022
<p>CLE Trainings for indigent defending attorneys.</p>	<p>The PDC co-sponsored three continuing legal education programs for Idaho defending attorneys. The Commission partnered with IACDL for the Sun Valley Seminar, NACDL for the Idaho Public Defender Summit and the Federal Defenders Services of Idaho for the Western All-Star Conference. annual fall seminar. A total of 301 defending attorneys participated in the three trainings.</p>	<p>The PDC and NAPD held the Team Mitigation Institute, Idaho’s first criminal “bring your own case” CLE with 12.75 credits for 45 Idaho attendees. The PDC partnered with the FDSI to provide 12.5 credits (6 Capital, 1 ethics) credits for 50 Idaho defending attorneys at the All Star Conference. The IACDL Sun Valley Seminar, Public Defense College, and the Executive Leadership Institute were cancelled due to Covid-19.</p>	<p>In partnership with NAPD, the PDC held Idaho’s first Public Defense College (PDC²) with 29 graduates (12 contract/17 institutional defenders) for 28.25 CLE credits. The PDC co-sponsored the NAPD 2021 Conference: We the Defenders attended by 123 Idaho Defending Attorneys who selected from 95 approved CLEs. The PDC started two ongoing webinar series: 1) First Friday, for Defenders to ask questions, collaborate and attend a CLE (3 webinars each.5 CLE credit for with total of 34 attendees); and The <i>Montroy</i> Series inaugural presentation qualified for 1 CLE credit and included 36 Defenders. In total, 222 Defenders participated in 6 CLEs. The PDC also offers free on-demand NAPD CLEs for all attorneys on the roster.</p>	<p>The PDC hosted or co-sponsored <i>free</i> CLE trainings for Idaho defenders: -Public Defense College (PDC²) 20 participants 29 credits; -11 First Fridays 303 defenders 6.5 credits; -12 Montroy Series 658 defenders 13.5 credits. -NAPD Leadership Institute 9 defenders 20.5 credits; -Federal Defenders Services of Idaho Western Confab 21 defenders 6.5 credits; and -NAPD Virtual Conference 24 defenders 13 credits; Case Management Series 39 defenders 3 PDC credits. In total, the PDC sponsored 30 live CLEs approved for 92 CLE credits at no charge to 1064 attendees. The PDC also provided: -On-demand CLEs; -Scholarships for additional trainings.</p>

Part II – Performance Measures

Performance Measure	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	
Goal 1						
<i>Provide stakeholders and the public with clear and understandable rules.</i>						
Review all rules with the objective of eliminating redundancies and language that is unclear, unnecessary or contradictory.	actual	N/A	N/A	The PDC reviewed the 7 IDAPA chapters and 3 documents incorporated by reference identifying redundant, unclear and unnecessary language. All rules were tracked for completeness.	The PDC engaged in rulemaking through public hearings and written comments on the 21 replacement provisions to the FY 2021 pending rules as requested and approved by counties and defending attorneys and as presented to the 2021 Legislative germane committees. The BJA/ NACDL approved a technical assistance grant to assist the PDC and defenders with the vertical representation rule.	
	target	N/A	N/A	<i>Identify unnecessary and unclear rules and documents incorporate by reference in the 3rd quarter, 2020</i>	<i>Present the 21 provisions requested by stakeholders to the 2022 Legislature and continue to provide assistance to stakeholders regarding the rules.</i>	

Performance	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	
Goal 2						
<i>Promote excellence by providing interactive and accessible training to defending attorneys and professional staff</i>						
1. Understand the training needs of defending attorneys and staff and develop innovative and accessible training.	actual	N/A	N/A	In 2020, the PDC partnered with the BSU College of Innovation and Design to interview defenders and presenters, study defender needs and effective training and develop training tools (ie, presenter guide). With COID and NAPD, the PDC assessed platform and technology needs. The PDC also developed a survey for training participants after each CLE.	The PDC surveys CLE participants about their experience and ideas for future CLEs and plans the programs at least one quarter in advance. From those surveys and a survey of Idaho juvenile defenders, the PDC developed a Juvenile Series and invited experienced presenters to address topics requested by defenders. In response to defender feedback, the PDC is supplementing CLEs and the LMS with bench cards and practice materials.	
	target	N/A	N/A	<i>Collaborate with partners to design effective webinars and in- person and virtual trainings in the 3rd quarter, 2020.</i> <i>Continue to review training needs and feedback to improve trainings and assist trainers.</i>	<i>Survey PDC training participants about their needs and feedback and collaborate with partners to design effective trainings. Assess stated needs and plan trainings each quarter for the following quarter.</i>	

<p>2. Provide live and recorded interactive webinars to defending attorneys.</p>	<p>actual</p>	<p>N/A</p>	<p>N/A</p>	<p>The PDC started two ongoing webinar series: 1) First Friday, for Defenders to ask questions, collaborate and attend a CLE; and 2) The <i>Montroy</i> Series featuring Idaho/national experts on public defense. The PDC also offers free on- demand NAPD CLEs for attorneys on the roster and secured the LMS allowing us to build an on-demand library of webinars and materials.</p>	<p>In total, the PDC sponsored 30 live CLEs approved for 92 CLE credits at no charge to 1064 attendees. The presenters included experienced Idaho and national defenders and experts. The Idaho LMS includes presentations from 13 CLEs and 2 PDC² trial colleges. The PDC also provided access to: -230 NAPD on-demand CLEs; and -Scholarships for additional trainings.</p>	
	<p>target</p>	<p>N/A</p>	<p>N/A</p>	<p><i>Provide regular live webinars featuring Idaho and national presenters at no charge to PDC roster members beginning in the 3rd quarter, 2020.</i></p> <p><i>By December 1, 2020, make recorded webinars available to PDC roster members at no charge through a learning management system.</i></p>	<p><i>Produce and present monthly live webinars featuring Idaho and/or national presenters at no charge to PDC roster members.</i></p> <p><i>Record webinars to be available to PDC roster members at no charge through the Idaho PDC LMS.</i></p>	

<p>3. Develop a public defense college emphasizing trial skills, holistic defense and mentoring.</p>	<p>actual</p>	<p>N/A</p>	<p>N/A</p>	<p>In partnership with NAPD, the PDC held Idaho's first Public Defense College (PDC²) with 12 contract defenders and 17 institutional defenders participating. Nine Idaho attorneys and 10 attorneys from across the nation made up the faculty. The 6 day college was preceded by a train the trainers class. The college was held virtually due to Covid. The college was free of charge to defenders and counties.</p>	<p>For the second annual PDC² Trial College, following improvements were made: -Logistics including earlier announcement and materials and online application; -New case problem allowing returning defenders to attend for additional experience; -Admission of Idaho law students to build a pipeline to public defense; -Additional trial resource materials; -Returning and new faculty and renowned presenters; and -Concise faculty manual.</p>	
	<p>target</p>	<p>N/A</p>	<p>N/A</p>	<p><i>Organize an in-person or, if prohibited by Covid 19, a virtual public defense college at no charge for PDC roster members in 2021.</i></p> <p><i>Recruit attorneys from Idaho and across the nation to teach at the public defense college and secure accommodations or platforms for the college by April 1, 2021.</i></p>	<p><i>Continue to produce the annual public defense collage, at no charge to roster members and securing platforms by September 2021 and materials by May 2022.</i></p>	

Performance	FY	FY 2020	FY 2021	FY 2022	FY 2023	
Goal 3						
<i>Collect accurate indigent defense services data and make recommendations to the Idaho legislature.</i>						
Collaborate with partners to identify and collect accurate case, workload and expenditure data.	actual	N/A	N/A	The PDC works with stakeholders, Courts and national partners to streamline and build online applications and reporting forms to be electronically submitted. As of December 31, 2020, counties report their indigent defense expenditures. Case and workload data is also improving statewide.	The PDC worked with stakeholders to improve the accuracy of case, workload and expenditure reporting. The PDC improved form instructions and hosted 10 Open Houses for stakeholders to ask questions reporting. The PDC hosted 3 case management CLEs resulting in 3 counties initiating case management systems to improve data reporting. The PDC consolidated expenditure reporting by the counties following their audits. In cooperation with stakeholders and partners including Eide Bailly, the data reported by the stakeholders and agency reviews have improved significantly.	
	target	N/A	N/A	<i>Collaborate with stakeholders, the Administrative Office of the Courts, policy experts and other partners to identify relevant data and improve forms and develop other methods of data collection by 2022.</i> <i>During FY 2021, work with counties and defending attorneys to obtain and analyze specific case and indigent defense expenditure data from FY 2020.</i>	<i>Collaborate with stakeholders, Administrative Office of the Courts, policy experts and other partners to identify relevant data and improve forms and develop other methods of data collection by the end of 2022.</i> <i>During each fiscal year, work with counties and defending attorneys to obtain and analyze specific case and indigent defense expenditure data from the prior fiscal year.</i>	

Performance		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Goal 4						
<i>Provide clear, concise and updated external and internal policies.</i>						
1. Review all PDC policies with the objective of identifying policies that will be eliminated, edited or added.	actual	N/A	N/A	N/A	The PDC reviewed all external and internal policies for relevance and clarity and identified policies to be eliminated, edited or drafted. If a necessary policy was redundant of current state policy, the agency now links to state policy only.	
	target	N/A	N/A	N/A	<i>Identify all outdated or unclear policies and any policies that are either inconsistent with or redundant of relevant state policy by the second quarter of 2022.</i> <i>Identify policy topics that are absent from PDC and state policy and necessary for the PDC by the second quarter of 2022.</i>	

2. Draft clear and concise policies linking to state policy where appropriate.	actual	N/A	N/A	N/A	<p>The following policies were edited: Extraordinary Litigation Fund; IT; Telecommuting and Flextime.</p> <p>New additions: New Roster Members CLE Counting; Defending Attorney CLE Extension: Disability, Extended Illness or FMLA; Defending Attorney Qualifications Review Conflict of Interest</p> <p>In Progress: Appointment in Capital Cases When Capital Roster Members are Not Immediately Available; Ethics and Standards of Conduct; Incoming Communications; General Administration (Public Records Custodian/Location; Central Workplace; Business Hours); Compensation; Travel; Leave; Domestic Violence; Respectful Workplace; PDC Forms; Roster Appeals</p> <p>Policies Identified for Elimination: Review of Indigent Defense Systems; Review of Indigent Defense Providers and Defending Attorneys</p>
	target	N/A	N/A	N/A	<p><i>Present completed internal and external policies to the Commission for review and approval by the second quarter of 2023.</i></p>

Performance		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Goal 5						
<i>Provide clear and comprehensive financial assistance parameters and guidance for a more effective and efficient process.</i>						
Identify and draft necessary parameters and guidance for financial assistance applications, awards and accountability consistent with relevant statutes and rules.	actual	N/A	N/A	N/A	The PDC reviewed stakeholder comments about agency forms. The PDC clarified instructions and included examples, held 4 Open Houses for Financial Assistance applications and 1 Open House for Expenditure reporting. In addition, the reported data is subject to increased review and Eide Bailly was engaged to review applications and expenditures.	
	target	N/A	N/A	N/A	<p><i>Collaborate with and review prior comments by staff & stakeholders about financial assistance.</i></p> <p><i>Draft parameters and guidance for applications, review and award process and expenditure reporting.</i></p> <p><i>Provide specific changes to the financial assistance program in quarterly meetings, open houses, calls, instructions on the website and by correspondence.</i></p>	

For More Information, Contact

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Director Attestation for Performance Report

In accordance with *Idaho Code 67-1904*, I certify the data provided in the Performance Report has been internally assessed for accuracy, and, to the best of my knowledge, is deemed to be accurate.

Department: Public Defense Commission

Kathleen J. Elliott
Director's Signature

8-10-2022
Date

Please return to:

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