

**OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER (“SAPD”)
STRATEGIC PLAN FY 2025 – FY 2028**

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
Attorneys will engage in legal practices that comport with ethical standards.	The SAPD will provide informal training and guidance on attorneys’ ethical obligations, alert attorneys to relevant continuing legal education (“CLE”) seminars, and encourage open discussion of impediments to meeting ethical obligations, including excessive workloads.	Attorneys will not have reprimands from the Office of Bar Counsel or the Idaho Supreme Court.	<ol style="list-style-type: none"> 1) Regular presentation of information, including case law and ethics opinions, to attorneys regarding ethical responsibilities; 2) Open discussion of ethical issues, including barriers to adherence to standards; and 3) Attorneys will obtain at least two ethics-specific hours of CLE credit every three years.
Attorneys will be properly trained on substantive criminal law, as well as applicable criminal and	Attorneys will be encouraged to identify CLEs germane to their specific practices, and apply for	Each attorney will have sufficient continuing legal education credits in topics relevant to criminal	<ol style="list-style-type: none"> 1) At least once each fiscal year, every attorney will attend training relevant to their position; and

<p>appellate procedures, so as to effectively handle their cases and serve as resources for other Idaho attorneys providing indigent defense services.</p>	<p>scholarships from relevant organizations.</p> <p>Experienced attorneys will be encouraged to present CLEs and other programs to outside groups.</p>	<p>defense practice for renewal of their legal license.</p> <p>There will be no affirmed findings of ineffective assistance of counsel by any attorney.</p>	<p>2) Attorneys will obtain at least 30 total hours of continuing legal education (“CLE”) credit (including two hours of ethics credit as mentioned above), every three years.</p>
<p>Attorney workloads will be controlled in a financially responsible manner, ensuring attorneys have sufficient time for all necessary legal services, including client communication, record review, legal research, motion practice, brief-writing, and court appearances.</p>	<p>Supervising attorneys will review caseload and workload data from the prior three years to identify trends and determine whether the SAPD is sufficiently staffed.</p>	<p>There will be an annual report on the officewide and individual caseloads and workloads for the prior three fiscal years.</p>	<p>1) The caseload/workload report will be completed by August 31st of each year.</p>
<p>Capital Litigation Unit (“CLU”) investigators will be properly trained on their specific job duties.</p>	<p>CLU Lead Attorneys will direct internal training for all new investigators, and refresher training as needed.</p> <p>Investigators will identify training opportunities relating specifically to capital defense investigations.</p>	<p>All investigators will have sufficient training to independently fulfill the requirements of their positions.</p>	<p>1) Each new investigator will receive in-house training relating to their specific job duties; and</p> <p>2) Once each year, if possible, investigators will attend a training seminar specific to capital defense investigations.</p>
<p>Non-attorney support staff will be properly trained on their specific job duties.</p>	<p>Unit chiefs will direct internal training for all new support staff, and will direct refresher training as needed.</p> <p>Support staff will identify training opportunities relating to their positions including those offered by other state agencies.</p>	<p>All support staff will have sufficient training to independently fulfill the requirements of their positions.</p>	<p>1) Each new non-attorney support staff member will receive thorough in-house training relating to their specific job duties; and</p> <p>2) Once each year, if possible, support staff will attend a training seminar relevant to their duties that is presented by an outside entity.</p>

Provide Services In An Efficient Manner

Objective	Strategy	Performance Measure	Benchmark
Workloads will be controlled to ensure that clients are not subjected to unnecessary delay in having their appeals heard by Idaho's appellate courts.	Reduce the average time it takes to file an initial appellant's brief by reducing attorneys' workloads to appropriate levels (considering the experience of the individual attorneys and the size and complexity of the cases to which they are assigned).	The Appellate Unit will reduce to 10% (or less) the number of cases in which more than two extensions of time are sought for filing of the initial appellant's brief. Based on the caseload/workload report discussed above, the SAPD will make a data-driven determination of whether additional attorney positions and/or a dedicated fund to contract out "overflow" cases are needed.	1) Gather data on the SAPD's caseloads workloads during the preceding three fiscal years; 2) Gather data on the number of cases with Appellant's Briefs filed on more than two extensions of time; and 3) 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.

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

Objective	Strategy	Performance Measure	Benchmark
<p>Provide educational opportunities to trial-level defenders in an effort to improve the practice of criminal defense in Idaho, thereby streamlining appeals and reducing their cost.</p>	<p>Partner with the State Public Defender (“SPD”), Idaho Association of Criminal Defense Lawyers (“IACDL”), Idaho State Bar (“ISB”), and other organizations to offer CLEs to other attorneys.</p>	<p>Provide training to other defense attorneys at the Darrell Bolz Defense College,” the IACDL’s annual conference or other CLEs sponsored by IACDL, and/or any relevant CLEs sponsored by the ISB or other organizations.</p>	<p>1) Participation in the Darrell Bolz Defense College;</p> <p>2) Preparation of appellate update materials, including case summaries and suggestions for potential impact of appellate cases, and presentation of one or more appellate updates;</p> <p>3) Identification of substantive criminal law topics, preparation of CLE materials, and presentation of CLEs;</p> <p>4) Preparation of CLE materials and presentation of CLEs on appellate procedure and record preservation.</p>
<p>Participate in various groups to ensure that Idahoans’ constitutional rights are protected when policy decisions are made and implemented, and that the need to provide, and cost of providing, defendants with constitutionally sufficient representation is a factor in all decisionmaking.</p>	<p>Participate in committees, commissions, councils, and other working groups that evaluate and implement criminal justice policies that affect SAPD clients and criminal defendants generally.</p>	<p>Participate in the following commissions, committees, and working groups: Idaho Criminal Justice Commission; Idaho Grant Review Council; Idaho Behavioral Health Council Advisory Board; Idaho Supreme Court (“ISC”) Criminal Rules Committee; ISC Appellate Rules Committee; ISC Rules of Evidence Committee; ISC Criminal Jury Instruction</p>	<p>1) Identify relevant committees, commissions, councils, etc.;</p> <p>2) Secure representation on relevant committees, commissions, councils, etc.; and</p> <p>3) Dedicate sufficient time to attend meetings and meaningfully contribute to relevant committees, commissions, councils, etc. (including adequately researching</p>

		Committee; ISB Appellate Practice Section.	factual and legal questions and presenting relevant data and information).
Encourage and support legislative efforts to evaluate and reform Idaho’s indigent defense delivery system to ensure that system is both effective and reasonably efficient.	Be available as an informational resource to legislators and executive branch stakeholders. Maintain an open dialogue with, and where appropriate support, the SPD as it reforms and improves the delivery of trial-level public defense services.	Provide prompt, thorough, and thoughtful responses to legislative inquiries. Maintain open dialogue and collaborate with other executive branch agencies involved in the criminal justice system, including the SPD.	1) Provide data, documents, and information as requested by the legislature; 2) Provide legislative testimony as needed; and 3) Maintain an open dialogue with the SPD and lend assistance where appropriate.

External Factors

The ability of the SAPD to achieve its goals is limited by the resources available—primarily attorneys’ time. Whether attorneys have sufficient time to effectively handle their cases and fulfill the SAPD’s other goals is directly impacted by the number of cases assigned to the SAPD and the financial and personnel resources made available by the legislature. For example, a key requirement of many of the foregoing goals is the ability to control workloads such that cases can be processed in a timely fashion and sufficient time can be devoted to provide quality legal representation to each client. If workloads are excessive, the SAPD is at risk of providing ineffective assistance to its clients, and it loses the ability to process cases in a timely fashion. Additionally, excessive workloads allow little to no time for necessary training or participation in relevant criminal justice organizations.

The SAPD has no ability whatsoever to control its own workload, as case assignments to the SAPD are made by Idaho’s district courts without regard for the SAPD’s capacity to handle additional cases. The only tool currently available to accommodate excessive caseloads is the ability to request extensions of time from the Idaho Supreme Court; however, the Court has an interest in the timely disposition of appeals and it will not allow the SAPD to delay cases for very long. Otherwise, the SAPD is reliant upon the legislature’s willingness to approve additional full-time positions and/or provide a dedicated fund for the SAPD to contract out “overflow” cases. Increases in the number of cases assigned to the SAPD must be met with additions in personnel and other resources.