

House Legislative Oversight Committee
Request for Information about Committee Recommendations, 2019

Agency Responding	Commission on Indigent Defense
Submission Date	11/1/2019 (Updated 8/28/20)

		Agency Responses					
Recommendation Number	Recommendations to Agency and Implementation Notes on File with Legislative Oversight Committee as of August 2019	Status of Implementation	Actual or Anticipated Date of 100% Completion	Estimated Net Financial Savings, Realized or Anticipated, in the 5 Years Following Implementation*	Non-Financial Benefits Realized or Anticipated from Implementing Recommendation	Non-Financial Drawbacks Realized or Anticipated from Implementing Recommendation	Additional Comments (optional)
Report Rec #04	AGENCY: Require circuit public defenders to affirm acknowledgement of their duties in writing <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	12/28/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has required all Circuit Public Defenders to affirm acknowledgement of their duties in writing. The signed acknowledgements are kept in each of their personnel files.
Report Rec #05	AGENCY: Conduct formal evaluations of circuit public defenders <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	3/31/2020	No savings are anticipated with the implementation of this recommendation.	Anticipated benefit is assuring that Circuit Defenders are performing as expected and will allow issues to be addressed early.	N/A	The evaluation of the Circuit Public Defenders will be done on an annual basis.
Report Rec #06	AGENCY: Require circuit public defenders to conduct formal evaluations of their employees <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	8/1/2019	No savings are anticipated with the implementation of this recommendation.	Anticipated benefit is assuring that Circuit Defenders are engaged with employees' performance and identifying any issues early.	N/A	The evaluations of the employees of the Circuit Public Defender Offices are done on an annual basis.
Report Rec #08	AGENCY: Track the expenses (i.e., time and costs) associated with manually entering information from court administration's database <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	7/1/2019	(\$1,820,794.31) annually for the manual entry of the data.	N/A	N/A	The Cost analysis for the data entry into the Defender Data system determined that the cost was \$2,236,603 annually.
Report Rec #09	AGENCY: Train circuit public defenders on making presentations to policy makers (i.e., county council) <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	5/3/2019	No savings are anticipated with the implementation of this recommendation.	Provide Circuit Defenders with tools to improve relationships with policy makers to improve financial benefits.	N/A	SCCID has established quarterly training sessions for the Circuit Public Defenders on a range of management topics including making presentations to policy makers, Employment issues, HR training, and other topics as requested by the Circuit Defenders. This process will continue each year.
Report Rec #10	AGENCY: Conduct management training for circuit public defenders <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	5/3/2019	No savings are anticipated with the implementation of this recommendation.	Anticipated benefits is the development of better leaders and ensures uniformity in management of Circuit Defender Offices.	N/A	SCCID has established quarterly training sessions for the Circuit Public Defenders on a range of management topics including making presentations to policy makers, Employment issues, HR training, and other topics as requested by the Circuit Defenders. This process will continue each year.
Report Rec #11	AGENCY: Define, in regulation, the term "case" for circuit public defenders to utilize in measuring workload, backlog, and other metrics <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	6/30/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has submitted a proposed regulation to address this recommendation.
Report Rec #12	AGENCY: Promulgate regulations outlining a procedure to measure the success of indigent defense representation (e.g., percent of cases ending in non-conviction; percent of felony cases ending in misdemeanor conviction; percent of cases where all charges were resolved jointly) <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	6/30/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID's Defender Data System has the ability to produce data which can be used to determine percentages of the disposition of cases handled by the Public Defenders in all 16 Judicial Circuits. Proviso 61.9 requires all Circuit Public Defenders to provide all required information on all cases they handle.
Report Rec #13	AGENCY: Research data collection options for how to measure the success of Rule 608 contract attorneys <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	6/30/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID is working to establish the data-collection options for the Contract Attorneys such as a Database of complaints for each attorney and the disposition of all cases handled by each attorney, so that any anomalies to the measures of success of the contract attorneys can be identified.
Report Rec #14	AGENCY: Determine and track indicators for effective defense during a case (e.g., regular client contact, active investigation, written motion practice) <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	11/1/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	The consensus from the committee of Circuit Defenders was that a focus on jail visits, investigations conducted and motions filed was too narrow for a meaningful or a reliable evaluation of attorney performance. Instead the committee agreed that these elements should just be included in an attorney's annual comprehensive performance evaluation. The Circuit Defenders have committed to require annual performance evaluations of all attorneys and staff. A template of the review has been developed and distributed to all Circuits for use as the evaluation tool for the attorneys

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Report Rec #15	AGENCY: Report concerns, if any, about court rules for the General Assembly's consideration <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	11/1/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID is in the process of reviewing the Court Rules in order to develop recommendations to submit to the General Assembly for consideration.
Report Rec #16	AGENCY: Add statistics to the agency's annual human resources and funding report <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	8/1/2019	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has updated the annual HR Survey to include additional statistics like turn-over rates, position vacancy data, and new-hire information.
Report Rec #17	AGENCY: Require circuit public defenders to provide regular input to circuit solicitors on establishing and/or revising diversion programs <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	11/1/2020	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	Prosecution Coordination Commission has established a diversion program working group of which the Public Defender Offices/SCCID will have members included with meetings on likely a quarterly basis.
Report Rec #19	AGENCY: Post online eligibility qualifications for indigent defense services <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	5/1/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has updated our website to include the eligibility qualifications for Indigent Defense Services.
Report Rec #20	AGENCY: Post online information for where to submit complaints <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	12/11/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has updated its agency website to include information on where to submit complaints.
Report Rec #21	AGENCY: Post the agency's annual human resources and funding report online <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	11/28/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has updated its website to include the HR Survey so that it is accessible to the general public.
Report Rec #22	AGENCY: Encourage each public defender to conduct exit interviews and the agency compile statewide data <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	1/15/2019	No savings are anticipated with the implementation of this recommendation.	Allows Circuit Defenders to find out things they need to work on or address in the office, prevent turnover and to know what is being done well.	N/A	SCCID has provided each of the Circuit Defenders with an exit interview template to collect information from each employee who leaves their office.
Report Rec #23	AGENCY: Allow anonymous employee feedback <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	12/28/2019	No savings are anticipated with the implementation of this recommendation.	Provides a way for employees to give positive/negative feedback and have a voice about what goes on in the office.	Two-fold, anonymous feedback does not allow us to address specific issues that may not effect everyone. The other side is that in a small agency, the person can be easily identified by the complaint because everyone know each other well.	SCCID has established an employee feedback portal on the agency website to allow any employee to submit feedback anonymously.
Report Rec #24	AGENCY: Obtain data necessary to estimate the total cost to provide every defendant a public defender which policy makers may utilize when considering indigency screening options <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	7/1/2019	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has collected the necessary information to provide an estimated total cost to provide a public defender for every defendant.
Report Rec #25	AGENCY: Consider the feasibility of a data system a magistrate may utilize when screening applicants for indigent defense <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	9/7/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has provided the Legislative Oversight Committee with information on the feasibility of a data system for screening applicants for indigent defense services in a letter dated 9/7/18 in response to the LOC letter of 8/17/18.
Report Rec #26	AGENCY: Consider any efficiencies which may be gained from utilizing Department of Employment and Workforce information in the indigency screening process <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	Complete	9/7/2018	No savings are anticipated with the implementation of this recommendation.	N/A	N/A	SCCID has provided the Legislative Oversight Committee with information on the feasibility of a data system for screening applicants for indigent defense services in a letter dated 9/7/18 in response to the LOC letter of 8/17/18.
Report Rec #27	AGENCY: Promulgate in regulation a uniform method to screen applicants for indigent defense representation <input type="checkbox"/> IMPLEMENTATION: None to date <input type="checkbox"/>	In Progress	6/30/2020	No savings are anticipated with the implementation of this recommendation.	Allows all citizens and stakeholders to know the process for screening, regardless of which county the are located.	It is difficult to have a uniformed method when the counties operate differently and have varying aspects that prevent something that works in one county with resources and not work in a county with out resources.	SCCID has submitted a proposed regulation to address this recommendation.

Note:
 * If implementation of a recommendation will result in a net cost to the agency, please include that as a negative number in column E.