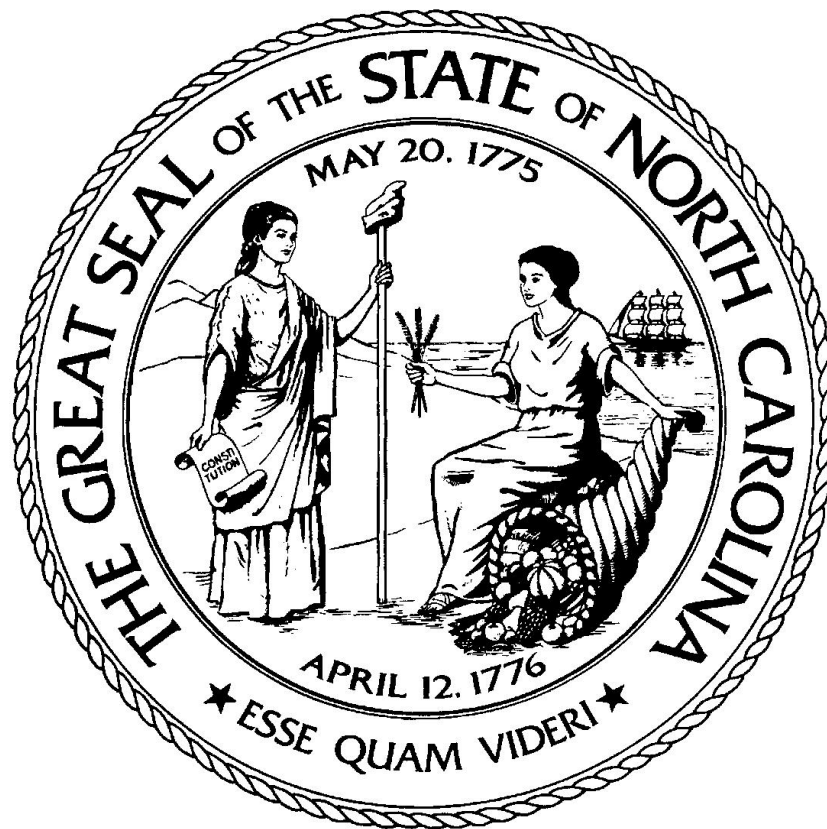


# Indigent Defense Services

Strategic Plan

2019 – 2021



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# 1. Strategic Plan Executive Summary

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## Developing Strategic Planning Goals

Staff met several times in the summer of 2018 to identify goals and strategies in four key areas: information technology, communication, performance measures, and quality of representation. This is an ongoing process under the leadership of the IDS Executive Director. While the revised mission and vision statements are not yet formalized, the core values governing this process are quality representation, fairness, fiscal responsibility, improving client outcomes, and continued use of data to evaluate and improve the criminal defense system.

- I. Information Technology –The IDS Research Director is spearheading development of a detailed long term technology strategic plan for increasing agency efficiency and effectiveness through enhanced information technology (summary of process attached). The first step, an internal assessment, involved structured interviews with 25 people in 7 offices and has been summarized in a compendium of unmet technology needs. Over the next few months staff will be surveyed to identify priorities which will be presented to IDS Director/Deputy Director for further prioritization. The technology plan is envisioned as a 5-year plan.
- II. Communications Plan—IDS is working to improve internal and external communication strategies including (but not limited to) enhanced web site; professional input on messaging and materials; greater outreach through media, including social media; and collaboration with other stakeholders in the judicial system and those involved in other arenas directly affecting IDS clients.
- III. Performance Measures—IDS’s Systems Evaluation Project (SEP) developed key performance indicators (KPI) for adult criminal work and those have been used when appropriate to evaluate projects and proposals SEP is currently working with the Office of the Juvenile Defender to develop and implement key indicators measures for juvenile delinquency cases in preparation for the raise the age imitative. Following completion of juvenile delinquency cases, SEP will focus on developing measures for civil cases, including parent representation cases.
- IV. Quality of Representation—IDS efforts to improve quality of indigent representation are focused on three key areas: attracting and retaining qualified and committed counsel in all counties; providing supervision/support of attorneys in all regions; and maintaining a mixture of delivery systems (assigned counsel, contracts, defender offices) to allow adaptation to local needs. Other projects include work with other judicial and government officials to reduce the unintended consequences of court involvement, such as job loss which, in turn, may lead to increased reliance on governmental aid

In September 2015 Chief Justice Mark Martin convened The North Carolina Commission on the Administration of Law and Justice (NCCALJ) to undertake a comprehensive review of North Carolina’s Judicial System and make recommendations for improving the administration of justice. This [report](#) of the Criminal Investigation and Adjudication Committee on Improving Indigent Defense. Technology included a number of evidence based recommendations for the improvement

of indigent defense in North Carolina. IDS has considered these recommendations as part of its ongoing strategic planning process.

## 2. Mission, Vision, and Values

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### Mission Statement

#### Mission

IDS Leadership has initiated efforts to develop mission and vision statements for the agency with input from staff, attorneys in defender offices, Commissioners, court appointed experts and attorneys and other stakeholders. An initial workshop focused on sharing of stories and vision was held October 26<sup>th</sup> and input from that workshop will be presented to the IDS Commission on November 30, 2018. A public version of a mission statement should be complete by June 2019.

### Organizational Values

As a continuation of the mission statement development process, staff and leadership intend to define IDS's core values and explore ways to better communicate them both to justice system actors and the public. In the meantime, IDS continues to be guided by its authorizing language, which can be found in G.S. 7A-498.1.

“Whenever a person is determined to be indigent and entitled to counsel, it is the responsibility of the State under the federal and state constitutions to provide that person with counsel and the other necessary expenses of representation. The purpose of this Article is to:

- (1) Enhance oversight of the delivery of counsel and related services provided at State expense;
- (2) Improve the quality of representation and ensure the independence of counsel;
- (3) Establish uniform policies and procedures for the delivery of services;
- (4) Generate reliable statistical information in order to evaluate the services provided and funds expended; and
- (5) Deliver services in the most efficient and cost-effective manner without sacrificing quality representation.”

### 3. Goals, Objectives, and Performance Measures

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<b>Goal 1 – Use technology to deliver services in the most efficient and cost-effective manner; and generate reliable statistical information in order to evaluate the services provided and funds expended</b>		
<b>Objective 1.1 – Automation/streamlining of repeated tasks or office processes.</b>		
<b>1.1.1 – Performance Measure or Milestone</b>	<b>Strategy</b>	Information Technology Strategic Plan.
	Eliminate data entry duplication and streamline repeated tasks or office processes; establish uniform in-house procedures	
	Identify software and hardware needs for central office and defender programs	
<b>Objective 1.2 - Generate richer, more easily accessible data</b>		
<b>1.2.1 – Performance Measure or Milestone</b> Generate richer, more easily accessible data	<b>Strategy</b>	Information Technology Strategic Plan.
	Explore access to other data systems (CJLEADS; expanded access to J-Wise); maintain control of and continue to enhance CCIS-PD; automate/ streamline data-entry processes to increase accuracy and compliance	

<b>Goal 2 – Improve the quality of representation and ensure the independence of counsel; Establish uniform policies and procedures for the delivery of services; Deliver services in the most efficient and cost-effective manner without sacrificing quality representation.</b>		
<b>Objective 2.1 – Enhance local support and supervision</b>		
<b>2.1.1 – Performance Measure or Milestone</b>	<b>Strategy</b>	Local Support and Supervision Services
		Assess impact of new high level felony and contractor trainings; expand delinquency defender training (grant funds to start); explore additional training partnerships (NCAJ, etc.)
		Improve the quality of representation by broadening supervision to include additional regional defenders
		With support from OJJDP grant, use contract data and improved fee application forms to collect more data on delinquency representation and develop KPI in the delinquency area
		Work with the Office of Parent Defender to develop KPI for child welfare proceedings
<b>2.1.2 – Performance Measure or Milestone</b>		Restore hourly PAC rates to 2011 levels and make modest increases to expert rates in areas where supply issues exist
<b>Objective 2.2 - Establish uniform policies and procedures for the delivery of services</b>		
<b>2.1.3 – Performance Measure or Milestone</b>	<b>Strategy</b>	Uniform Qualification Standards
		Use KPI and local collaboration to develop uniform qualification standards for PAC by July 1, 2019
<b>2.2.1 – Performance Measure or Milestone</b>		Use KPI and continued local collaboration to monitor uniform qualification standards for PAC
<b>Objective 2.3 - Deliver services in the most efficient and cost-effective manner without sacrificing quality representation</b>		
<b>2.3.1 – Performance Measure or Milestone</b>	<b>Strategy</b>	Local Service Delivery Structuring
		Review National Center State Courts workload study to identify resource needs in defender programs; assess need for new juvenile defender contractors; assess impact of flat fee pilot
		Restore flexibility to create targeted defender office positions with PAC money; identify new juvenile defender contractors



Goal 3 - Improve the quality of representation and ensure the independence of counsel.		
Objective 3.1 - Improve the quality of representation and ensure the independence of counsel by identifying and implementing best delivery practice and making modest increases to PAC and expert rates		
<b>3.1.1 – Performance Measure or Milestone</b>	<b>Strategy</b>	Use Resources to Message Importance of Sustainable Rates
		Replace/augment web site to include both information for business processes and to reflect mission, vision, and core values; survey stakeholders on effectiveness of current internal and external communication; determine feasibility of professional assistance on continued communication initiatives; change format of annual report to highlight goals with less repeated detail; develop other visual fact sheets
		Coordinate with other organizations (Bar, Judges, etc.) to articulate and disseminate need for PAC rate restoration
<b>3.1.2 – Performance Measure or Milestone</b>		Utilize Commission on Indigent Defense Services members as local ambassadors to foster moral in local bar communities and communicate with local judicial and executive elected officials; develop quarterly Commission meeting content to reflect current issues in public defense to equip Commissioners with the most accurate and relevant information available

## 4. Highlights and Opportunities

### Agency Highlights and Best Practices

IDS staff recognizes that IDS Commissioners are among its most valuable ambassadors in a state as large and diverse as North Carolina. IDS will to work closely with the IDS Commission regarding the best use of its quarterly Commission meetings—e.g., useful subjects, format, timing. Staff will continue to work with Commissioners to improve practices and protocols to equip Commissioners with the most accurate and relevant information available.

IDS leadership has identified the critical need for a Long-Term Technology Strategic Plan to enable IDS to better serve the IDS Central Office, as well as the array of indigent defense agencies across the state. It was decided that the Technology Strategic Plan would be undertaken in two phases. Phase one would focus on the IDS Central Office and select satellite offices; including the IDS Financial Services Office, Office of Appellate Defender, Office of the Capital Defender, Office of the Juvenile Defender, Office of Parent Representation, and the Special Counsel Office, as well as the IDS Commission. Phase II will focus on Public Defender Offices across the state and incorporate lessons learned through Phase I. The key component of the Technology Strategic Plan is to conduct an internal technology needs assessment through one-on-one interviews of key staff.

## **Phase I: Technology Needs Assessment Work Plan**

1. Conduct an internal needs assessment that would be accomplished by interviewing key staff, including all IDS Central Office staff, the heads of all IDS satellite offices, and any staff members designated by the agency head. Staff would be provided with advance materials to help them prepare for the interview.
2. Compile a compendium of technology needs as well as additional information needed to help assess and prioritize items, such as description of issue, proposed solution, time/labor needed to implement solution, staff assignments, cost, length of project, etc.
3. Distribute compendium of needs to staff and ask staff to identify their top 5 items, ask staff to prioritize items based on which initiatives would lead to better client outcomes or NCALJ goals. Summarize priority rankings for IDS executive staff review.
4. Final prioritization by Executive and Deputy Directors and opportunity for Staff to justify requests.

## **Description Technology Needs Assessment End Products**

1. Identify for each office a list of the tasks that are the most labor intensive or cause work slowdowns.
2. Identify a list of potential technology solutions to enable staff to work smarter and more effectively, which can be implemented in the near future and identify longer-term needs that will need further investigation to find a solution.
3. Collect information to help develop a technology strategic work plan to guide our efforts moving forward.
4. Develop and adopt a prioritized list of long-term technology initiatives IDS should invest in, clarify how they advance the long-term mission goals of IDS indigent defense agencies, and develop an implementation work plan.

## **Internal Technology Needs Assessment Results**

A key component of the Technology Plan was completing an internal needs assessment of the IDS Central Office and its satellite offices, including the IDS Financial Services Office, Office of Appellate Defender, Office of the Capital Defender, Office of the Juvenile Defender, Office of Parent Representation, and Special Counsel Office by interviewing key stakeholders from each office. The goal was to identify areas where technology or a change in office policy or processes could save time and labor and enable staff to work more effectively on mission-critical items.

The Technology Needs Assessment compiled indigent defense office technology needs in a spreadsheet that categorized technology needs into the following issue areas:

- Elimination of Data Entry Duplicate
- Automation/Streamlining of Repeated Tasks or Office Processes
- Data Reports to Add to Existing Databases
- Equipment and Software Needs
- Existing Policies that Need Review
- Development of In-House Protocols
- Requested Trainings

- Larger Initiatives that Need Additional Investigation

The spreadsheet also identified the specific office(s) that would be affected by each technology solution. This information will be used to help prioritize technology projects moving forward. Note that the spreadsheet is sorted by Issue Area and then by the number of offices to be affected. It should be noted that the North Carolina Accounting System (NCAS) received funds this year to upgrade its technology systems, and, to a large extent, IDS Financial Services's is working to ensure that its technology needs are addressed the NCAS improvements.

### **Technology Needs Assessment: Interview Preparation**

To prepare for the one-on-one interview, staff was given two documents: 1) a briefing paper outlining the Long Term Technology Strategy Plan goals, objectives, and work plan; and 2) a set of advance interview questions. Staff was asked to answer the advance interview questions in order to help them identify road blocks in their work and potential solutions to those road blocks. The personal interviews ranged from 30 minutes to 2 hours. The advance interview questions included:

1. Name 3 things that you do again and again that take the most time?
2. What office policies or procedures create time-sucks for you?
3. Name 3 issues you would like to have help on?
4. What slows down your work?
5. Is there a piece of technology, software, equipment that would save you time? Best estimate of time saved?
6. What are your ideas regarding technology?
7. Managers: List reports you need but don't have, reports you produce but don't use?
8. Managers: What information do you need but currently don't have, any information you currently collect that is not worth the time to collect?
9. Innovations, wishes, what else?

### **Next Steps:**

1. Technology Strategic Plan Staff (Margaret Gressens, Research Director) has been asked to develop draft recommendations for IDS leadership to review.
2. Approve a formal technology strategic plan, in consultation with agency staff, that prioritizing needs and mobilizes available resources.
3. Move on to IDS Commission technology needs survey and needs assessment.
4. Formal review of technology work plan, i.e. what worked well, what we could do better to identify "lessons learned."
5. Begin implementation of Phase I Technology Work Plan (in fact has already begun).

### **Potential Initiatives**

As detailed in Goal 2, Objective 2.1 above, it is increasingly apparent that local support and supervision are integral to the efficient delivery of quality public defense. However, IDS lacks both the means and the authority to create additional regional defender positions. Regional defenders provide support to local attorneys through case consultations and administrative streamlining. The end result is often a more fair and efficient process.

## Collaborative Opportunities

In 2017, the North Carolina General Assembly passed a bill raising the age of juvenile jurisdiction in non-violent offenses, making North Carolina the final state to stop automatically prosecuting 16- and 17-year olds in the adult criminal system. (S.L. 2017-57(S257) Juvenile Justice Reinvestment Act). The law becomes effective on December 1, 2019. Because IDS anticipates that there will be an increase in the number of complaints and petitions filed in juvenile court and a requisite increase in the number of juveniles needing representation, which will exacerbate the need to ensure an adequate number of well-trained, well-resourced, specialized and dedicated juvenile defenders across the state of North Carolina., IDS and the Office of the Juvenile Defender applied for and received a grant from the Office of Juvenile Justice and Delinquency Prevention. The grant will fund the NC Juvenile Defender State Enhancement Program for the next federal fiscal year biennium.

The Indigent Defense Services Commission and staff continue to leverage relationships with other judicial system actors and groups to create cost-effective means of supporting public defense attorneys. Some of the current collaborations include:

- Working closely with the School of Government to design training;
- Collaborating with the Conference of District Attorneys to identify cross-training opportunities in criminal and juvenile law;
- Accessing state and local training opportunities for parent dense through the federally funded Court Improvement Project.
- Working with other subject matter experts on statewide policy and legislative goals.

IDS and its constituent programs also continue explore grant opportunities with national and state funders.