



JUDICIAL BRANCH

**OFFICE OF THE
ALTERNATE DEFENSE COUNSEL**

FISCAL YEAR 2023-2024

August 01, 2023

**PERFORMANCE
MANAGEMENT SYSTEM**

Background

The United States and Colorado Constitutions provide every accused person with the right to legal representation by counsel in criminal prosecutions. [U.S. Const., amend. VI](#); [Colo. Const., art. II, §16](#). This constitutional right means that counsel will be provided at state expense for individuals who are indigent in all cases in which incarceration is a possible penalty.

The Office of the Alternate Defense Counsel (OADC) was established pursuant to [C.R.S. § 21-2-101, et seq.](#) as an independent governmental agency of the State of Colorado Judicial Branch. The OADC is funded to provide legal representation for individuals who are indigent in criminal and juvenile delinquency cases in which the Office of the State Public Defender (OSPD) has an ethical conflict of interest. OADC also provides legal representation in some municipalities and evaluates some municipal courts to ensure their court appointed lawyers are both independent and competent.

Statutory Mandate/Directive

The Office of the Alternate Defense Counsel is mandated by statute to “provide to indigent persons accused of crimes, *legal services that are commensurate with those available to non-indigents*, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association Standards relating to the administration of criminal justice, the defense function.” [C.R.S. § 21-2-101\(1\)](#) (emphasis added).

2023-24 Performance Management System Schedule

July/ August 2023	Research, complete, and post the Performance Management System on the Office of the Alternate Defense Counsel’s website.
September 2023	Review agency data/information, comments, and observations obtained throughout the fiscal year regarding increased efficiency and lean government tactics.
	Solicit feedback from Agency employees.
October 2023	Review Agency's Core Objectives and Performance Measures and evaluate and amend as needed.
	Prepare Agency's FY23-24 Budget and Performance Report, considering information obtained from the Agency evaluation as outlined above.
November 2023	Research, complete, and post the Agency’s Performance Report on the Office of the Alternate Defense Counsel’s website.
November/ December 2023	Presentation to Joint Judiciary as required by HB13-1299.
April 2024	Solicit feedback from Agency contractors.
May/ June 2024	Employees to complete a self-assessment survey.
	Conduct a formal performance assessment meeting with each employee.
	Meet with employees to discuss contributions, competencies, goals, and growth opportunities. Agree on an action plan. Finalize employee performance evaluation documents.
	Review Agency's job descriptions to ensure accuracy and revise, as necessary.
June 2024	Develop Agency’s Performance Plan.
July 2024	Post Agency's Performance Plan.

Office of the Alternate Defense Counsel - Strategy / Process Map

Mission Statement

The mission of the Office of the Alternate Defense Counsel (OADC), through the practice of holistic public defense, is to help adults and children who the government has charged with criminal and delinquent offenses. The OADC's holistic practice model fosters ethical, informed, and standard-driven best practices in public defense. The OADC allocates resources in a manner intentionally designed to rebalance the disparate power wielded by the government in the criminal legal system. We advocate for every client's inherent worth and dignity by centering the client's experiences and voice to achieve the best legal outcome.

The OADC is dedicated to zealous, client-centered advocacy rooted in social justice, integrity, and humility. We recognize that we are working within a broken and racist criminal legal system. Public defense advocates play an essential role in challenging bias and disparity within the courtroom, within our offices, and within ourselves. There is a disparate presence of violent policing, over-charging, and harsher sentencing outcomes for Colorado's people of color and other vulnerable populations. The OADC is unwavering in its support of decarceration, the decriminalization of youth, and equity within the criminal legal system.

Goals

I. Grow and support holistic defense representation for OADC clients.

II. Provide superior legal and technological resources and training.

III. Cost Containment.

Strategies

A. Grow, support, and normalize interdisciplinary legal teams.

A. Update and maintain the OADC's eLibrary, subject specific practice manuals, and best practice guides.

A. Provide ancillary services in order to reduce attorney hours and average cost per case, and to facilitate more holistic representation.

B. Enhance training to support interdisciplinary work through training led by interdisciplinary teams.

B. Provide legal research and writing and other support to all contractors.

B. Disseminate legal research and information including weekly written and podcast case summaries.

C. Develop and foster relationships with other agencies, legal services, stakeholders, and community partners that serve or support our clients.

C. Offer online legal research, including Westlaw, Data Access, and EBSCO (legal and social science research databases) to interdisciplinary defense teams.

C. Explore additional technologies to improve contractor efficiencies.

D. Create partnerships and presence in the communities we serve.

D. Offer training specific to each contractor type.

D. Fraud, Waste, & Abuse Prevention.