



JUDICIAL BRANCH

**OFFICE OF THE
ALTERNATE DEFENSE COUNSEL**

FISCAL YEAR 2024-2025

August 01, 2024

**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. The 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).

2024-25 Performance Management System Schedule

July/ August 2024	Research, Complete, and post the Performance Management System on the Office of the Alternate Defense Counsel website.
September 2024	Review Agency Data/Information, comments, and observations obtained through the fiscal year regarding increased efficiency and lean government tactics.
	Solicit feedback from Agency employees.
October 2024	Review Agency's Core Objectives and Performance Measures and evaluate and amend as needed.
	Prepare Agency's FY25-26 Budget, considering information obtained from the Agency evaluation outlined above.
November 2024	Research, Complete, and post the Performance Report on the Office of the Alternate Defense Counsel website.
November/ December 2024	Presentation to Joint Judiciary as required by HB13-1299, HB14-1032, & SB19-223.
April 2025	Solicit feedback from Agency contractors.
May/ June 2025	Dual-Rating Employee Assessment.
	Conduct a formal performance assessment meeting with each employee.
	Meet with employees to discuss contributions, competencies, goals, and growth opportunities. Finalize employee performance evaluation documents.
	Review Agency's job descriptions to ensure accuracy and revise as necessary.
June 2025	Develop Agency's Performance Plan.
July 2025	Post Agency's Performance Plan

Office of Alternate Defense Counsel - Strategy / Process Map

<p>Mission</p>	<p>The mission of the 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. The agency advocates for every client’s inherent worth and dignity by centering the client’s experiences and voice to achieve the best legal outcome.</p> <p>The OADC is dedicated to zealous, client-centered advocacy rooted in social justice, integrity, and humility. The agency recognizes that it is 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 their offices, and within themselves. 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.</p>		
<p>Goals</p>	<p>I. Promote and strengthen holistic defense representation for OADC clients.</p>	<p>II. Provide superior legal and technological resources and training.</p>	<p>III. Be responsible and effective stewards of financial resources.</p>
<p>Strategies</p>	<p>A. Instill the OADC’s vision for holistic defense into all aspects of the agency’s advocacy.</p>	<p>A. Provide legal research, writing, and other support to all interdisciplinary teams both internally and among contractors.</p>	<p>A. Grow and support holistic defense by providing ancillary services and reducing attorney hours, ultimately aiming to minimize the average cost per case.</p>
	<p>B. Grow, support and normalize interdisciplinary teams both internally and among contractors.</p>	<p>B. Update and maintain the OADC’s eLibrary, subject specific practice manuals, and best practice guides.</p>	<p>B. Maximize the reach of support available to contractors and post-conviction attorneys through broad dissemination of legal research and other information (using tools such as weekly written and podcast case summaries).</p>
	<p>C. Develop and foster relationships with other agencies, legal services, stakeholders, and community partners that serve or support our clients.</p>	<p>C. Offer online legal research, including Westlaw, Data Access, and EBSCO (legal and social science research databases) to support interdisciplinary legal defense internally and among contractors.</p>	<p>C. Continue to explore and utilize additional technologies to improve contractor and agency efficiencies.</p>
	<p>D. Create partnerships and presence in the communities we serve.</p>	<p>D. Promote training led by and in support of interdisciplinary teams internally and among contractors, in addition to offering training specific to each contractor type.</p>	<p>D. Monitor agency finances, adhere to sound protocols, and promote transparency to prevent fraud, waste, and abuse.</p>