



# State of Colorado

## Office of the Alternate Defense Counsel

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### **SMART Act (HB 13-1299) Performance Management System for the Office of the Alternate Defense Counsel.**

#### **Agency Background:**

The United States and Colorado Constitutions provide every accused person with the right to be represented by counsel in criminal prosecutions. U.S. Const., amend. VI; Colo. Const., art. II, §16. This constitutional right has been interpreted to mean that counsel will be provided at state expense for indigent persons 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 indigent persons in criminal and juvenile delinquency cases in which the State Public Defender has a conflict of interest.

#### **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).

**FY 2013-14 Timeline:**

July/ August 2013	- Research, Complete, and post Performance Management System on the Office of the Alternate Defense website.
September 2013	- Review Agency Data/Information, comments, and observations obtained through the fiscal year with regards to increased efficiency and lean government tactics. - Solicit feedback from Agency employees. - Solicit feedback from Agency contracted Attorneys.
October 2013	- Review Agency's job descriptions to ensure accuracy and revise as necessary. - Review Agency's Core Objectives And Performance Measures and evaluate and amend as needed. - Prepare Agency's FY14-15 Budget, taking into consideration information obtained from the Agency evaluation as outlined above.
November/ December 2013	- Present to Joint Committee of Reference as required by HB13-1299.
February 2014	- Employee to complete a self-assessment survey. - Conduct formal performance assessment meeting with each employee. - Meet with employee to discuss contributions, competencies, goals, and growth opportunities. Agree on action plan. Finalize performance evaluation document.
June 2014	- Develop Agency's Performance Plan

**Process Map:**

