



## **SJR 26 – PERFORMANCE MEASUREMENT**

### **BACKGROUND**

The Legislative Finance Committee (LFC) has for the last two interims engaged in a review of selected programs and functions of state agencies with the goal of monitoring performance and working cooperatively with state agencies when necessary to address performance.

The introduction of SJR 26 was intended in some measure to address issues identified from prior work:

- 1) Executive lack of interest in partnering (with willingness to provide data)
- 2) Integration of the interim work with legislative budgeting during the session
- 3) Expansion of participation in the process to more legislators and committees

The LFC selected the Court Help Program in the Judicial Branch to serve as a pilot to help give the legislature the information it needs to determine if and how it may wish to expand the scope of performance measurement activities. The potential value to the legislature in establishing a pilot program that looks at program contribution to state goals includes:

- 1) Developing the means of examining and analyzing functions for effectiveness in a more systematic way
- 2) Gaining legislative and staff expertise
- 3) Paving the way to broader application of the concept to other programs/functions/core mission delivery of the state if desired

The Judicial Branch has agreed to partner with the LFD in identifying the most appropriate and enlightening measurements and ensuring that the measurement information is gathered.

### **LAW AND JUSTICE INTERIM COMMITTEE ASSIGNED AGENCIES**

Below is a list of items included in the SJR 26 or added by the LFC for monitoring by the LFC this interim for agencies under the interim oversight of the Law and Justice Interim Committee (LJIC). The LFC has requested that the LJIC be kept apprised of these items. The items of concern to the LJIC are:

- Judiciary – Court Help Program
- Judiciary – Water Court
- Department of Justice – vehicle insurance verification system
- Department of Justice – MERLIN (the focus will be on Motor Vehicle Division stresses after implementation of MERLIN)
- Department of Corrections – Impacts of additional funding added in the Governor’s amendments to HB 2
- Department of Corrections – Average daily population of secure assisted living beds
- Office of Public Defender – Impacts of additional funding added in the Governor’s amendments to HB 2
- Office of Public Defender – Death penalty costs

In addition to the above items, the LFC requested that staff analyze the differential costs between imposing a sentence of life in prison without the possibility of parole instead of the death penalty for capital-qualified cases. Because limited cost data is available for individuals currently on Montana’s death row, the LFC, at its December 2011 meeting, limited this study to:

- Developing a methodology for developing a costing study for future capital cases
- Summarizing the results of studies conducted by other organizations

- Evaluating the prior work done by the American Civil Liberties Union (ACLU) of Montana to determine if the information the ACLU was unable to obtain is available and if it would be useful to the legislature if it could be obtained and the ACLU study completed

## **SCHEDULE OF REPORTING**

Attached is a schedule of LFC meetings at which the SJR 26 items will be presented. For those interested in viewing the reports presented at the December 5, 2011, LFC meeting please refer to the following links located on the committee's Internet site:

[http://leg.mt.gov/content/Publications/fiscal/interim/financecmty\\_dec2011/SJ26\\_MTIVS%20Fact%20Sheet.pdf](http://leg.mt.gov/content/Publications/fiscal/interim/financecmty_dec2011/SJ26_MTIVS%20Fact%20Sheet.pdf)

[http://leg.mt.gov/content/Publications/fiscal/interim/financecmty\\_dec2011/DeathPenaltyreport.pdf](http://leg.mt.gov/content/Publications/fiscal/interim/financecmty_dec2011/DeathPenaltyreport.pdf)

[http://leg.mt.gov/content/Publications/fiscal/interim/financecmty\\_dec2011/sj26\\_water\\_court\\_adjudication\\_report.pdf](http://leg.mt.gov/content/Publications/fiscal/interim/financecmty_dec2011/sj26_water_court_adjudication_report.pdf)

[http://leg.mt.gov/content/Publications/fiscal/interim/financecmty\\_dec2011/SJ26\\_Court\\_Help.pdf](http://leg.mt.gov/content/Publications/fiscal/interim/financecmty_dec2011/SJ26_Court_Help.pdf)

## **REPORT CONTENT**

The reports listed above contain information under the following headings:

- Issue Statement
- History and Purpose of Program or Item
- Measures for Determining Effectiveness
- Current Status
- Potential Options or Decision Points

Please see the attached report for the Department of Justice vehicle insurance verification system as an example.