Commonwealth of Massachusetts
Committee for Public Counsel Services

Internal Control Plan

March 2025

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PCS Background

The Committee for Public Counsel Services (CPCS) is the Massachusetts state agency responsible for providing legal services to indigent persons in civil and criminal matters where the laws of the Commonwealth or the state or federal constitution mandate that counsel be provided. CPCS was established by statutory authority under Massachusetts General Law, Chapter 211D. The four major substantive practice areas covered by CPCS are (1) criminal defense, (2) juvenile delinquency, (3) mental health, and (4) family regulation. Trial and appellate work are included in each practice area.

CPCS uses a mixed model to provide representation to clients, using both staff attorneys, who are state employees, and private attorneys (referred to as private counsel or private panel attorneys) who are individually certified by CPCS to handle cases in particular practice areas. About 2,700 private counsel handle approximately 80 percent of the cases, while about 400 staff attorneys in 20 offices located throughout the Commonwealth handle the remaining cases.

AGENCY STRUCTURE

The Committee, a 15-member body appointed by the Governor (2), the Speaker of the House of Representatives (2), the President of the Senate (2), and the Massachusetts Supreme Judicial Court (9), operates like a board of directors. The day-to-day operations of the agency are overseen by the Chief Counsel, who is appointed by the Committee and functions as a CEO. The Chief Counsel is assisted by a team of senior managers, which currently include: the Deputy Chief Counsel of the Public Defender Division, the Deputy Chief Counsel of the Private Counsel Division, the Deputy Chief Counsel of the Children and Family Law Division, the Deputy Chief Counsel of the Youth Advocacy Division, the Deputy Chief Counsel of the Mental Health Litigation Division, the General Counsel, the Chief of Administration and Operations, the Chief Financial Officer, the Chief Human Resources Officer, the Chief Information Officer, the Equity and Inclusion Director, and the Communications Director/Special Counsel.

The Agency's legal services are organized into five divisions. The Public Defender Division (PDD) provides representation by staff attorneys to adults in criminal matters; the Private Counsel Division (Private Counsel) is responsible for private counsel representing adults in criminal, sexually dangerous person (SDP), and sexual offender registry (SORB) matters; the Children and Family Law Division (CAFL) provides representation by staff and private counsel to parents and children in family regulation matters; the Youth Advocacy Division (YAD) provides representation by staff and private counsel in juvenile delinquency and youthful offender matters; and the Mental Health Litigation Division provides staff and private counsel to individuals facing civil commitment and in guardianship matters.

Agency functions are supported by the Office of the General Counsel, and three Operations Units: Human Resources; Finance and Facilities; and Information Technology. In addition, an Audit and Oversight Unit is responsible for monitoring private counsel billing and court cost payments to private vendors who provide services to CPCS clients. A 25-person staffed Training Department supports training for all staff and private counsel.

Each staff trial office is headed by an Attorney in Charge (AIC) and includes Social Workers or Social Service Advocates and Administrative Assistants. Larger offices also include Supervising Attorneys. PDD offices include staff investigators. Staff and private counsel regularly hire investigators, social workers, psychologists, psychiatrists, as well as other forensic specialists to support their cases. Private vendor services must generally be approved in advance by court order and are then paid by CPCS.

The Private Counsel, CAFL, YAD, and MHLD Divisions each have a Trial Panel Director to certify, support, and oversee the provision of private counsel trial services. Private counsel case assignments vary by Division. Criminal and juvenile trials as well as most substance use disorder commitment matters assignments are generally handled by county bar advocate programs which contract with CPCS. The bar advocate program expenses (e.g., administrative support, office space, etc.) are funded by CPCS. Most CAFL trial client appointments are made by court clerks from counsel lists provided by CPCS. MHLD trial assignments are generally made by MHLD staff. Staff generally make counsel assignments for appellate, post-conviction, SDP, SORB, Murder, Innocence, Parole, and Grant of Conditional Liberty matters.

Both staff and private counsel are expected to comply with Performance Standards established for each practice area. The Performance Standards are in the Assigned Counsel manual, which is published on the CPCS website, https://www.publiccounsel.net/ppa/

Each Division has one or more units charged with the oversight and support of private counsel representation. These units provide advice and technical assistance to the private bar. They are also charged with investigating complaints regarding assigned counsel. Staff attorneys are supervised by AICs and Supervising Attorneys. Complaints lodged against staff attorneys are investigated by AICs and the Managing Directors who supervise AICs.

AGENCY FUNDING

CPCS is primarily funded by the Commonwealth via legislative appropriations. Currently funds are divided into four-line items:

1. Operations (0321-1500), which covers the vast majority of staff salaries, leases, information technology, and all regular staff operations;
2. Private Bar (0321-1510), for payment of private counsel at hourly rates set by the legislature;
3. Court Costs (0321-1520), for payment of forensic experts, interpreters, etc. at hourly rates set by CPCS; and,
4. Children and Family Legal Representation Trust Fund (0321-1395) in which CPCS receives quarterly Federal Reimbursements under Title IV E, for payment of (i) providing pre-petition representation and diversion advocacy; (ii) increasing the availability and quality of representation statewide, especially in underrepresented communities; (iii) ensuring availability of education advocacy throughout the commonwealth; (iv) improving the quality of advocacy through increased training capacity and performance evaluations; (v) increasing multidisciplinary representation and the use of experts, parent partner programs and specialized advocacy and support units; and (vi) improving and modernizing agency data collection, data reporting and billing systems.

CPCS does not have authority to move funds between line items. Moreover, at the end of each fiscal year, unspent funds in lines 1-3 above must be returned to the Commonwealth's general fund unless legislation is enacted permitting the agency to retain specific funds for the following year.

Some additional agency funding is provided by the Youth Advocacy Foundation, a 501(c)(3) organization primarily dedicated to supporting education advocacy for YAD and CAFL clients, and various small Federal grants supporting the CPCS Innocence Program as well as some other minimal agency functions. The Youth Advocacy Controls are attached hereto as Attachment no. 3.

CPCS INTERNAL CONTROL PLAN

The CPCS Internal Control Plan is presented in compliance with legislation requiring the development and implementation of internal controls for Commonwealth agencies, Chapter 647 of the Acts of 1989, An Act Relative to Improving the Internal Controls within State Agencies, and the requirements of the Office of the State Comptroller (OSC) Internal Control Guide May 2022. The OSC's Internal control Guide's format is based on the Committee of Sponsoring Organizations of the Treadway Commission (COSO) Enterprise Risk Management Integrated Framework guidance and incorporates the Standards for Internal Control in the Federal Government's (known as the Green Book) adaption of COSO's Internal Control — Integrated Framework (2013).

Enterprise Risk Management (ERM) is defined by COSO as "a process, effected by an entity's board of directors, management and other personnel, applied in strategy-setting and across the enterprise, designed to identify potential events that may affect the entity, and manage risk to be within its risk appetite, to provide reasonable assurance regarding the achievement of entity objectives."

The CPCS Internal Control Plan (ICP) complies with OSC's requirement to incorporate the eight components of COSO's ERM Framework:

1. Internal Environment
2. Objective Setting
3. Event Identification
4. Risk Assessment
5. Risk Response (Mitigation)
6. Control Activities
7. Information and Communication
8. Monitoring

CPCS management believes internal controls are fundamental to achieving the mission, goals, and objectives of the agency. Further, internal controls are an integral part of our agency's values and key to successful program and organizational operations. The internal control procedures described in this plan are designed to conform with regulations, policies, and guidelines set forth by agencies such as the Executive Office for Administration and Finance (A&F), Office of the State Comptroller (OSC), the Office of Purchased Services (OSD), and appropriate federal oversight agencies such as the Office of Management and Budget (OMB).

This ICP presents all components of the COSO framework along with relevant principles and points of focus that provide information regarding how CPCS plans to implement and operationalize each component and how CPCS will use this internal control plan as a roadmap to achieving success of departmental goals and objectives. Further, this ICP includes the Office of the Comptroller's (CTR) guidance on processes and operations to properly manage, record, and account for fiscal compliance. Additionally, the CTR guidance contains the 15 sections included in the Interal Control Certification (ICC). CTR policies, job aids, checklists, and training materials are utilized or incorporated within CPCS departmental policies and procedures or internal control plan. In addition, CPCS utilizes CTR Statewide Learning for courses related to internal control activities.

CPCS reviews their internal control plan annually and updates the plan based on changes in goals, objectives, program services, organizational structure, and risk assessment. The CPCS management team determined goals and objectives for fiscal year 2025 and have incorporated these intentions within this document. CPCS continues to work toward completion of these ambitious goals through proactive efforts along with mitigation of potential risks.

On an annual basis, CPCS completes the Internal Control Certification (ICC) to affirm that daily operations are managed using a system of written internal controls, with active training and monitoring. CPCS' system of internal controls is in place to achieve its mission and ensure compliance with (CTR) published guidance, and prevent fraud, waste, and abuse of Commonwealth resources.

1. CPCS INTERNAL ENVIRONMENT

COMMITMENT TO INTEGRITY AND ETHICAL VALUES

Message from the Chief Counsel

I am pleased to present this document of risk assessment and internal controls for CPCS. I wholeheartedly support the design, implementation, and operation of the agency's internal control system. It reflects the agency's Strategic Plan and the Senior Management Team's commitment to the statements in this plan and to accomplishing the goals. This requires reaching timely consensus for decisions and comprehensive monitoring of the outcomes. The Internal Control Plan will be used as a guide throughout the agency. The pertinent sections appear on the CPCS intranet and are available to all CPCS managers and directors. All are expected to be in compliance with this plan.

CPCS Mission Statement

We fight for equal justice and human dignity by supporting our clients in achieving their legal and life goals. We zealously advocate for the rights of individuals and promote just public policy to protect the rights of all.

Pillars

- *Client-Centered Advocacy* – We champion the rights and zealously advocate to achieve the stated objectives of our clients throughout the justice process in a way that helps them achieve their goals.
- *Inclusiveness* – We embrace diversity and collaboration throughout and within our agency and client communities.
- *Living Our Values*

Values:

- *Courage*
- *Accountability*
- *Respect*
- *Excellence*

The Chief Counsel and the Senior Management Team developed CPCS's mission and values. The mission and values statements were shared with 3,500 staff and private counsel.

Integrity and Ethics in the Workplace

CPCS is committed to the highest principles of integrity and ethics in all aspects of the delivery of its services. Any behavior which violates this commitment or compromises the Committee's reputation shall be subject to disciplinary action, including immediate termination, in circumstances where the Committee deems such an action appropriate.

Standards of Conduct and Adherence to these Standards

CPCS has established standards of conduct which communicate the agency's expectations regarding integrity and ethical values. These standards of conduct present management's philosophy and expectations regarding attitudes and behaviors in the work environment. Our standards of conduct and ethical values policies follow guidelines in M.G.L. c. 268A (refer to website: https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter268A). CPCS Senior Management Team communicates standards of conduct multiple ways including, written policies and procedures, new personnel orientation, regular staff meetings, trainings, personnel evaluation processes, and publications on the agency's intranet.

The following materials include guidelines for standards of conduct and ethics for employees, private panel attorneys, and vendors:

- CPCS Personnel Policies Manual at: Personnel-Policies-Manual-2018-05-21.pdf
- CPCS Court Cost Vendor Manual at: https://www.publiccounsel.net/cfo/court-cost-billing/
- Agenda for New Public Defender Employee Orientation (Attachment 4)
- CPCS Pillars and Values Presentation (Attachment 5)
- CPCS Assigned Counsel Manual at: https://www.publiccounsel.net/ppa/

CPCS management evaluates the agency's adherence to standards of conduct through various personnel related activities such as client and employee interactions, personnel in the workplace interactions, employee evaluations, monitoring of work, review of quality of work, etc. Human Resources, the General Counsel, and the Chief of Admnistration and Operations review personnel and private panel attorney policies and procedures on an ongoing basis regarding changes to standards of conduct that are deemed necessary.

EXERCISE OVERSIGHT RESPONSIBILITIES

The Chief Counsel, appointed by the Committee and assisted by the Senior Management Team, is responsible for the day-to-day operations of the agency. All delegation of authority originates with the Chief Counsel. The organization chart is in the appendices.

Oversight for internal control system

The Chief of Administration and Operations(CAO) is responsible for ensuring that the Risk Assessment is conducted annually and that the Internal Control Plan (ICP) is reviewed and updated annually.

- Tere Ramos, Chief of Administration and Operations
  ramost@publiccounsel.net

The Chief Financial Officer (CFO) oversees all funds and compliance with the Internal Control Plan. If any staff has questions or comments regarding the plan, they should contact the CFO.

- Kevin Lucchetti, Chief Financial Officer
  617-910-5706
  Klucchetti@publiccounsel.net

ESTABLISH STRUCTURE, AUTHORITY, AND RESPONSIBILITY

Organizational structure

The Committee for Public Counsel Services is comprised of four core departments which operationalize the mission, values, and goals of the organization. These areas are:

1. Agency-wide Legal Divisions;
2. Finance & Facilities;
3. Human Resources Department; and
4. Information and Technology

The departments' directors and staff play an integral role in facilitating this internal control plan (ICP) in accordance with policies, procedures, and processes. The directors of these departments are part of the management team who sets forth the strategies and goals for fiscal year 2025.

Assignment of responsibility and delegation of authority

The Chief Counsel is the Agency Head of the Committee for Public Counsel Services. Under the Chief Counsel's leadership authority is delegated for proper operation of the agency, including determining goals and objectives, department specific work activities, and internal control activities such as segregation of duties, policies and procedures development, and monitoring. This internal control plan includes, in the attachments section, some letters of authority delegation which are specific to certain work functions.

Documentation of the internal control system

CPCS policies and procedures are the control activities for the internal control plan. They are reviewed and modified as changes to policies, procedures, and/or processes are determined. Everyone in the organization is responsible to be knowledgeable regarding policies, procedures, and processes that impact their day-to-today work and to ensure that related internal controls operate effectively. CPCS is committed to maintaining an effective internal control system. The annual review and update of the Internal Control Plan is an important component of CPCS's overall internal control structure. Further, documenting the internal control plan and departmental policies, procedures, and processes is critical to an effective system of internal control. Employees and stakeholders must have access to these documents, understand them, and actively participate in executing actions under these guidelines.

DEMONSTRATE COMMITMENT TO COMPETENCE

Expectation of competence

CPCS is committed to ensuring the competency of its staff. CPCS management expects each department within the organization to provide the tools that employees and contractors need to competently perform functions and activities that are expected in completing day-to-day work activities. Further, our goal is to foster an environment of learning and growth where employees and contractors are skilled and can fulfill their responsibilities with excellence in serving our clients or performing operations. Some of the tools used in working with staff and contractors include the following:

- Detailed job descriptions
- Detailed contract requirements and obligations
- Education and Training
- Written policies, procedures, and processes
- Performance measures
- Evaluations

CPCS expects its entire staff and contractors to conduct themselves in an ethical and professional manner throughout the performance of their duties.

Recruitment, development, and retention of individuals

CPCS believes our employees and private panel attorney partners are critical to the achievement of this agency's mission. CPCS is committed to the recruitment, development, and retention of highly talented and skilled personnel resources, who are equipped with this agency's support to serve our clients. All the core units within CPCS work towards developing and training personnel. Each department manages operations utilizing policies and procedures, and other training tools to direct work activities, provide consistency, foster quality of work performance, and ensure internal controls are being followed. In addition to the core departments, CPCS has a Training Department which reports to the Chief of Administration and Operations and is responsible for providing Legal Training for all staff and the private panel attorneys. The Training Department includes a Training Chief, Criminal, CAFL, YAD and MHLD practice area groups, a Forensic Services group, and a Anti-bias Lawyering Lead. The Directors of the Training Department develop a work plan for each fiscal year that includes the training strategies for all staff and private panel attorneys. An example of training topics for the fiscal year 2025 include:

- Criminal Defense
- Mental Health
- Youth and Delinquency
- Mock Hearings
- Racial Equity
- Holistic Defense
- Wellness
- Defending Emerging Adults
- Trial Skills
- Employment Law
- Management Trainings

In 2025, a Learning and Development trainer was hired in HR to develop trainings focused on development of supervisors and managers skills. They will also augment current compliance training for anti-discrimination programs.

ENFORCEMENT OF ACCOUNTABILITY

CPCS, as an agency, holds its management team, employees, and private panel attorneys accountable to the mission, values, and ethics, expected work performance, standards, policies, and procedures of the organization. Some of the mechanisms used to hold personnel accountable include direct communication, meetings, performance evaluations, positive motivation, and, when necessary, disciplinary actions.

As it relates to financial internal control, the Audit and Oversight Unit is responsible for monitoring the billings of attorneys and court vendors who provide services to our clients. The Unit reviews bills to ensure that services were provided to clients, bills are reasonable, and that the attorney/vendor maintains adequate billing records and files in compliance with CPCS policy. These activities are presented in further detail in the monitoring section of this internal control plan.

2. OBJECTIVE SETTING

DEFINE STRATEGIC GOALS, OBJECTIVES, RISK APPETITE AND RISK TOLERANCES

Definitions of strategic goals, and objectives

CPCS' core mission is to provide legal services to indigent persons in civil and criminal matters. Further, CPCS' mission is to advocate for the rights of individuals and promote just public policy to protect the rights of all. CPCS' strategic goals describe what we desire to achieve and align with our mission. Since our service model in providing representation to clients is based on using staff attorneys and private attorneys our goals and objectives include both operations (within the agency) functions and non-operations (private or outside of the agency) functions. Our Senior Management Team meets annually to discuss mission strategies, define goals, and determine objectives to achieve our goals and priorities. Our decisions are informed by legislative mandates, our Senior Management Team's work experiences over the past year, and their resulting priorities, andCPCS' organization-wide risk assessment.

The goals and objectives that have been determined for the fiscal year 2025 are as follows:

1. **Risk: The inadequate number of counsel across the Commonwealth may affect the ability of CPCS to meet caseload needs.**

   Goal 1: Increase the number of counsel to meet caseload needs.

   A. **Mitigation 1:** Continue to support our Private Attorney Outreach Partners in their work **to** increase our capacity to attract attorneys to CPCS practice.

   B. **Mitigation 2:** Pursue the creation of law school clinics focused on Family Regulation and Mental Health Commitment cases to foster a pipeline of new attorneys.

   C. **Mitigation 3:** Continue to support the Zealous Advocacy course being taught at various law schools and create bridges to keep the connection going between CPCS and the students after the course concludes.

   D. **Mitigation 4:** Pursue funding to create a regional Cross Practice Area Office in Western Massachusetts to expand staff case taking capacity.

   E. **Mitigation 5:** Engage a consultant to work with staff to redesign the CPCS website.

2. **Risk: The lack of a diverse and inclusive workforce may affect agency culture and climate and human resources.**

   Goal 2: Ensure CPCS has a diverse and inclusive workforce and improve retention of workforce.

   A. **Mitigation 1**: Engage and work with the National Association of Public Denders to do a Race Equity Assessment of the agency's current diversity and inclusion work which will also include additional anti-racism training to staff and managers.

   B. **Mitigation 2:** Develop and implement a more robust internship program.

   C. **Mitigation 3**: Develop and deliver mandatory microaggression training to the entire agency on a regular basis.

3. **Risk: The lack of properly written documentation may result in inadequate policies and procedures across agency departments and units.**

   Goal 3: Enhance agency departments written documentation of policies and procedures.

   A. **Mitigation:** Finance will draft written policies and procedures for 1) Monthly p-card purchase validation(s), 2) Bank Deposit \ Cash Receipt and 3) DocuShare password resets and user management.
   B. **Mitigation:** Place agency policies and procedures in an easily accessabile location.

4. **Risk: The agency does not have an IT Disaster Recovery Plan in place, which may result in loss of operations.**

   Goal 5: Ensure CPCS operations are prepared to handle potential IT interruptions or disasters.

   A. **Mitigation 1:** IT will develop the Disaster Recovery Plan.

5. **Risk: Agency staff are not adequately trained on the case management system, Zelly, which may affect agency operations and efficiencies.**

   Goal 6: Enhance training on Zelly case management system.

   A. **Mitigation 1:** Create and deliver at least one Zelly training program for counsel and administrative support staff for each division in 2025.

   B. **Mitigation 2:** The Training Department will support the creation of access to Zelly training videos in Talent LMS.

6. **Risk: The case management system, Zelly, has inadequate data and reporting abilities, which may affect the ability of staff to fully support their casework.**

   Goal 7: Enhance Zelly case management system data and reporting abilities.

   A. **Mitigation 1:** A multi-practice group will continue to advise IT on desired data and reporting abilities.

   B. **Mitigation 2:** IT will explore opportunities for managers to run Zelly reports directly, without need of IT assistance.

7. **Risk: The annual training plan is not shared with staff, which may limit the ability of staff to enhance their performance.**

   Goal 8: **Share annual training plan with employees.**

   A. **Mitigation 1:** The Training Department Directors will share their annual training plan with their divisions and Training will continue to share its course catelog with the agency.

   B. **Mitigation 2:** HR, will create training plans for: 1) New Employees, 2) New Supervisors, 3) New Managers and share the plans with the agency.

8. **Risk: The frequency and consistency of communication from senior leadership may affect the culture and climate of the agency and staff understanding of mission-critical information.**

   Goal 9: **Enhance communication between CPCS senior leadership and staff.**

   A. **Mitigation 1:** CPCS will conduct at least 2 Town Halls for staff.

   B. **Mitigation 2:** Each Deputy will conduct at least two Town Halls annually for their Division.

   C. **Mitigation 3:** The Chief Counsel will visit at least 10 offices in person.

   D. **Mitigation 4:** Each Deputy with fewer than 10 offices will make at least one in person office visit to each of their offices, and each Deputy with more than 10 offices will make at least 10 in person office visits.

9. **Risk: Agency training does not adequately integrate and present CPCS culture and values, which may affect the agency culture and climate.**

   Goal 10: Implement a consistent hybrid work model that fosters and sustains agency culture & values and establish an office assignment protocol based on the model.

   A. Mittigation 1: Create a clear and concise hybrid work policy and publish throughout he agency.
   B. Mitigation 2: Determine the future of workspace at CPC and publish expectations around office assignments along with the hybrid work policy.

10. **Risk: Staff communication and training lack adequate presentation of CPCS efforts to reduce racial and ethnic disparities in litigation, education, and policy advocacy, which may affect the agency culture and climate.**

    Goal 11: Maintain and communicate efforts to reduce racial and ethnic disparities in litigation, education, and policy advocacy.

    A. **Mitigation 1:** Engage in a Race Equity Assessment to assess our current DEI and anti-racism work.

    B. **Mitigation 2:** Hire a Lead Trainer who will focus on how to litigate against racial and other bias.

    C. **Mitigation 3**: Continue the Why Race Matters series in 2025.

11. **Risk: There is not an adequate number of internal administrative staff to meet the workload expectations.**

    Goal 8: Increase the number of internal administrative staff to meet the workload expectations and/or evaluate processes to enhance efficiency.

    A. **Mitigation 1:** Evaluate administrative staffing levels to workload expectations.

    B. **Mitigation 2:** Evaluate processes to identify opportunities to improve efficiency through advance technologies or process changes.

    C. **Mitigation 3:** Consider whether a Director of Office Support staff is necessary to complete 1 and 2.

12. **Risk: Policies and procedures are not equitable between units and/or positions (i.e., remote work, work schedules, access to resources etc.) which may affect agency culture and climate and human resources.**

    Goal 8: **Assess differences in policies and procedures between units and determine if changes are necessary.**

    See mitigation for Risk no. 9 above.

Definition of risk appetite and risk tolerance

In managing risk, there is a balance between operating within the confines of human resources and information systems, and the acceptable variation in performance achievement, all while striving to achieve the mission of providing legal services to indigent persons in civil and criminal matters. CPCS determination of risk appetite and risk tolerance is presented in the risk assessment section of this internal control plan below.

3. EVENT IDENTIFICATION

IDENTIFY RISKS

The CPCS Senior Management Team meets annually to reflect on the agency's successes and challenges over the past year and to discuss strategies for the coming year. The Senior Management Team functions include risk management with a multi-faceted strategy comprised of proactive actions designed with a focus of anticipating where legal and operational activities may not occur as planned. This approach to manage risk is intended to reduce uncertainty to a tolerable level.

CPCS risk management strategies employ many activities in the forms of human actions, systems processing, and manual tools (such as policies and procedures) to reduce negative risk and promote the achievement of the organization's mission, goals, and objectives.

Over the past couple of years, since the prior internal control plan was developed and implemented, CPCS experienced the COVID-19 pandemic. CPCS normal business operations were interrupted and a new way to conduct business needed to be determined. During that period operational risks were identified, and new procedures were created and implemented to ensure the continuity of CPCS services to their clients. Through this process risks were defined as:

- The possibility that an event will occur and adversely affect the achievement of the agency, unit, or team objectives;
- Current processes or procedures contain inherent risks where errors or omissions in the data may occur due to a factor other than a failure of internal control;

- Processes and procedures are not completely defined in a document and have changed over time through employee experience; and
- Where there is heavy reliance on systems functionality and no backup (other systems or manual) established.

CPCS wanted to generate an agency-wide risk assessment to better understand the operating environment and where its greatest vulnerabilities and challenges lie with the goal of developing a comprehensive Internal Control Plan. To accomplish this, CPCS engaged Public Consulting Group (PCG) to pursue this initiative with a focus on key operations and non-operations factors throughout the organization. The method used was to review current CPCS fiscal and program policies and procedures (including internal controls), accounting system functions for processing vendor payments, and prior audits. In addition, PCG obtained feedback from over 125 CPCS respondents who completed either the Operations Survey or Non-Operations Survey and held six live/virtual interviews with over 30 cross-agency stakeholders. The development and implementation of this year's risk assessment took place from July through October 2024. The agency-wide risk assessment was designed with the ability to be repeated annually and to become an ongoing component of the goals and objectives development process. The risk assessment survey questions were reviewed and updated for this year's risk assessment process. Information pertaining to the risk assessment study and analysis can be learned by reading "Risk Assessment and Analysis" report.

Fraud risk factors and types

CPCS understands that fraud activities are primarily caused by people; although, failures in systems, policies, procedures, or controls may provide an opportunity for fraudulent actions. CPCS seeks to understand the motivations and rationalizations of people who perpetrate fraud and is familiar with tools and resources offered by the Association of Government Accountant, such as, the Fraud Prevention Tool (refer to : https://www.agacgfm.org/Resources/intergov/FraudPrevention.aspx).

CPCS understands that fraud risk factors are comprised of person motivations such as incentive or pressure, an opportunity to commit fraud, and/or an attitude to commit a dishonest act or rationalizing their actions and behavior.

Generally, fraud can be committed to benefit an individual(s) or on behalf of the department. Examples of individual fraud include: asset misappropriation, skimming, payroll fraud, expense reimbursement fraud, and disbursement fraud. Examples of departmental fraud actions include: misrepresentation of information, tax evasion, bribery, illegal political contributions, and payoffs to government officials.

CPCS has established many actions to address fraud risks and types, and there is extensive focus on financial risk and accounting internal controls. CPCS audit and review activities include both a targeted risk base approach and random sampling. CPCS Audit and Oversight Unit gathers data from financial, billing, and caseload statistics and performs analysis of the information to identify areas of concern. Various internal controls activities designed to reduce or mitigate both inherent and fraud risk are presented in the control and monitoring activities sections of this internal control plan.

4. RISK ASSESSMENT

The CPCS approach to risk identification and assessment includes administering an organization-wide risk assessment process which is used to determine goals and objectives.

CPCS Senior Management Team reviews and analyzes the outcome of the organization-wide risk assessment to identify where there are opportunities for improvement or threats to achieving the agency's mission, goals, and/or objectives. The risk assessment outcome provides key information about positive and negative impacts of potential events, the significance of the potential event, and the probability of the occurrence. The results are examined for probability and impact. The Senior Management Team uses this information to inform strategies, goals, and objectives for the coming fiscal year.

This risk assessment process is an integral part of the CPCS comprehensive internal control plan. This organization-wide assessment is intended to determine significant risk across core functional areas of the agency. These functional areas include:

- Operation Areas
  - General Department Operations
  - Human Resources
  - Information Technology
  - Financial Operations
  - Procurement and Contract Management
  - Asset Management
  - Culture and Climate
- Non-Operation Areas
  - General Non-Operations
  - Staffing and Caseloads
  - Case Management
  - Training
  - Culture and Climate

ASSESS RISKS

Two risk assessment instruments were created to survey the Operations and Non-Operations areas of the CPCS organization. Both surveys were distributed via the online tool "Microsoft Forms." Participants' survey responses were anonymous and confidential. The software tool provides the capability to compile and aggregate information, delivering statistics of responses for each question. The resulting statistics were examined and assigned a risk level using the following risk analysis framework:

- Categorization and hierarchy of probability and impact of occurrence
- Risk Rating Score
- Risk Level Assignment

Each component of the process in assigning a risk level to the survey questions is explained below.

Analyze risks

Categorization and hierarchy of probability and impact of occurrence

Risk analysis is an analysis of risk by two primary dimensions of risk: probability and impact. Analysis of probability and impact provides a framework that agencies can use to determine which identified risks need a higher level of attention and/or mitigation.

Probability is an assessment of the likelihood of an occurrence of risk and is rated on the following scale:

3	High probability of occurrence
2	Medium probability of occurrence
1	Low probability of occurrence

Impact is an estimate of the overall scale of the impact following an occurrence of each risk and is rated on the following scale:

3	Major Impact	Threatens the success of the agency.
2	Moderate Impact	Agency disruptions with manageable impacts.
1	Minor Impact	Agency disruption negligible.

Risk Rating Score

The next step in the risk analysis process was the determination of our risk appetite and risk tolerance relative to organizational mission, strategies, goals, and objectives. CPCS collaborated with PCG to understand and align the risk we are willing to accept with the desire to achieve operational goals and objectives in pursuit of serving our clients. The approach was to assign a probability and impact value to the survey questions. To assign these values, a scale was created and assigned to each risk level based on CPCS acceptable risk tolerance. CPCS Senior Management Team will annually review the rating scale and adjust the scoring based on the current organization and business environment along with changes to our risk appetite and tolerance.

The following table presents the probability and impact scoring scale:

Risk Assessment Rating	Risk Score	Risk Tolerance
Probability		**Range for Undesirable Response**
Low Probability	1	0%-15%
Medium Probability	2	15.1%-30%
High Probability	3	>30.1%
Impact		
Minor Impact	1	0%-15%
Moderate Impact	2	15.1%-60%
Major Impact	3	>60.1%
Risk Ratings Outcomes	**Risk Level**	**Risk Ratings Score**
Low Probability + Minor Impact	Insignificant Risk	1
Medium Probability + Minor Impact	Low Impact	2
High Probability + Minor Impact	Medium Impact	3
Low Probability + Moderate Impact	Low Impact	2
Medium Probability + Moderate Impact	Medium Impact	3
High Probability + Moderate Impact	High Impact	6
Low Probability + Major Impact	Medium Impact	3
Medium Probability + Major Impact	High Impact	6
High Probability + Major Impact	**Extreme Risk**	9

Risk Level Assignment

A risk level matrix helps agencies assess and prioritize risks. The matrix, which includes both probability and impact, allows leaders to plot both the probability and impact of each identified risk on a scale that is easily understood. The following matrix was used along with the scoring scale (presented above) to determine and assign a risk level to survey questions.

Risk Matrix	**Impact**		
Probability	**1 – Minor**	**2 – Moderate**	**3 – Major**
3 – High Probability	**Medium Risk**	**High Risk**	**Extreme Risk**
2 – Medium Probability	**Low Risk**	**Medium Risk**	**High Risk**
1 – Low Probability	**Insignificant Risk**	**Low Risk**	**Medium Risk**

Once the risk analysis process is complete, rate levels can be ordered and prioritized based on the highest rating(s) that represent the more significant levels of risk that comprise the greatest concern(s). The resulting information is a comprehensive portfolio, ready for examination by the Senior Management Team, to formulate the risk response which in turn serves to develop the agency's goals and objectives.

5. RISK RESPONSE

The final step in this risk assessment process is to review the comprehensive portfolio of questions that bear higher risk levels in accordance with each CPCS functional area presented in the risk response category chart. The importance of the probability and impact within each functional area is considered in identifying which risks to prioritize and what goals and objectives should be established for the coming year.

RISK RESPONSE CATEGORIES

The risk types identified are key to the achievement of CPCS's mission and goals. As part of the risk assessment process, the probability of risk is assigned for each key area. Along with the risk probability is the impact, or extent of effect on CPCS, because of the risk occurrence. The risk classification is broken into two sections: Operations Risks and Non-Operations Risks.

Operations Risks

Risk Type	**Risk Probability**	**Risk Impact**
CPCS General Department Operating Risk	Inability to meet CPCS departmental mission, goals, objectives, or strategies due to: • Ineffective demonstration of integrity or ethical values	• Damage to CPCS Reputation • Inability to provide quality services to clients

	• Employees and stakeholders lack understanding of CPCS mission, goals, objectives, or strategies • Ineffective or inefficient policies and procedures • Insufficient training programs on policies and procedures • Insufficient written job descriptions or job-related processes and procedures	• Non-compliance with State or Federal Regulations
Human Resources Risk	• Insufficient or ineffective HR policies and procedures • Inconsistent HR hiring, evaluation, or termination practices • Insufficient or ineffective HR employee training practices • Inconsistent or ineffective HR payroll practices	• Employee dissatisfaction • Employee turnover • Increased cost attributed to employee recruiting and retention • Employee non-compliance with CPCS, State, or Federal requirements
Information Technology Risk	• Technology systems do not effectively support the current and future needs of the agency • Ineffective or insufficient IT policies and procedures • Insufficient IT training programs on system(s) use, or policies and procedures • Inadequate backups of operating system, critical data, or key software programs • Inadequate system(s) security measures • Employees or stakeholders have insufficient system(s) access • Ineffective or insufficient IT system(s) disaster, disaster recovery, or continuity plan	• Employees lack the ability to perform their jobs • Inaccuracies in data processing • Potential Financial loss • Security concerns • Operational impacts • Non-compliance with State or Federal Regulations • Inability to provide quality services to clients
Financial Operations Risk	• Inadequate, ineffective, or non-relevant accounting policies, procedures, or processes • Insufficient or ineffective financial operations internal controls • Insufficient accounting practices, processes, or procedures training	• Non-compliance with State or Federal Regulations • Potential Financial loss • Inaccuracies and errors in financial data processing and reporting
Procurement and Contract Management Risk	• Inadequate, ineffective, or non-relevant procurement or purchasing policies, procedures, or processes • Insufficient or ineffective procurement or purchasing internal controls • Insufficient supervisory approvals on purchasing documents	• Potential fraud, waste, and abuse • Potential Financial loss • Vendor issues • Non-compliance with State or Federal Regulations

Asset Management Risk	• Inadequate, ineffective, or non-relevant asset management policies, procedures, or processes • Insufficient or ineffective asset management purchasing internal controls • Insufficient asset management system(s) security features • Insufficient facility space to accommodate work operations	• Potential fraud, waste, and abuse • Potential Financial loss • Security concerns • Non-compliance with State or Federal Regulations
Culture and Climate Risk	• Inadequate priority of Pillars or CARE values in daily operations • Inadequate or ineffective communication of CARE values or Pillars • Inadequate or ineffective communication of changes in policies, procedures, or other organizational matters • Inadequate or ineffective communication between supervisor and employee • Inequitable job-related policies and procedures	• CPCS Agency reputation • Employee dissatisfaction • Employee turnover • Increased cost attributed to employee recruiting and retention • Employee non-compliance with CPCS, State, or Federal requirements

Non-Operations Risks

Risk Type	Risk Probability	Risk Impact
Staffing and Caseloads Risk	Inability to meet CPCS departmental mission, goals, objectives, or strategies due to: • Inadequate number of internal staff attorneys to meet workload expectations • Inadequate number of private bar attorneys to meet workload expectations • Inadequate number of internal administrative staff to meet workload expectations • Ineffective or insufficient caseload policies and procedures • Inadequate systems capabilities to track caseloads, active cases, or closed cases assigned to staff attorney • Inadequate systems capabilities to track caseloads, active cases, or closed cases assigned to private bar attorney • Insufficient attorney contract compliance monitoring	• Inability to provide quality services to clients • Private Panel Attorney dissatisfaction • Staff Attorney dissatisfaction • Attorney turnover • Increased cost attributed to Attorney recruiting and retention • Non-compliance with State and Federal requirements

Case Management Risk	• Insufficient or inadequate case management system or reporting capabilities • Insufficient or ineffective case management policies and procedures • Insufficient or inadequate training in case management system • Inaccurate information housed in case management system • Insufficient ability to share case management information across units or stakeholders	• Inability to provide quality services to clients • Non-compliance with State and Federal requirements
Training Risk	• Ineffective or insufficient training policies and procedures • Insufficient or ineffective training modules accessed via systems or remote training • Inadequate in-person training • Insufficient professional development opportunities • Insufficient communication regarding training expectations	• Inability to provide quality services to clients • Private Panel Attorney dissatisfaction • Staff Attorney dissatisfaction • Increased cost for additional training • Financial loss from inaccurate invoices/billings
Culture and Climate Risk	• Inadequate priority of Pillars or CARE values in daily operations • Inadequate or ineffective communication of CARE values or Pillars • Inadequate or ineffective communication of changes in policies, procedures, or other organizational matters • Inadequate or ineffective communication between supervisor and employee • Inequitable job-related policies and procedures	• CPCS Agency reputation • Employee dissatisfaction • Employee turnover • Increased cost attributed to employee recruiting and retention • Inhibited ability to contract with private attorneys; therefore, reducing ability to serve clients • Employee non-compliance with CPCS, State, or Federal requirements

Response to fraud risks

During the risk assessment, analysis, and response process any identified risks that pose a potential element of fraud will be rated at a high level and considered a priority in setting goals and objectives. Approaches to reduce or mitigate any potential fraud risk will be developed and will become a part of the ongoing control and monitoring activities.

In summary, the result of the methodologies and actions taken place that have been described and presented in Sections 3, 4, and 5 of this internal control plan establishes the goals and objectives presented in Section 2, above.

6. CONTROL ACTIVITIES

DESIGN CONTROL ACTIVITIES

Response to objectives and risks

CPCS, as an organization, implements many various control activities to ensure our mission and goals are met, to ensure operations function as intended, within prescribed policies and procedures, and to reduce the risk of not being able to achieve objectives. Our control activities provide the foundation of an effective internal control system.

The control activities described in this internal control plan address multiple control measures:

- Objective potential risk control measure
- Day-to-day departmental operations control activities
  - Finance and Facilities
  - Information Technology
  - Human Resources

Objective potential risk control measure

Each goal and subsequent objective include a potential risk of an event or action that could potentially prevent the achievement of the objective. Each potential risk has been evaluated to identify what internal control(s) can be used to mitigate the adverse event from occurring.

Day-to-day departmental operations control activities

Each department uses policies to outline key activities and provide guidance on decision making and how to handle responsibilities or troubleshoot issues. Further, procedures are constructed to assist with the actions necessary to carry out the policy. Control activities are an integral component of these policies and procedures and are critical to the success of the department's goals and objectives.

Design of the appropriate types of control activities

CPCS control activities are comprised of both preventive and detective controls. Further, defined control activities include manual and automated measures. Examples of types of control activities that are established in policies and procedures or occur in daily operations include the following:

- Personnel orientations and trainings
- Management and supervisory reviews of performance
- Functional or activity level reviews by management
- Information technology systems automated controls
- Financial activities segregation of duties
- Accounts payable transaction review
- Private attorney invoice review

Design of control activities at various levels

CPCS has many control activities that occur at various levels within the organization. Each department sets control activities in accordance with their objectives. Some control activities may occur at the entity-level, while other control activities occur at the transaction-level. For example, personnel performance review control activities occur at the entity-level; while invoice payment control activities occur at the transaction-level. Reviewing the CPCS department policies, procedures, and other documents are key to understanding the control activities that take place within the organization.

The following chart presents various control activities that take place in the accounting department.

CPCS Unit Responsible	Risk Mitigation Activity	Description of Actions
Accounting Unit	EBill system processing quality assurance Automated System Controls	• Internal program runs a series of checks ensuring that: o Charges are within CPCS scope o Attorneys are within caseload limits o Attorneys are certified for type of case o Attorneys have current insurance information on file o Attorneys are not suspended o Assignment is current o MMARS system edits ensure there is an approved vendor, an encumbrance, and an allotment prior to processing the payment
Accounting Unit	EBills received after required deadlines	• The payment amount is automatically reduced by 10% or not paid
Accounting Unit	VBills Automated System Controls	• Internal program runs a series of checks ensuring that: o Only expert vendors who have been "qualified" to provide a specific service by CPCS are paid o Vendors are paid only up to the amount allowed by the approved court motion(s) or CPCS policy
Accounting Unit	Mitigation of potential risks for vendors and payments – Core activities described in Internal Control Plan	• Internal program runs a series of checks ensuring: o Adequate funding for agency constitutional mandate o Adequate training of staff o Business continuity o Against vendor fraud for traditional AP bills o Against external fraud of E-bill or V-bill o Against court cost vendor fraud o Against internal fraud by employees
MA Comptroller of the Commonwealth	Internal Control Questionnaire	• CPCS Department Head and Internal Control Officer/CFO administer ICQ to appropriate CPCS staff for completion • Specific ICQ questions are assigned to various CPCS units for completion • CPCS management reviews ICQ results to evaluate risk and determine follow up actions

Segregation of duties

CPCS has developed policies and procedures to address control activities pertaining to authority, custody, and accounting of operations. Some of the control activities require key duties to be separated and the functions performed by different people in an effort to reduce the risk of error, misuse, or fraud. Other control activities may include additional review, approval of work, or employee cross-training.

The following departments have policies and procedures that specifically address segregation of duties:

- Finance and Accounting
    - Accounting
    - Federal Grants Management
    - Procurement
    - Accounts Payable
- Information Technology
- Human Resources
    - Payroll System
- Audit and Oversight
- Facilities Management
    - Fixed Assets
- Records Administrator

DESIGN ACTIVITIES FOR THE INFORMATION SYSTEM

Design of the entity's information system

An information system is the people, processes, data, and technology that management organizes to obtain, communicate, or dispose of information. An information system represents the life cycle of information used for the entity's operational processes that enables the entity to obtain, store, and process quality information.[1]

CPCS, as an organization, is aligned with the Internal Control guide's definition of what makes up an entity's information system. CPCS information technology systems are designed to facilitate day-to-day operations and to meet the organization's goals and objectives.

Design of appropriate types of control activities

Specific IT policies have been created with the goal of establishing control activities that will:

- Define uniform procedures to manage employee security access for Commonwealth and CPCS systems,
- Ensure employees receive approved access in a timely manner,
- Ensure resources of CPCS are managed properly, and
- Restrict access to only those employees who require access.

At least two CPCS managers review security requests in the agency; the employee's division/department head or designee, and the Security Officer/Deputy.

Approval of transactions in systems, as well as CPCS E-bill and V-bill systems that transfer data to the Commonwealth, serve as an affidavit from the Department Head to the Comptroller's Office, Human Resources Division, Group Insurance Commission and Executive Office of Technology Services and Security that:

- Transactions and their supporting documents are accurate and complete,
- The obligation, expenditure or other action is supported by sufficient legislatively authorized funds, and
- The obligation, expenditure or other action is made in accordance with the Department's legislative mandates and funding authority, and complies with all applicable laws, regulations, policies and procedures.

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[1] MA Office of the Comptroller, Internal Control Guide, CTR Statewide Risk Assessment, 11. Design Activities for the Information System

Design of information technology

CPCS utilizes information systems that are part of the Commonwealth Systems and are CPCS department specific. CPCS departmental policies and procedures, along with control activities, support the completeness, accuracy, and validity of information processed by information technology.

Commonwealth Systems used by CPCS include:

- CIW: The Commonwealth Information Warehouse provides access to financial, labor cost management, time and attendance, human resources and payroll data.
- HR/CMS: The Human Resource/Compensation Management System supports time and attendance, human resources and payroll.
- InTempo: The on-line MASS IT security system through which the Security Officer/Deputy and Security Administrators request access to the enterprise systems.
- MMARS/LCM: The Massachusetts Management Accounting and Reporting System, including the Labor Cost Management sub-system, supports the financial functions performed by Commonwealth Departments.
- D3/PICK Payments Database: This system sends payment data to the Commonwealth financial system; therefore, the Security Officer is responsible for authorizing access. Both the division/department head and the Security Officer must approve access to this system.
- Ebill/Vbill: This system sends billing data to the D3/PICK Payments Database; therefore, the Security Officer is responsible for authorizing access.
- MAGIC: the MA Group Insurance Commission (MAGIC) system is for updating health insurance programs for state employees and other employees that participate in the commission programs.
- MOBIUS (DocDirect): This is a reporting system for MMARS and HRCMS.
- Registry of Motor Vehicles (RMV): The Uninsured Motorist System (UMS) at the registry is used to access location information for clients and witnesses. CPCS Investigators are the only employees that have access to the RMV records and are pre-approved by their division heads due to the nature of their jobs. There is an RMV form that is completed by the investigator and submitted to the RMV for approval. The employee then signs an affidavit regarding confidentiality of information retrieved and is granted access by RMV. A Commonwealth UAID is required to access the UMS system. There are approximately 30 investigators who have access to the system.
- Criminal Offender Record Information (CORI): CORI is used to obtain criminal offender record information on clients and witnesses, and prior to employing investigators and Finance Department employees. The CPCS General Counsel and the Deputy Chief Counsel, Public Defender Division are the signatories to the interagency agreement with the Department of Criminal Justice Information Services. There are a limited number of CORI certified employees in the agency. The CORI Administrator authorizes these employees and administers the CORI certification and recertification test. After passing the test, the CORI system grants the employee access. Each CORI certified employee must submit to a CORI review. A Commonwealth UAID is not required to access the CORI system. The Security Officer is not involved in CORI security.
- EOHHS Virtual Gateway: Client Health Insurance Verification used by Social Service Advocates

The CPCS Systems include:

- CPCS Case Management System (Zelly): The case management system is used to manage the legal cases assigned to CPCS staff attorneys. Security access is authorized by the employees' department head based on the HR Employment Changes weekly report or by email from the managing directors or deputies.

- CPCS Network: The network supports all systems in CPCS. Security access is managed by the IT department based on the HR Employment Changes weekly report.

- CPCS Key Card System: This system gives access to all CPCS offices that have a key card access system. Security access is granted by the Facilities Unit.

Design of security management

The CPCS Security Officer and Chief Information Officer coordinate access to the Commonwealth systems. The Security Officer/Deputy defines and authorizes job appropriate access permissions, and the Security Administrator/Deputy provides the technical access based on the Security Officer's authorization. The IT Department specific policies and procedures outline system security authorization guidelines.

The following individuals make up the CPCS Security Team:

1. The Chief Financial Officer has been appointed by the Chief Counsel as CPCS Security Officer and performs a key role within the agency. The Security Officer has a solid understanding of Commonwealth systems, security, and internal controls, as well as segregation of duties. This provides reasonable assurance that enterprise systems' security and other department systems' security is managed well within the agency. The Finance Director is the Deputy Security Officer who is authorized to handle the Security Officer's functions.

2. The Chief Information Officer (CIO) leads the Information Technology (IT) Division, which is responsible for CPCS System security. The CIO appoints a Security Administrator and a Deputy Security Administrator to fulfill this responsibility.

IMPLEMENT CONTROL ACTIVITIES

Documentation of responsibilities through policies

CPCS departments maintain policies and procedures that are key to their unit's operations. Control activities are documented within these policies and procedures or departmental information systems. These policies provide reasonable assurance that the agency will accomplish its goals and objectives in all administrative areas. This internal control plan includes references, at the end of the document, to policies and procedures for the following departments:

- CPCS Administration
- Human Resources
- Finance and Facilities
- Information Technology
- Audit and Oversight

Periodic review of control activities

CPCS reviews policies and procedures, along with control activities, periodically, as changes occur in regulations, requirements, personnel resources, systems, work environment, funding of operations, etc. As an example, during the COVID-19 pandemic of 2020, the way of doing business changed and as a result personnel procedures and control activities were created to address the work environment changes. Workplace Safety Standards were put into place and new procedures and controls were issued to all personnel. The need to formalize an agency disaster plan and business continuity plan were identified as a priority by the Senior Management Team and the development of these plans are presented in the goals section above.

7. INFORMATION AND COMMUNICATION

USE QUALITY INFORMATION

Identification of information requirements

CPCS, as an organization, provides and receives information internally and externally. As CPCS seeks to achieve its mission, goals, and objectives it strives throughout day-to-day operations to ensure information is understandable, relevant, reliable, and available to all employees, private panel attorneys, and stakeholders. CPCS understands employees, private panel attorneys, and stakeholders need information based on the relevancy of the task at hand and design departmental policies and procedures with this objective in mind.

Relevant data from reliable sources

CPCS Senior Management Team, Managers and Directors should evaluate both internal and external sources of data in order to ensure it is reliable. CPCS policies and procedures are developed in a way that promotes the use of information from reliable internal or external sources. Sources of data can be operational, financial, performance, or compliance related.[2] CPCS understands in order to perform quality work information must be relevant and accurate.

Data processed into quality information

CPCS understands that relevant and reliable information is necessary to produce quality data and work. Quality information is appropriate, current, complete, accurate, accessible, and provided on a timely basis.[3] CPCS departmental policies, procedures, and control activities have been developed with this understanding. As new information is received, and changes occur CPCS guidelines and control activities are modified to ensure related risks are identified and mitigated.

COMMUNICATE INTERNALLY

Communication through the entity

CPCS understands that communication is an exchange of useful information between and among people and organizations in an effort to accomplish work responsibilities, make decisions, and serve our clients. Communication is shared across the organization, at all levels, and may be formal or informal. It is important to keep channels of communication open between management and employees. One CPCS objective for fiscal year 2023 is to enhance communication with employees and foster an environment of information sharing.

The pertinent sections of the Internal Control Plan appear on the CPCS intranet and are available to all CPCS managers and directors. All are expected to be in compliance with this plan. Questions are referred to the CFO, who will refer them to the Senior Management Team member as appropriate. Internal Control Plan training is available annually for all managers.

Appropriate methods of communication

CPCS has developed many methods for communicating information to personnel within the organization. Examples of internal methods of communication include:

- CPCS Intranet
- Employee new hire orientation
- Employee trainings, live lectures, small groups
- Employee virtual trainings

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[2] MA Office of the Comptroller, Internal Control Guide, CTR Statewide Risk Assessment, 13. Use Quality Information

[3] MA Office of the Comptroller, Internal Control Guide, CTR Statewide Risk Assessment, 13.03 Data processed into Quality Information

- Employee performance review process
- Email communication
- Supervisor/management personal communication
- Newsletters
- Written documents such as policies and procedures
- Staff meetings
- Text announcement services

COMMUNICATE EXTERNALLY

Communication with external parties

CPCS recognizes the importance of communicating with external parties to accomplish our mission, goals, and objectives. The CPCS Senior Management Team welcomes information, feedback, and suggestions from external parties. CPCS views our external private panel attorneys and vendors as partners in striving to achieve agency objectives and serve our clients.

Appropriate methods for communication

CPCS has developed many methods for communicating information to people outside of the organization. Examples of external methods of communication include:

- CPCS internet website
- Newsletters
- Bar Advocate Programs
- Listservs
- Email communication through Constant Contact
- Published training calendar
- Live and virtual training programs
- Supervising Attorney, Juvenile Supervising Attorney, Resource Attorney, and Regional Coordinator meetings
- Notices posted on billing sites
- Personal communication

8. MONITORING

PERFORM MONITORING ACTIVITIES

CPCS practices risk management and ongoing monitoring occurs in the normal course of day-to-day operations. Issues identified during monitoring efforts are addressed and serious issues are elevated to a higher level of management. Various monitoring activities take place across all CPCS departmental areas. The monitoring tools used include both personal review and automated tools.

Monitor each ERM component

CPCS has established many actions to address financial risk and accounting internal controls. CPCS audit and review activities include both a targeted risk base approach and random sampling. CPCS Audit and Oversight Unit gathers data from financial, billing, and caseload statistics and performs analysis of the information to identify areas of concern. Further, CPCS gathers Human Resources staff annual turnover data for attorneys and other professionals. The following table presents various internal control review and monitoring activities that are designed to prevent or mitigate risk of fiscal policy non-compliance, errors, or fraud.

CPCS Unit Responsible	Risk Mitigation Activity	Description of Actions
Audit and Oversight	Review of Ebills	• Late bills • Random audits - bills selected for audit or review
Audit and Oversight	Review of Ebill Vouchers	• Extraordinary Associate bills • Extraordinary Paralegal bills
Audit and Oversight	Review of Vbills	• Target reviews for bills > $5,000 • Late bills
Audit and Oversight	Review of Attorney and Vendor Billing	• Ebill Random Audits • Attorney Ten (10) Hour Daily Billing Limits and Waivers • Vendor Twelve (12) Hour Daily Billing Limits and Waivers • Court Cost Vendor Extraordinary Bill Reviews - >$5,000 • Audit and Internal Control of Late Attorney Bill Submissions • Audit and Internal Control of Late Court Cost Vendor Bill Submissions • Bail Only Case Audits • Audit of Assigned Counsel Paralegal Expenses
Audit and Oversight	Cost Control	• Court Cost Vendor Hourly Billing Rate Setting
Audit and Oversight	Compliance	• Private Counsel Professional Liability Insurance Verification & Audits
Audit and Oversight	Monetary Risk Mitigation	• Multi-Year Full Audits – investigate over-billing on assigned cases by counsel
Audit and Oversight	Compliance	• Committee’s Private Investigator Vendor policy audits
Audit and Oversight	Trends Analysis and Risk Assessment	• Data analysis of financial, billing, and caseload statistics
Audit and Oversight	Monetary Risk Mitigation and Compliance	• Management of Suspension system for attorneys and vendors in the billing system
Audit and Oversight	Compliance	• Audits of Attorney Fiscal year Case Load
Audit and Oversight	Monetary Risk Mitigation and Compliance	• Audits to ensure compliance of Court Cost Vendor billable hours cap (1,650 hours) and waivers
Audit and Oversight	Internal Control Review	• Review of payments received by A&O to ensure cash receipts procedures were followed
Audit and Oversight	Manage and Monitor Reviews to be completed by other CPCS Units	• Monitor the completion of auto system generated reviews for bills that exceed established hours per case

Evaluation of results

CPCS monitoring results are presented to the relevant party within the department. Serious issues are elevated to a higher level of management. CPCS Department Leads evaluate monitoring efforts to ensure they are effective in accordance with policies, procedures, and stated control activities.

As goals and objectives change or as risk levels change, the control activity is evaluated and modified accordingly.

EVALUATE ISSUES AND REMEDIATE DEFICIENCIES

Reporting of issues

CPCS departmental policies and procedures include guidelines about reporting issues of concern. Staff should report any issues through established lines of communication. Department Leads are expected to report serious concerns to the Senior Management Team.

Evaluation of issues

CPCS understands that when evaluating issues, it is important to look at the related internal control and whether the control activity was effective. Further, it is important to note that risk management control activities can be interrelated; therefore, additional examination of other controls may be warranted.

Corrective actions

CPCS understands that when issues or deficiencies are identified pertaining to non-audit recommendations further action is needed to evaluate other risk management components and make any necessary changes to the internal control plan.

Further, CPCS understands that when a formal audit review identifies deficiencies in compliance or internal control, corrective actions must be taken to remediate the finding in a timely manner. The audit resolution process begins when audit or other review results are reported to management and is completed only after action has been taken that (1) corrects identified deficiencies, (2) produces improvements, or (3) demonstrates that the findings and recommendations do not warrant management action.[4]

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[4] MA Office of the Comptroller, Internal Control Guide, CTR Statewide Risk Assessment, 17, Evaluate Issues and Remediate Deficiencies; 17.03 Corrective Actions

Attachments

1. **Delegation of Authority documents**
2. **CPCS Organizational Charts**
3. **Youth Advocacy Foundation Internal Controls**

Policies and Procedures Manuals for Internal Control

1. CPCS Internal Control Plan
2. Program and function specific policies, procedures, and /or processes
   - CPCS Program Services
     - Assigned Counsel Manual
     - Court Cost Vendor Manual
   - Finance and Facilities
     - Expenditure Approval and Budget Management
     - Accounting
       - Approvals/Authorizations/Delegations
     - Federal Grants Management
     - Procurement
     - Accounts Payable
     - Payroll Cycle
     - Capital/Fixed Assets and Inventories
     - Facilities Management
     - Paper Records Management
   - Human Resources
     - Personnel Policies Manual
     - CPCS Office Reopening Policies & Procedures
   - Information Technology
     - Security
     - CPCS System Security Authorization Guidelines
   - Audit and Oversight
   - General Counsel
     - Settlements and Judgments (Comptroller Policy on Settlements and Judgments, Jan. 10, 2022

References

CPCS Personnel Policies Manual
(located on the CPCS intranet site)

Massachusetts General Laws and CMR
http://mass.gov/osc

CPCS Procurement Policy
(located on the CPCS intranet site)

Massachusetts Comptroller Internal Control References
https://www.macomptroller.org/internal-controls

Massachusetts Comptroller Internal Control Policies, Job Aids, Checklists, and Training Materials
PowerDMS Login

CTR Statewide Learning
https://intranet.macomptroller.org/ctr-statewide-learning/

COVID 19 Guidance from
https://www.mass.gov/info-details/covid-19-public-health-guidance-and-directives

OMB Circulars and Compliance Supplements
http://omb.gov

Code of Federal Regulations
https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200

OMB Reporting Implementation Guidance:
http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21.pdf

OMB FAQs:
http://www.whitehouse.gov/omb/recovery_faqs/

Government Accountability Office:
https://www2.ed.gov/about/offices/list/om/fs_po/ofo/oga.html

A1: Delegation of Authority documents

Committee for Public Counsel Services
75 Federal Street, 6th Floor, Boston, MA 02110
Tel: (617) 482-6212 – Fax: (617) 988-8495

ANTHONY J. BENEDETTI
CHIEF COUNSEL

DELEGATION OF AUTHORITY

To Whom It May Concern:

By means of this statement, I **Anthony J. Benedetti** (the delegating party) in my position as **Chief Counsel** (title of delegating party) delegate my authority to perform the following function **Extraordinary Associate Attorney and Paralegal Invoices** (description of responsibility delegated) to individuals directly or indirectly reporting to me with the following positions/title(s) **Director of Audit and Oversight.**

The effective date of this delegation is **07/01/2022** and shall remain in full force and effect until revoked by me. A delegate may establish interdepartmental policies and informal practices related to this delegation.

The authority delegated shall not be sub-delegated without my prior express written consent.

____

Signature of delegating party

CPCS
Committee for Public Counsel Services
Defending the People of Massachusetts

Committee for Public Counsel Services
75 Federal Street, 6th Floor, Boston, MA 02110
Tel: (617) 482-6212 – Fax: (617) 988-8495

ANTHONY J. BENEDETTI
CHIEF COUNSEL

DELEGATION OF AUTHORITY

To Whom It May Concern:

By means of this statement, I **Anthony J. Benedetti** (the delegating party) in my position as **Chief Counsel** (title of delegating party) delegate my authority to perform the following function **Court Cost Vendor Invoices >$5,000** (description of responsibility delegated) to individuals directly or indirectly reporting to me with the following positions/title(s) **Director of Audit and Oversight.**

The effective date of this delegation is **07/01/2022** and shall remain in full force and effect until revoked by me. A delegate may establish interdepartmental policies and informal practices related to this delegation.

The authority delegated shall not be sub-delegated without my prior express written consent.

Anthony J. Benedetti

Signature of delegating party

CPCS
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Tel: (617) 482-6212 – Fax: (617) 988-8495

ANTHONY J. BENEDETTI
CHIEF COUNSEL

DELEGATION OF AUTHORITY

To Whom It May Concern:

By means of this statement, I **Anthony J. Benedetti** (the delegating party) in my position as **Chief Counsel** (title of delegating party) delegate my authority to perform the following function **Appeals of rejection of bills submitted by vendors and attorneys under c.211D s. 12(a) and (b)** (description of responsibility delegated) to individuals directly or indirectly reporting to me with the following positions/title(s) **Director of Audit and Oversight.**

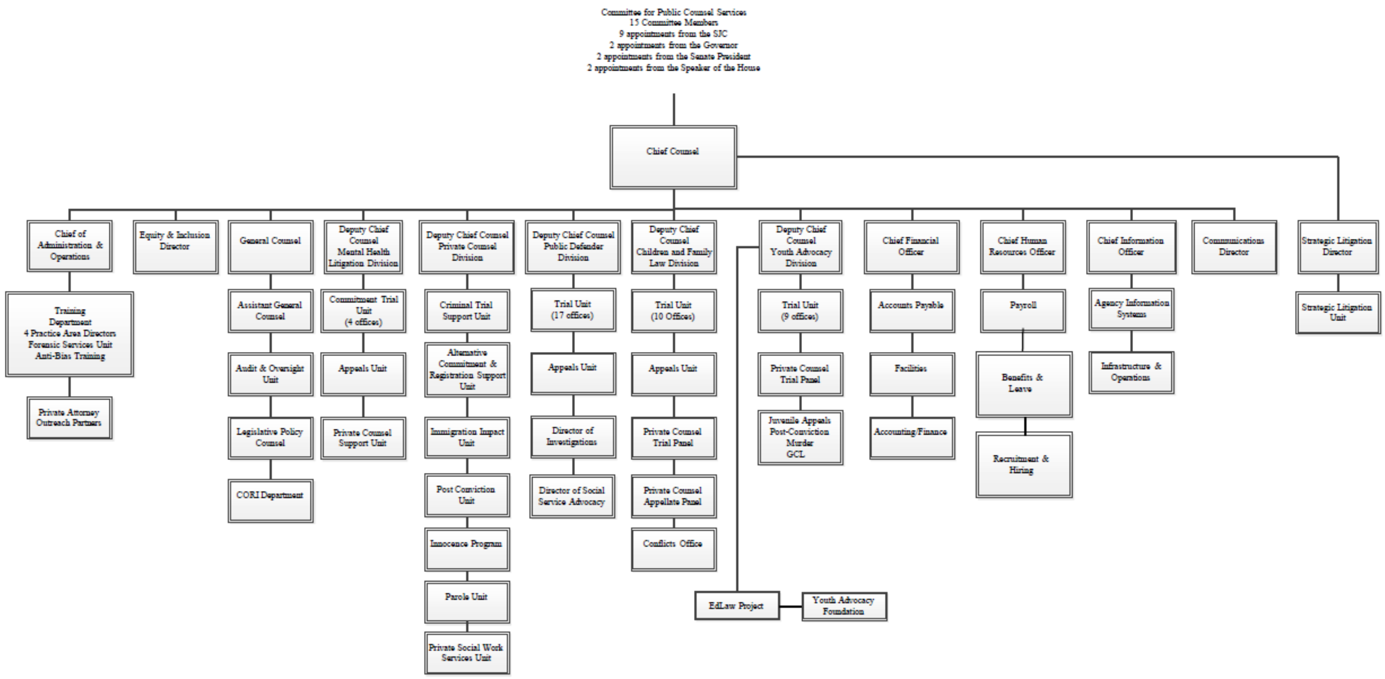
The effective date of this delegation is **07/01/2022** and shall remain in full force and effect until revoked by me. A delegate may establish interdepartmental policies and informal practices related to this delegation.

The authority delegated shall not be sub-delegated without my prior express written consent.

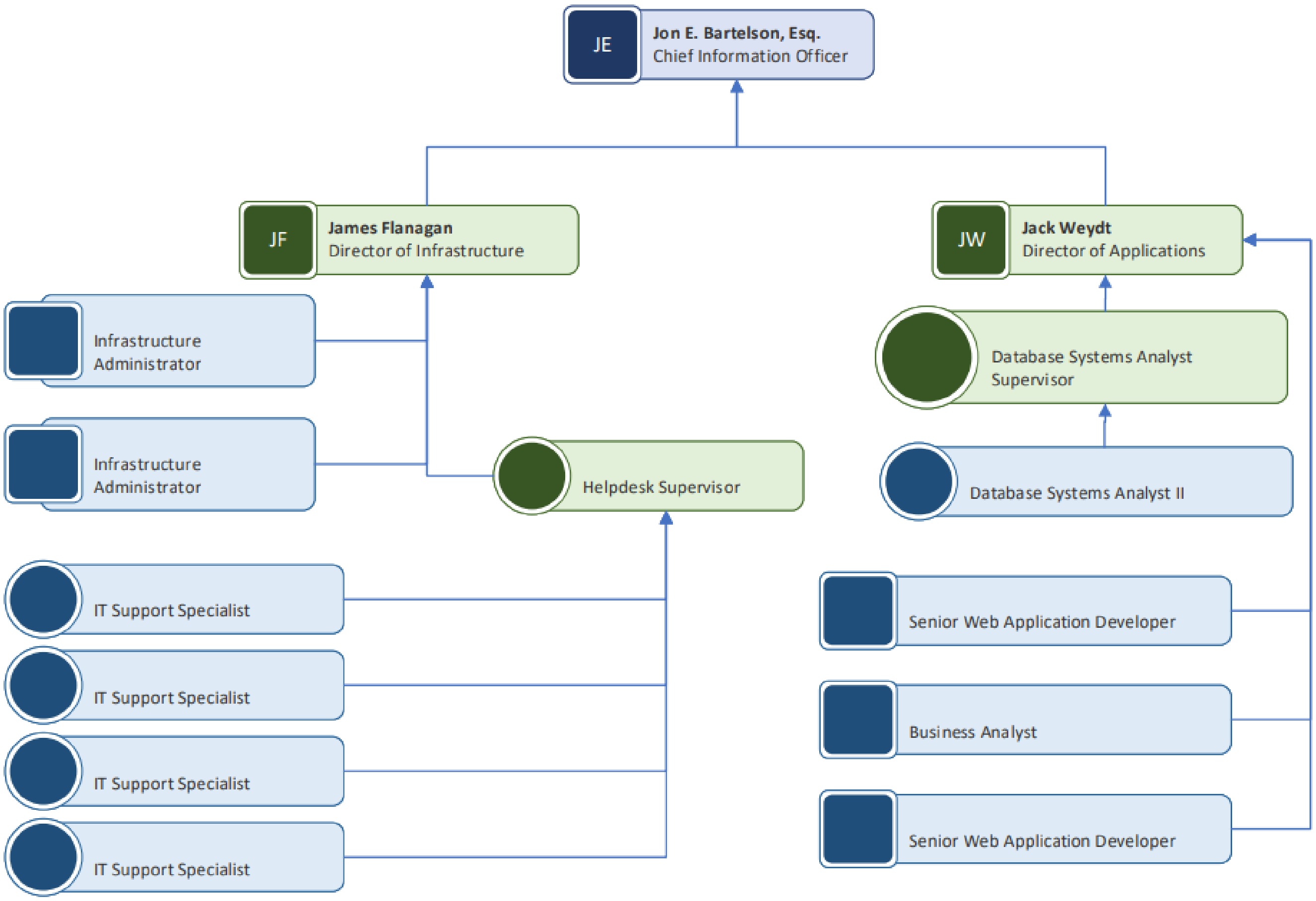
____

Signature of delegating party

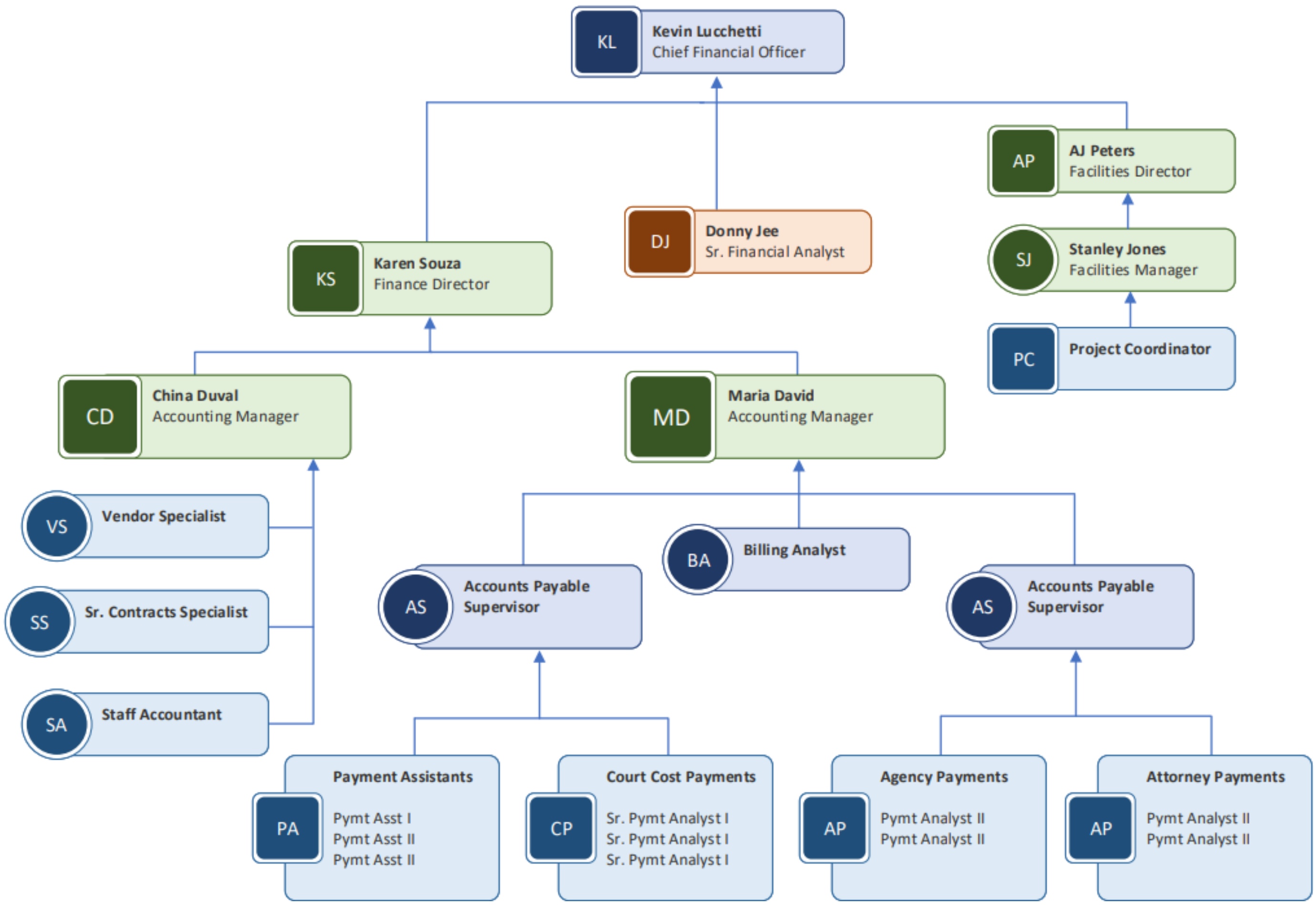
A2: CPCS Organizational Charts -– Agency Wide Organization Chart



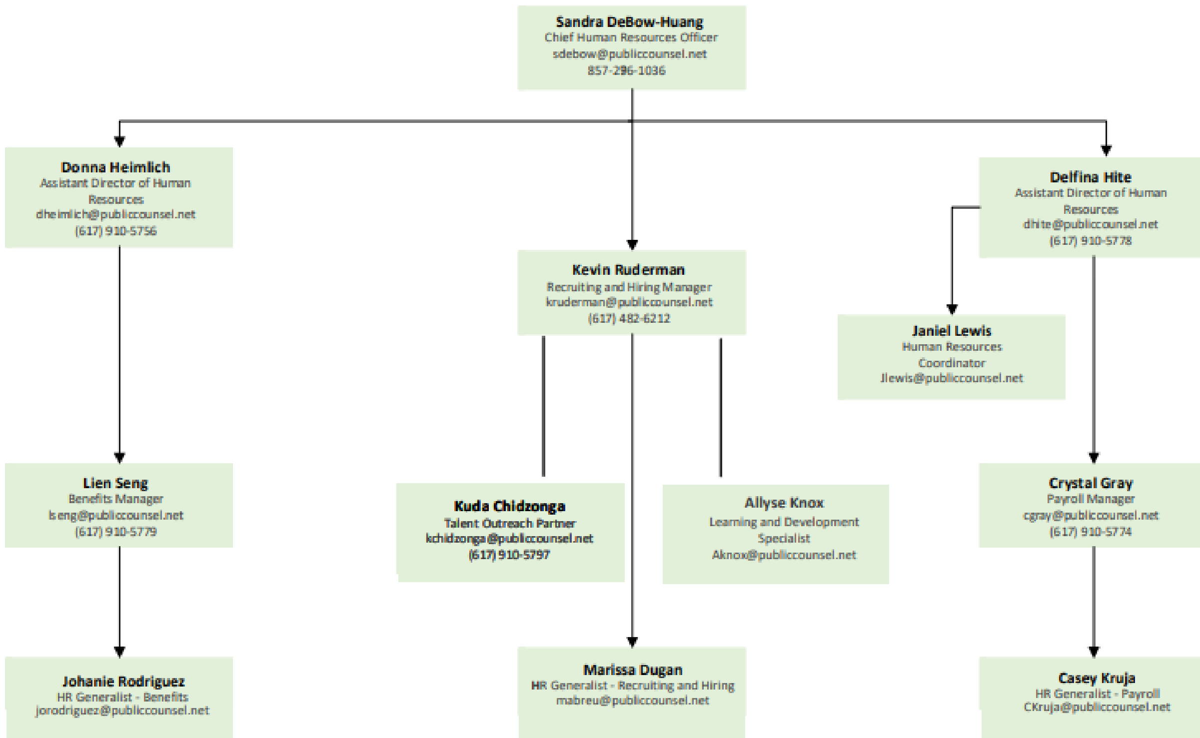
Committee for Public Counsel Services – Information Technology Organization Chart



Committee for Public Counsel Services – Finance Department Organization Chart



Committee for Public Counsel Services – Human Resources Organization Chart



COMMITTEE FOR PUBLIC COUNSEL SERVICES

Human Resources

Organization Chart

CPCS
Committee for Public Counsel Services
Defending the People of Massachusetts

A3: Youth Advocacy Foundation Internal Controls

Youth Advocacy Foundation Internal Controls

Section I Introduction

The Youth Advocacy Foundation (YAF) was incorporated as a 50l(c)(3) of the Internal Revenue Code on October 19, 2001 in Massachusetts. It was created as a Public Charity. Its mission is to protect and advance the legal and human rights of children to promote their healthy development through active partnerships with local communities.

The Foundation solicits funds and donations to support the Committee for Public Counsel Services (CPCS) in providing legal and other related services to indigent children through the Youth Advocacy Division and other divisions as appropriate. Funds are also solicited to implement research, educational or other projects designed to inform the community on issues related to juvenile justice and to generally combat juvenile criminalization and to protect the human rights of children.

The Foundation is located at the CPCS main Boston Office.

The Foundation is governed by a Board of Directors, the majority of which are appointed by the Chief Counsel of the Committee for Public Counsel Services. Further, two of the directors serving ex-officio are appointed by the Chief Counsel. One of these appointments is the Director of the Youth Advocacy Division who serves ex-officio as Chair of the Board. The Director of Education Advocacy also serves ex-officio as the President and Chief Executive Officer of the Foundation. The president supervises the Executive Director of the Foundation:

The By-Laws of the Foundation are reviewed annually by the Board of Directors.

Section II Leadership

The President and CEO, for the Foundation is responsible for Foundation financial operations and financial reports, including the annual independent audit, and external service providers that provide administrative services to the Foundation. The President and CEO, in their role as Director of Education Advocacy, is further responsible for all education advocacy efforts within the Committee for Public Counsel Services as well as the oversight and management of the EdLaw Project. The President and CEO reports to the Chair of the Board of Director s in accordance with the Foundation By-Laws and supervises the Executive Director and Operations and Development Coordinator of the Foundation, and all EdLaw staff.

The Board of Directors has a Finance Committee which manages the annual independent audit. The CPCS Chief Financial Officer reviews the annual audit of the Foundation and keeps a copy on file in the CPCS Finance Office. If there are any findings in the audit, the CFO directs the resolution of those findings, similar to findings in a CPCS audit.

Section III Segregation of Duties and Signature Authorization

All obligations and expenditures must be approved by the President and CEO for the Foundation.

- For obligations/contracts above $10,000, a second approval by the Chair is required.
- For expenditures above $5,000 a second approval by the Treasurer is required. If the Treasurer is not reasonably available, he/she must communicate approval in writing/email and another board member can sign the disbursement.

Collecting, controlling, and depositing funds are segregated from maintaining accounting records and monthly reconciliations. The former is processed by the Operations and Development Coordinator and the monthly reconciliation is handled by the service provider. When the Coordinator is not available, the Executive Director or President / CEO will process the receipts.

Foundation grant proposals are initiated by the Executive Director or President / CEO and approved by the Chair of the Board.

For awarding grants to CPCS or other state agency or non-profit, the Foundation follows the Procurement rules in Section 10. VI.

Section IV. Creation and Management of the Annual Foundation Budget

The Executive Director creates the annual budget by first forecasting the annual revenue. Expenditures are developed based on the Foundation business plan for the year and must be in balance with revenue. The budget is then presented to the President /CEO, Chair of the Board and the Executive Committee. The full Board votes on the budget at the annual meeting prior to the beginning of the fiscal year.

A monthly cash flow is reviewed with the Treasurer and the Executive Committee to confirm that the Foundation is spending within its available revenue.

Section V Revenue and Accounts Receivable

Receipts of checks, credit cards and cash:

A. All receipts collected by the Foundation are deposited promptly, within 24 hours of receipt either at the bank, or through mobile deposit. When the Coordinator is not available, the Executive Director or President / CEO will process the receipts.
B. Cash receipts are accounted for by the Coordinator and balanced to reported collections on a daily basis.
C. The record of reported daily collections must be reconciled to the Bank Account statements by the service provider on a monthly basis.
D. These two activities in Band C above are segregated.

Receipts of Stocks:

Stocks are a non-cash gift. The Foundation has two options:

- Quickly liquidate stocks for immediate cash and deposit in the Foundation Bank account, or
- Hold onto the stock and set up a brokerage account.

In both cases, the donor will have a charitable contribution amount based on what the market value of the stock on the exchange on the day of the donation. YAF leadership will procure professional advice if the Foundation decides to accept any kind of non-cash donations.

Section VI Procurement

Procurements are obligations of the Foundation.

- For procurements less than $10,000 staff shall apply sound business practices. "Sound business practices" are defined as ensuring the receipt of a favorable price by periodically soliciting price lists or quotes. While this does not require a formal competitive bidding process, it does require staff to ensure they have received the needed quality of goods and services at a reasonable price. A contract is not necessary for one-time expenses; however, the Foundation must have a contract if the expenditure is annual or if a contract is needed to clarify the transaction.

- For procurements between $10,000 and $50,000, solicit and document quotations from 3 vendors providing the good or service required. These procurements must have contracts and be approved by the Board of Directors.
- For procurements exceeding $50,000, solicit proposals through a competitive process by issuing a Request for Response (RFR). The contract is awarded to the bidder who meets specifications and offers the best value. These procurements must have contracts and be approved by the Board of Directors. These procurements are done with the support and under the guidance of CPCS Finance Department to insure best practices.
    - Exception to the Competitive Procurement Process:
        - ***The annual fundraising event***: The Foundation has certain unique requirements for the annual fundraiser. This event usually includes donated and discounted services. After discussion with several sources, competition may be inadequate.
        - ***Grants to CPCS or other state agency or non-profit*** in the case where there is adistinct institutional interest: the grant may be awarded to a specific agency because of their mission.

Section VII Accounts Payable

Payments are issued by the Executive Director or President / CEO using a checkbook or debit card and reconciled monthly by the service provider.

Section VIII Payroll and Accounting Systems

The Foundation contracts with service providers to handle the payroll and accounting functions.

A. Payroll:

- Each employee has a semi-monthly time sheet approved by their supervisor. This can be electronic or paper.
- Payroll is processed by the provider and checks are mailed to the employee's home address or direct deposited in their bank accounts.
- The Foundation has written personnel policies.
- All employee benefits are managed by the same or other service provider.

B. Accounting:

- The provider performs monthly reconciliation for all expenditures, including payroll from the Foundation bank accounts.
- The annual financial statements are created by the Foundation and the service provider.
-

C. Independent Annual Audit

- The Foundation contracts with a CPA firm to file the Form 990 and perform the annual independent audit if the audit threshold has been met.

Section IX Use of Public Resources

G.L. c. 268A, S23 (b) (2) (ii) of the conflict-of-interest law prohibits the use of public resources, such as, paid state employee time and office facilities and equipment, for private purposes. There is a limited exception to this general prohibition in situations where a public employee seeks to use public resources in support of the activities of a nonprofit corporation that are closely related to the mission of the public agency.

CPCS has successfully shown the interconnectedness between the Agency and the Foundation as there is a distinct institutional interest in sharing resources. Therefore, the Chief Counsel will confirm annually that certain named state employees may use state time to work on Foundation matters. CPCS office space, office equipment including computers and phones, and other services will be available to the Foundation for Foundation purposes.

Section X IT/Security

The Foundation will follow all CPCS security policies for equipment, computers, access to the offices, use of personally identifiable information (PII), CPCS website, CPCS email, technology use and all CPCS IT technical standards. Equipment includes regular maintenance, PC replacement programs, printers, and other similar items.

The Foundation has a separate email system and website supported by an external service provider; these functions are not required to follow CPCS IT rules.

Section XI Records Retention

The Foundation will follow the records retention policies of CPCS. CPCS will support the cost of scanning the records.

Section XII Mitigation for Potential Risks in the Foundation

A. Ensure adequate funding for Foundation budget/priorities:
   - Review cash flow monthly with the Executive Committee and annually with the Board of Directors.
   - Secure consistent revenue sources to support base budget.
   -
B. For solicitations, ensure the degree of separation between CPCS, the Foundation and donors.
   - Create a chart identifying potential donors and who can solicit donations from them: YAD Director/ Chair of the Board, YAD Assistant Director, Exec. Director of the Foundation, other Board members of the Foundation or none of the preceding individuals. (see attached chart)
   -
C. Ensure the sustainability for the Foundation as the leadership changes through adequate succession planning.

SOLICITATION GUIDELINES

Title	CPCS Employees	Other State Employees	Private Bar	Law Firms that take Pro Bono Cases or at a Reduced Rate	Attorneys that take Pro Bono Cases or at a Reduced Rate	Private Foundations	Corporations	General Public
YAD Director	N	N	N	N	N	Y	Y	Y
YAD Asst. Director	N	N	N	N	N	Y	Y	Y
CAFL Director	N	N	N	N	N	Y	Y	Y
Y AF Board Members	N	Y	Y	Y	Y	Y	Y	Y
YAF Executive Director	N	Y	Y	Y	Y	Y	Y	Y
YAF President and CEO	N	Y	Y	Y	Y	Y	Y	Y
YAF Staff	N	Y	Y	Y	Y	Y	Y	Y

Solicitation: a formal message requesting something that is submitted to an authority

- Is a communication to process the donation amount subsequent to the official request a solicitation? Yes
- Is a DONATE button on an information email a solicitation? Yes
- Is an email with multiple recipients inviting them to a fundraiser a solicitation? Yes

Approved by the General Counsel

Agenda
Committee for Public Counsel Services
New Employee Training & Orientation
Fall 2024

DAY 1: Monday August 26, 2024

Location: CPCS Worcester, 120 Front Street, 3rd Floor, Worcester, MA 01608

9:00 – 9:30	Check In
9:30 – 10:30	Welcome & Introductions
	Melissa Dineen, Training Chief
10:30 – 12:45	HR Welcome & Orientation (with 15 min. break)
	Kuda Chidzonga, Talent Outreach Partner *Sandra DeBow-Huang, Chief Human Resources Officer* *Marissa Dugan, Human Resources Generalist – Recruiting & Hiring* *Nikisha Glasgow, Human Resources Generalist – Payroll* *Donna Heimlich, Assistant Human Resources Director* *Delfina Hite, Assistant Human Resources Director* *Amy Levine, Director of Programs, Lawyers Concerned for Lawyers* *Johanie Rodriguez, Human Resources Generalist – Benefits* *Kevin Ruderman, Recruiting & Hiring Manager* *Lien Seng, Benefits Manager*
12:45 – 1:45	Lunch (provided)
1:45 – 3:30	Perspectives Wheel Activity
	Katy Krywonis, Training Attorney, CAFL *John Sadek, Training Attorney, Criminal Defense*
3:30 – 3:45	Break
3:45 – 4:45	IT Orientation
	Bob Vient, Helpdesk Supervisor
4:45 – 5:00	TalentLMS Tutorial
	Jacquelyn Diaz, Training Technologist

Agenda
Committee for Public Counsel Services
New Employee Training & Orientation
Fall 2024

DAY 2: Tuesday August 27, 2024

Location: CPCS Worcester, 120 Front Street, 3rd Floor, Worcester, MA 01608

9:00 – 9:30	Introduction to the Equity, Inclusion, & Diversity Department *John Lozada, Equity & Inclusion Director*
9:30 – 10:45	Inclusivity, Identity, & Bias *Rebecca Amdemariam, Training Attorney, CAFL* *Connor Barusch, Training Director, Criminal Defense*
10:45 – 11:00	Break
11:00 – 12:05	CPCS Demystified & Other Important Stuff! *Melissa Dineen, Training Chief* *Holly Smith, Director of Administration & Operations*
12:05 – 12:15	CPCS Conflicts Policy *Holly Smith, Director of Administration & Operations*
12:15 – 1:45	Introduction to CPCS Affinity Groups with Lunch (provided) *Craig Gimbrone, People with Disabilities Affinity Group* *Rebecca Amdemariam, Black Affinity Group* *Lipou Laliemthavisay, AAPI Affinity Group* *John Lozada, Equity & Inclusion Director* *Connor Barusch, Queer Defenders Affinity Group &* *Unconventionally Gendered Humans Affinity Group*
1:45 – 3:45	People to People: Building Awareness *Connor Barusch, Training Director, Criminal Defense*
3:45 – 4:00	Break

4:00 – 5:00 Employee Well-being: the CPCS Wellness Committee & HR Wellness Initiative

Sarah Derby, Director of Social Work, CAFL
Beau Kealy, Training Director, MHLD
Jennifer Magaw, Trial Attorney, PDD
Johanie Rodriguez, Human Resources Generalist – Benefits

<u>DAY 3: Wednesday August 28, 2024</u>

Location: CPCS Worcester, 120 Front Street, 3rd Floor, Worcester, MA 01608

9:00 – 10:00 Understanding Public Defense in Massachusetts: CAFL, Criminal Defense, MHLD, and YAD Practice Areas

Connor Barusch, Training Director, Criminal Defense
Melissa Dineen, Training Chief
Amy Karp, Training Director, CAFL
Beau Kealy, Training Director, MHLD
Melanie Roberts, Training Director, YAD

10:00 – 11:30 Working with Social Workers/Social Service Advocates & Investigators

Carrie Burke, Director of Social Service Advocacy, PDD
Kyle Cormier, Director of Investigations, PDD
Kristin Dame, Director of Private Social Work Services, PCD
Sarah Derby, Director of Social Work, CAFL
Olivia Dubois, Director of Social Service Advocacy, MHLD
Meg Grant, Director of Private Social Work Services, CAFL
Danielle Kane, SSA Supervisor, PDD
Jacquelyn O'Brien, Managing Director, CAFL
Katie Siempelkamp, SSA Supervisor, PDD

11:30 – 11:45 Break

11:45 – 12:45	Who Wants to Be a Client Centered Advocate?
	Adrian Angus, Training Attorney, Criminal Defense *Katy Krywonis, Training Attorney, CAFL* *Melanie Roberts, Training Director, YAD*
12:45 – 1:45	Lunch (provided)
1:45 – 3:15	Storytelling
	Paul Rudof, Strehorn Ryan & Hoose
3:15 – 3:30	Break
3:30 – 5:00	Working with the Press at CPCS
	Bob McGovern, Communications Director

<u>DAY 4: Thursday August 29, 2024</u>

Location: TalentLMS (see course title *CPCS New Employee Training & Orientation*)
https://academy-napd.talentlms.com

Asynchronous learning on NAPD online course platform, TalentLMS. Account information will be provided via email.

Agenda
Committee for Public Counsel Services
New Employee Training & Orientation
Fall 2024

<u>DAY 5: Thursday, October 24, 2024</u>

Location: CPCS Worcester, 120 Front Street, 3rd Floor, Worcester, MA 01608

10:00 – 11:00	Introduction to CPCS Specialty Units *Ira Gant, Director, Forensic Services Unit* *Rebecca Jacobstein, Director, Strategic Litigation Unit* *Jennifer Klein, Director, Immigration Impact Unit*
11:00 – 1:00	Meet CPCS Senior Management Team *Anthony Benedetti, Chief Counsel, et al.*
1:00 – 2:00	Lunch (provided)
2:00 – 4:00	TBD

CPCS

Welcome - Pillars & Values

Table of Contents

Pillars & Values

- Our Mission
- CPCS Culture
  - Client Centered
  - Inclusive
  - Living our Values

Our Mission: Zealous Advocacy

CPCS Pillars

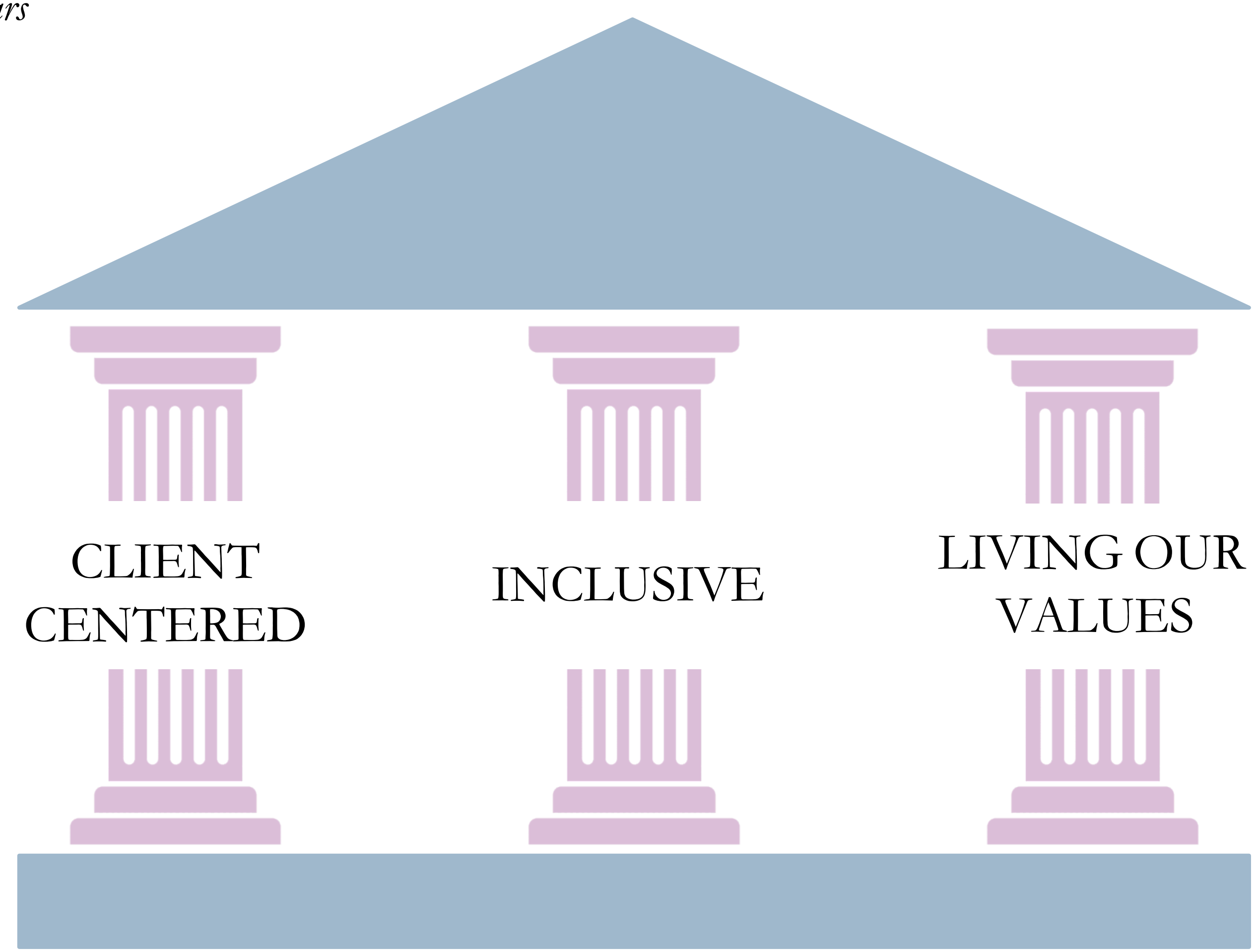
Equal Justice & Human Dignity

Supporting Client Legal & Life Goals

Public Policy & Individual Rights

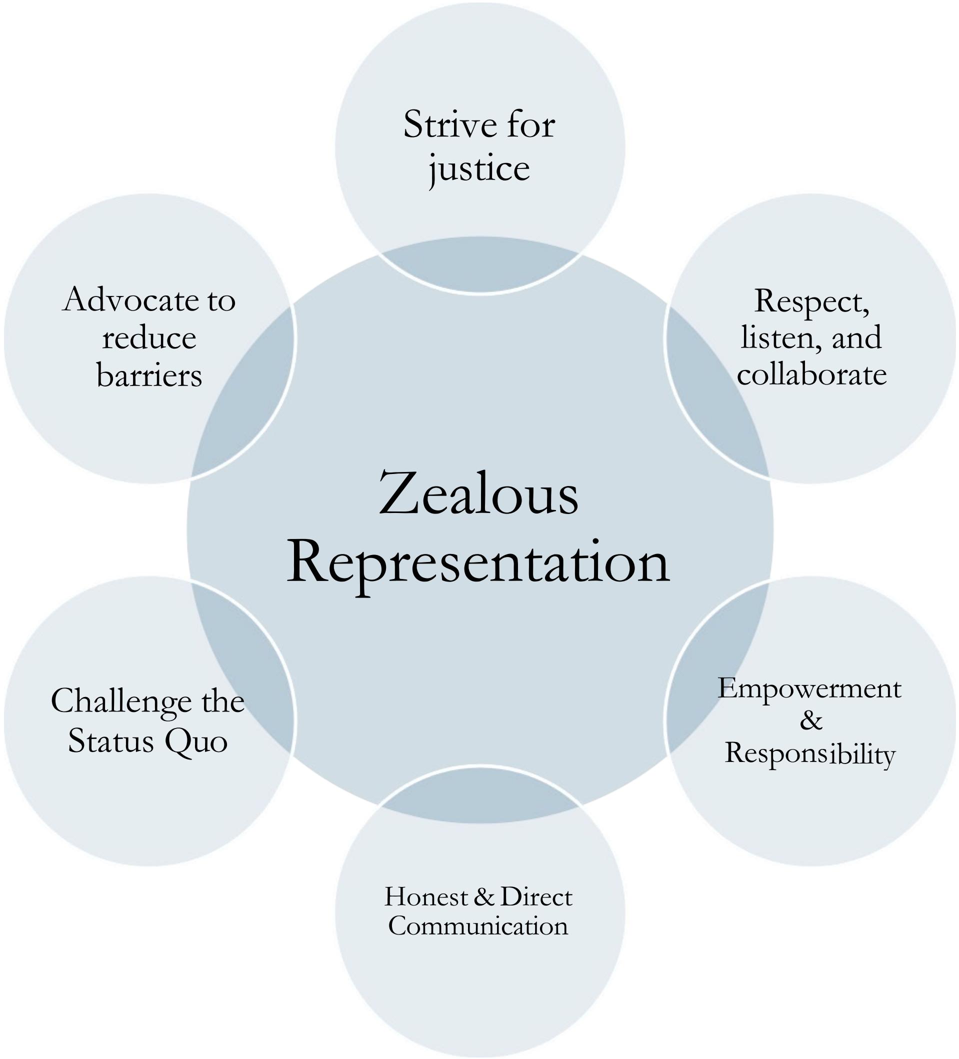
The Culture of CPCS

CPCS Pillars



Client Centered

CPCS Pillars



Inclusive

CPCS Pillars

Racially & Culturally Diverse

Combating Discrimination

Working as a team

Dignity & Respect

Our Mission Statement

We fight for equal justice and human dignity by supporting our clients in achieving their legal and life goals. We zealously advocate for the rights of individuals and promote just public policy to protect the rights of all.

Our Mandate

The Committee for Public Counsel Services (CPCS) is the state agency in Massachusetts responsible for providing legal services to indigent persons in criminal and civil matters in which the law requires the appointment of counsel for any person who cannot afford to retain counsel. The agency provides representation in criminal, delinquency, youthful offender, child welfare, mental health, sexually dangerous person and sex offender registry cases, as well as appeals and post conviction cases related to those matters.

Diversity & Inclusion Mission Statement

CPCS is committed to protecting the fundamental constitutional and human rights of our assigned clients through zealous advocacy, community-oriented defense, and the fullness of excellent legal representation. We are dedicated to building and maintaining strong professional relationships, while striving to accept, listen to and respect the diverse circumstances of each client, as we dedicate ourselves to meeting their individual needs. It is our CPCS mission to achieve these goals, and in furtherance thereof, we embrace and endorse diversity, equity and inclusion as our core values as we maintain a steadfast commitment to: (1) Ensure that CPCS management and staff members represent a broad range of human differences and experience; (2) Provide a work climate that is respectful and supports success; and (3) Promote the dignity and well-being of all staff members. CPCS leadership is responsible for ensuring equity, diversity, and inclusion. The ability to achieve these goals with any level of certainty is ultimately the responsibility each member of the CPCS community.

Living Our Values

Courage

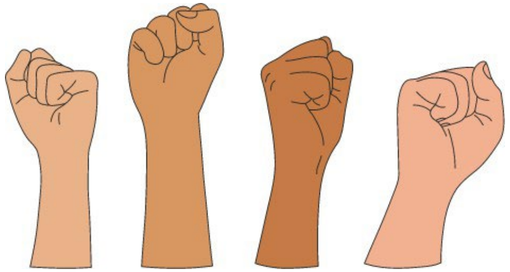
Accountability

Respect

Excellence

Courage

CPCS Values



- We persist in the face of challenges and through adversity.
- We are not afraid to make mistakes.
- We insist on dignity and respect for ourselves and our clients.
- We call out injustice.
- We challenge authority and push boundaries in the service of our clients while striving to be thoughtful and strategic.
- We innovate to bring about better outcomes for our clients.
- We ask for help when needed.
- We ask for and incorporate constructive feedback; we are open to change.
- We apologize when we are wrong.
- We speak up.

Accountability

CPCS Values

- We are proactive and work together to find solutions.
- We take responsibility for our actions.
- We accept, own, and learn from our mistakes.
- We follow up and follow through to get the job done.
- We focus on moving forward and taking steps to complete the task at-hand.
- We foster a team-oriented environment.
- We set clear expectations and support adherence to expectations.
- We honor deadlines.
- We keep our promises to clients and colleagues

Respect
CPCS Values

- We treat everyone as an equal, regardless of position or authority.
- We acknowledge and respect others' racial, cultural, and personal backgrounds; we are mindful of others' values and ensure that we interact with them in a respectful and professional manner.
- We recognize the expertise and skillsets of others.
- We treat everyone with respect and take responsibility for any harm caused by our words or actions, whether or not intended.
- We value and recognize when people are putting in their best effort.
- We are open to others' points of view.
- We make space for colleagues and clients to express difficult emotions.
- We are mindful of the demands we put on colleagues and clients.
- We practice active listening and we are kind to each other.
- We meet clients where they are, recognizing and respecting difference.

Excellenc

CPCS Values

- We actively listen to our clients and respond to their needs to the best of our abilities.
- We are not satisfied with the status-quo; we aspire to greatness.
- We are creative and innovative.
- We show up thoroughly prepared.
- We engage in frequent high-quality training to increase and deepen our professional knowledge.
- We collaborate across practice areas for client success and professional growth.
- We take good care of ourselves in order to take care of others.
- We provide high quality advocacy using the collective skills and resources available in our agency to achieve the best legal and life outcomes for clients.
- We are intentional and consistent in self-reflection to drive improvement.
- We communicate in a timely, clear, direct and sensitive manner.

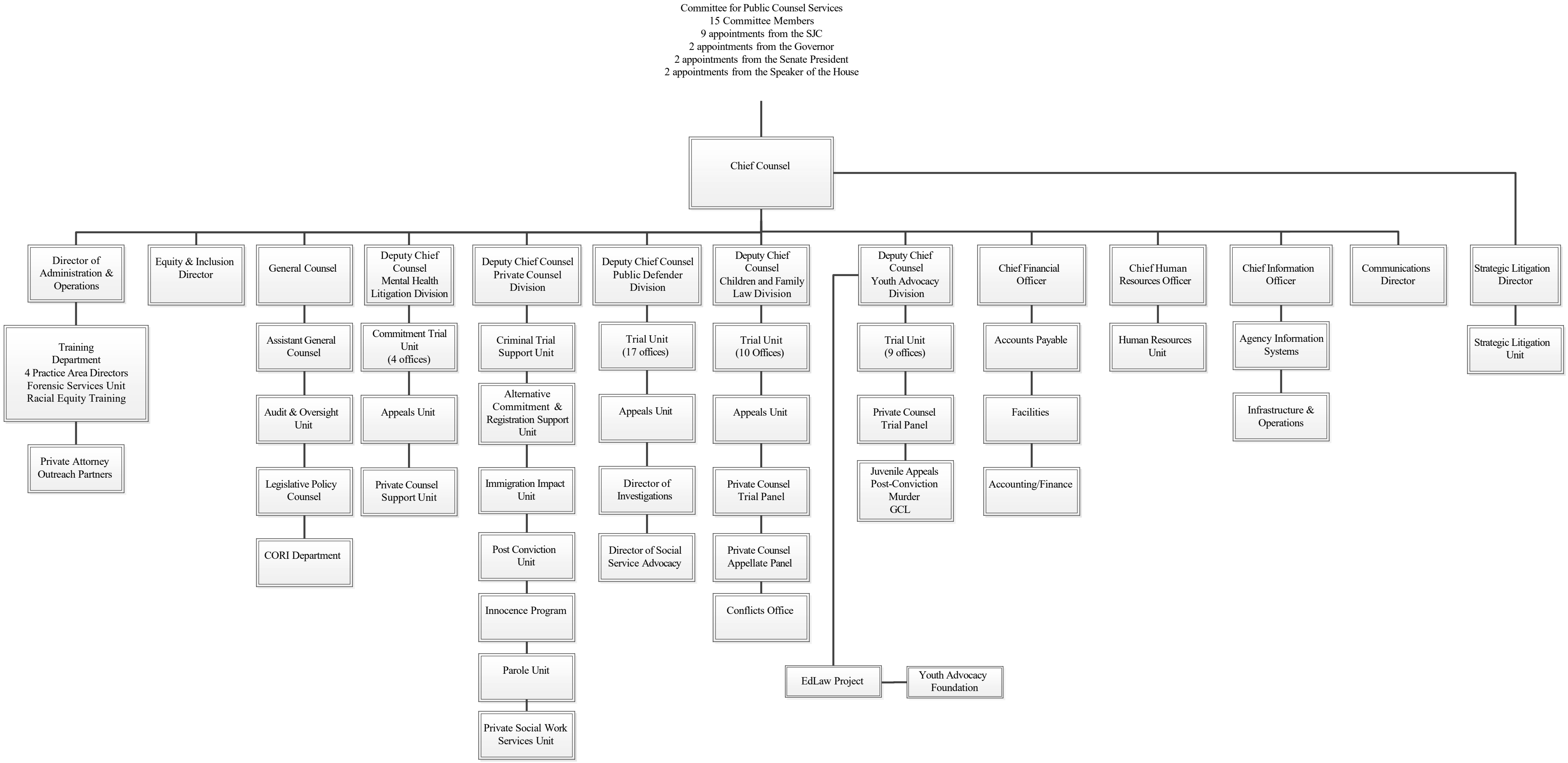
Who is The Committee

Chapter 211D Massachusetts Legislature

Section 1. There shall be a committee for public counsel services, hereinafter referred to as the committee, to plan, oversee, and coordinate the delivery of criminal and certain noncriminal legal services by salaried public counsel, bar advocate and other assigned counsel programs and private attorneys serving on a per case basis.

All members of the committee shall have a strong commitment to quality representation in indigent defense matters or have significant experience with issues related to indigent defense.

Committee for Public Counsel Services
15 Committee Members
9 appointments from the SJC
2 appointments from the Governor
2 appointments from the Senate President
2 appointments from the Speaker of the House



Updated: Jan 2024

CPCS
Training Department