

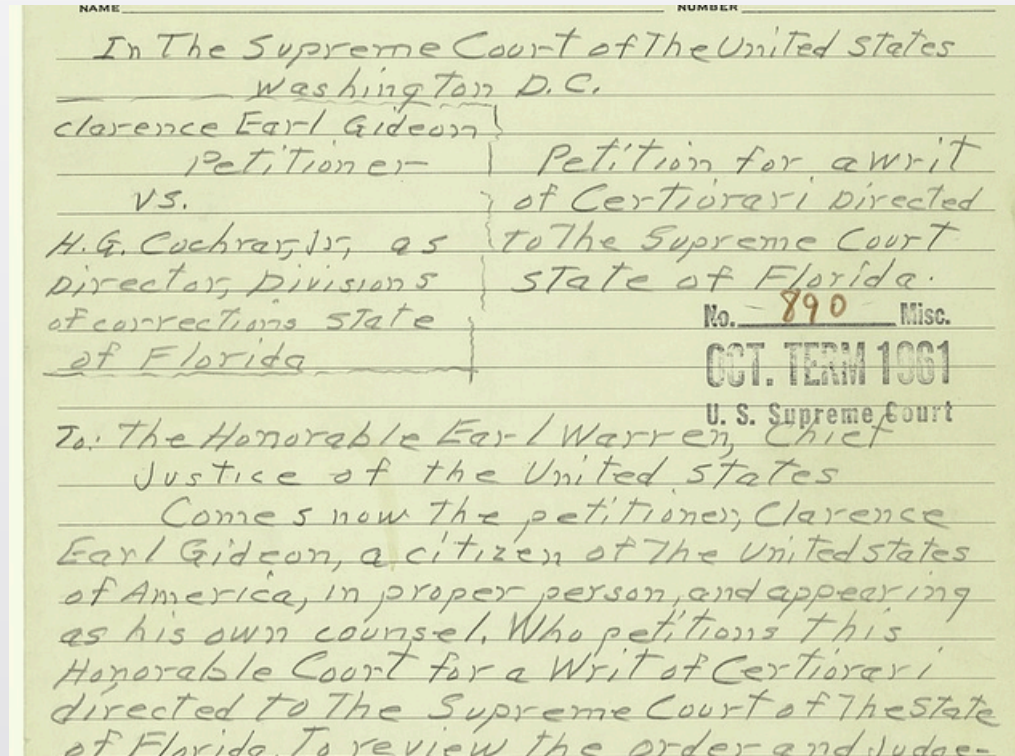
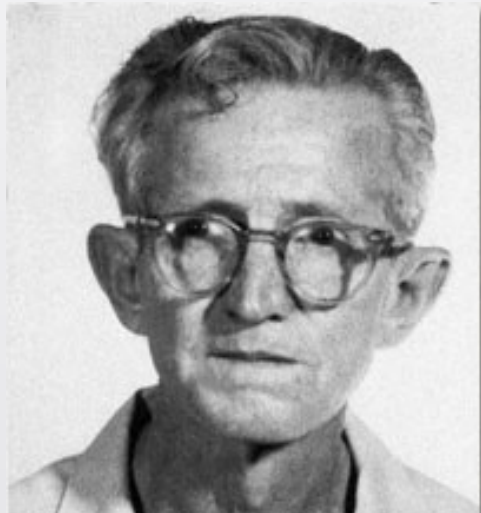
# Board of Public Defense House Judiciary Civil Law Committee January 2025

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Domestic Tranquility, provide for the common  
the do ordain and establish this Con  
chosen every second year by the People  
of the State Legislature.  
twenty five years, and been su  
ded with



# Public Defenders Provide Mandated Services

- **The Federal and State Constitutions provide that anyone charged with an offense punishable by loss of liberty is entitled to representation by a lawyer.**
- **(Gideon vs. Wainwright 372 U.S. 335) (1963).**



- **Minnesota Statutes also provide certain parties with a right to counsel.**

*That government hires lawyers to prosecute and defendants who have the money hire lawyers to defend are the strongest indications of the widespread belief that lawyers in criminal courts are necessities, not luxuries”.*

*...”our state and national constitutions and laws have laid **great emphasis on procedural and substantive safeguards** designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. **This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him”.***

Justice Hugo Black, for majority





## Independent Judicial Branch Agency- Mission

- To protect the liberty of and engage in transformational criminal justice reform on behalf of those individuals we are privileged to serve by respecting the whole individual, being culturally responsive and providing a well-resourced and trained defense team.

## Nine Members

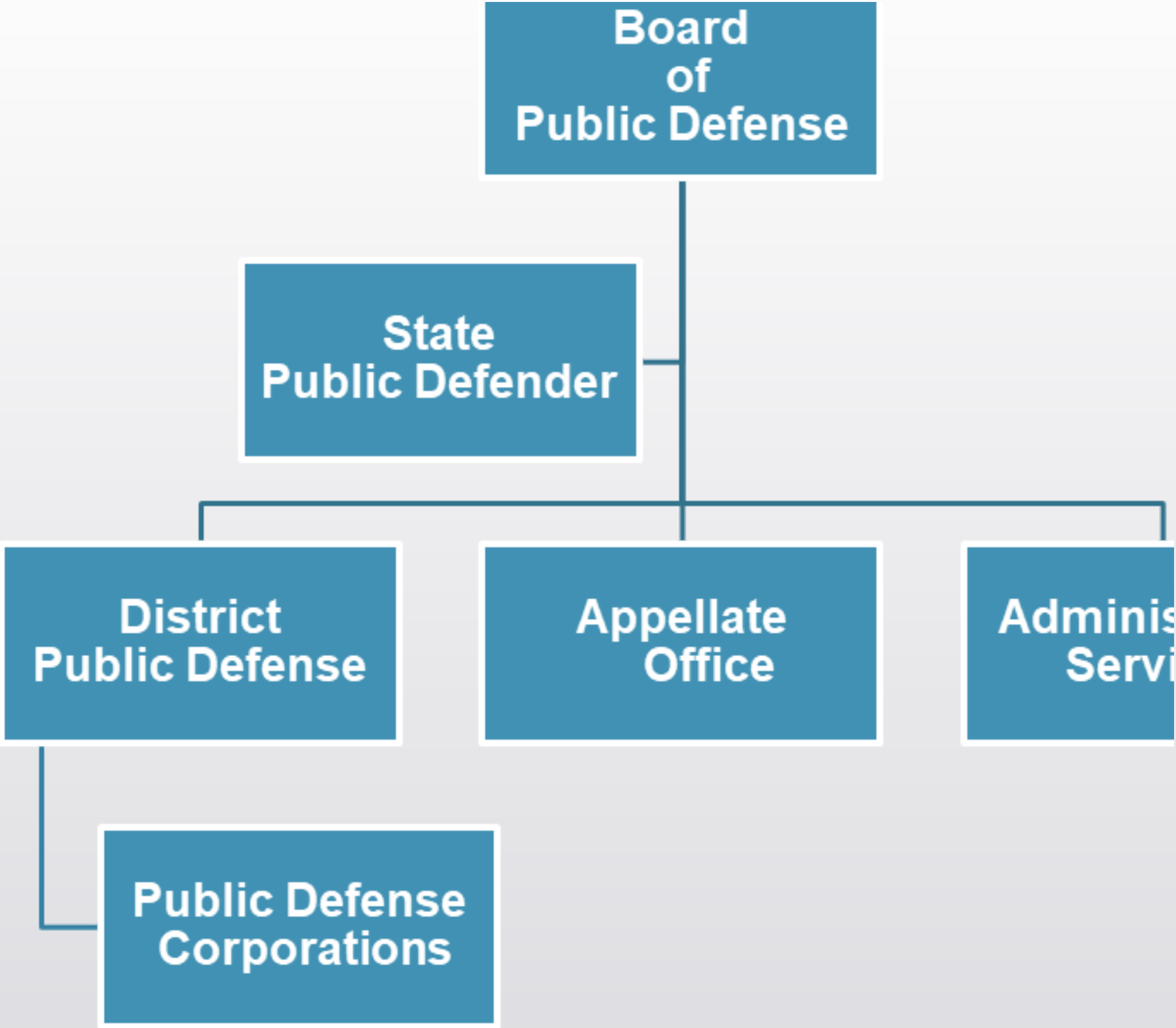
Five (5) attorneys appointed by  
the Supreme Court  
Four (4) non-attorneys  
appointed by the governor.

## Responsibilities

- **Appoint:**
  - Appoint the State Public Defender
- **Allocate:**
  - Allocate funding from the Legislature
- **Appoint:**
  - Appoint District Chief Public Defenders and Chief Appellate Defender
- **Set:**
  - Set standards and policies



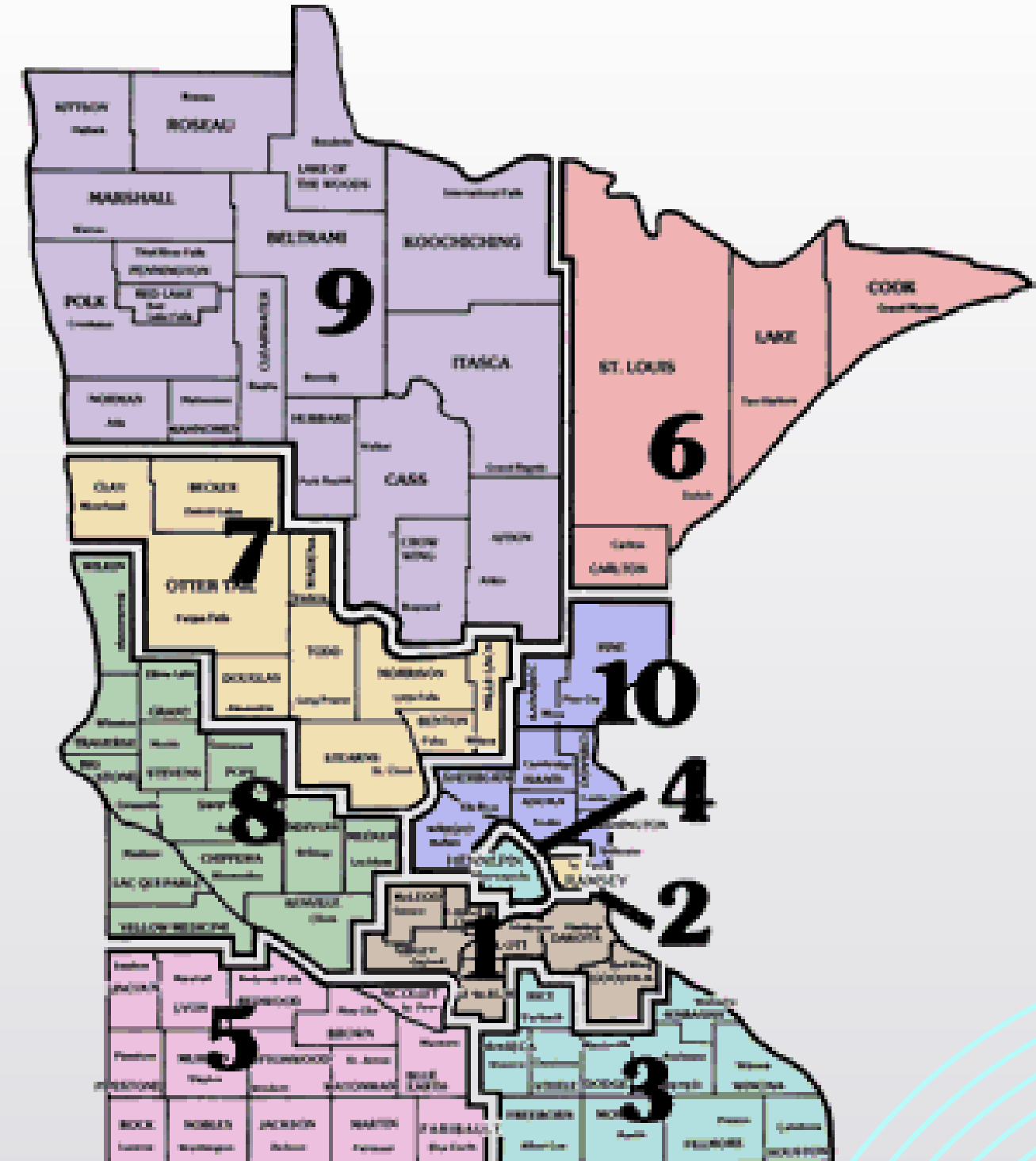






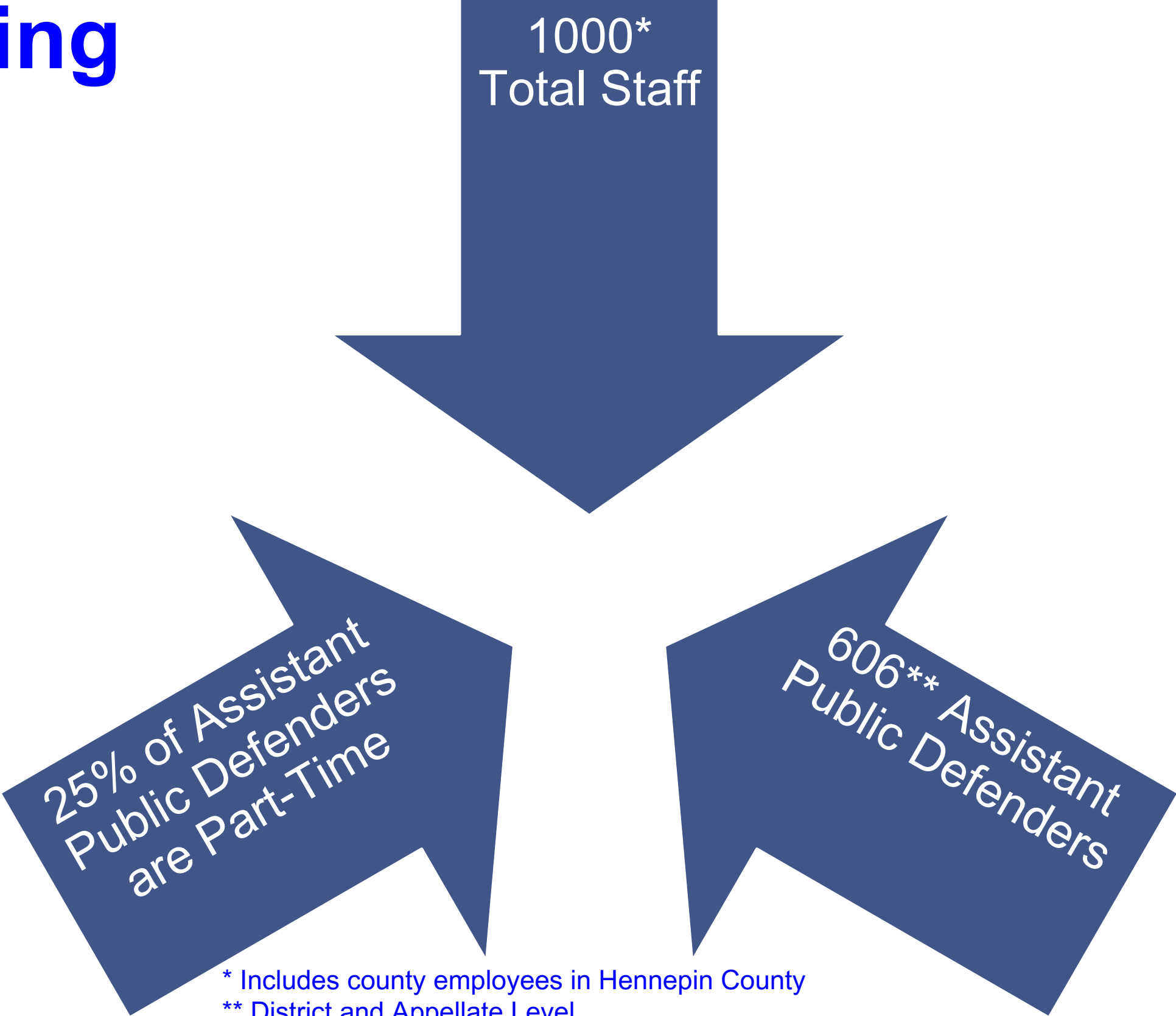
# Service

- 9 Judicial District Public Defender Offices
- Appellate Office
- 20 Satellite Offices
- 155 Part-Time Defenders





# Staffing



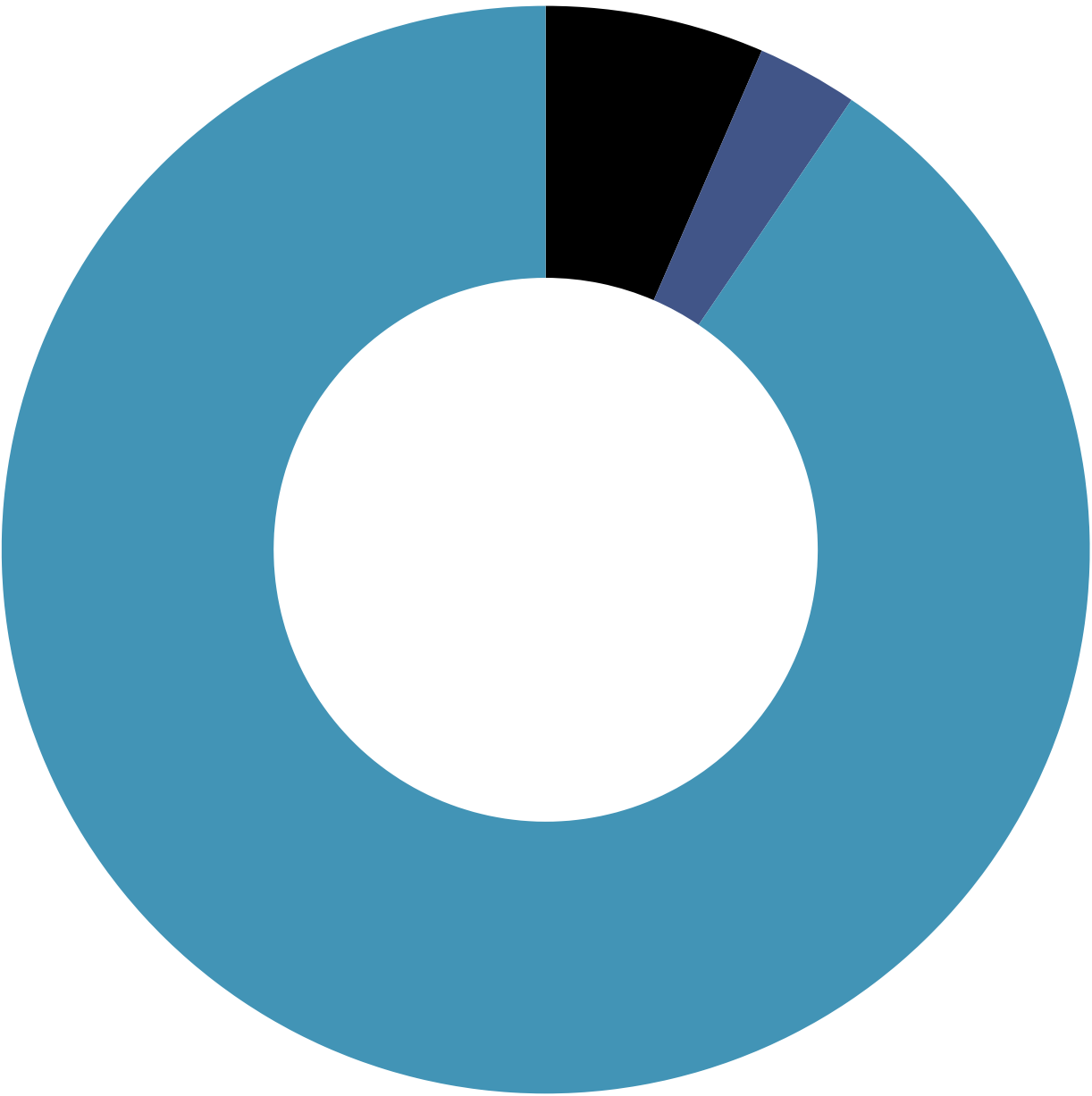
\* Includes county employees in Hennepin County  
\*\* District and Appellate Level.





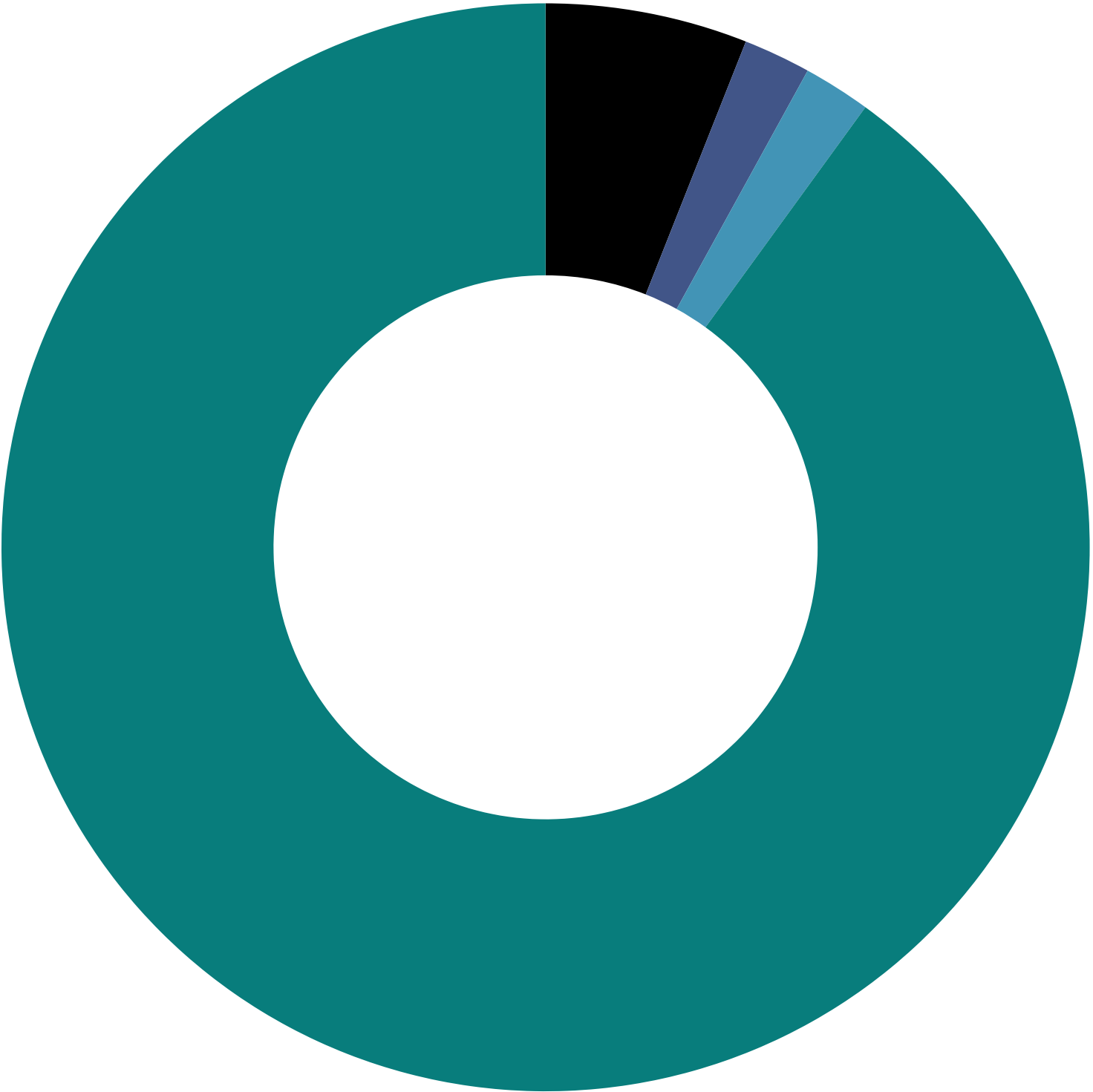
# F.Y. 2025 Budget by Program

■ Appellate Office   ■ Admin Services   ■ District Public Defense





■ Mandated Costs   ■ P.D. Corporations   ■ Other   ■ Personnel

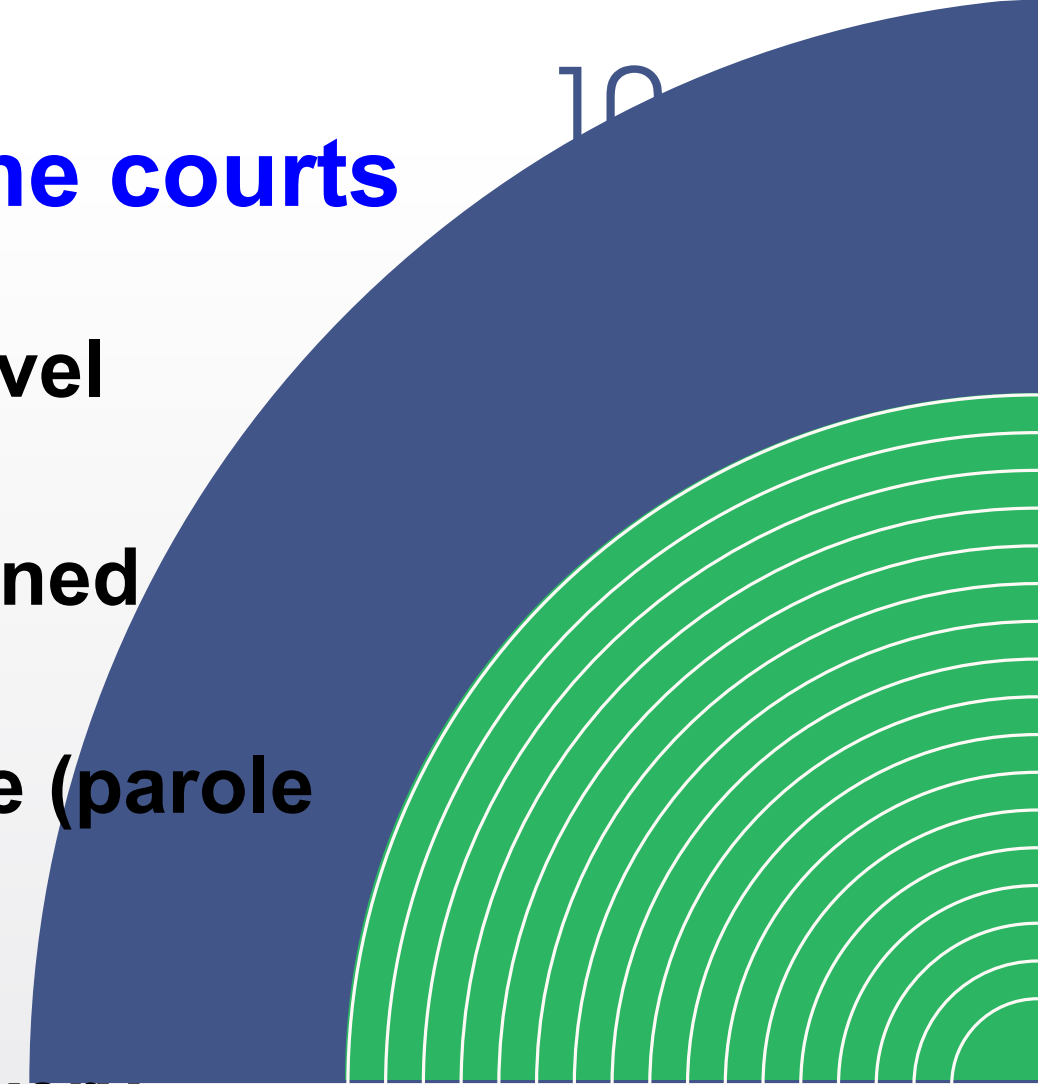


# Budget by Area



## Largest user of the courts

- 130,000 cases on trial level
- 3,600 appellate files opened
- 3,800 supervised release (parole revocation) files opened
- Mandated Services in Every County/Courtroom
- Caseloads/Workload Commitments controlled by outside factors





- **Constitutionally mandated service in:**
- **Felony**
- **Gross Mis./Other (I.e. Extradition, Probation Violations)**
- **Misdemeanor**
- **Juvenile Delinquency**
- **Statutorily mandated service for:**
- **Children over 10 years of age in child protection cases**





# Appellate Office

## Constitutionally mandated service:

- Criminal appeals
- Post conviction proceedings- in District Courts
- Supervised Release proceedings (Parole)





# Public Defense Corporations

- Statutorily mandated funding (M.S. 611.215)
- Grant funding administered to non-profit public defense corporations.
- Corporations handle approximately 3,300 cases that would otherwise be public defender cases.

Minneapolis  
Legal Rights  
Center

St. Paul  
Neighborhood  
Justice Center

Duluth Indian  
Legal Services

Regional Native  
Public Defense  
Corporation



- ***Dzubiak v Mott***

a public defender “may not reject a client, but is obligated to represent whoever is assigned to her or him...”

- ***State v Deegan***

Appellate Office declined to represent Deegan because he pled guilty and received less than the presumptive sentence, the district court denied Deegan's motion for appointment of counsel. The Minnesota State Supreme Court reversed that decision.





## Held to the Same Standards as Private Attorneys

- *Missouri v. Frye* & *Lafler v. Cooper*

Criminal defendants have a Sixth Amendment right to effective assistance of counsel during plea negotiations.

- *Padilla v Kentucky*

Immigration consequences of a guilty plea are an integral part of a criminal conviction and thus are within the scope of the Sixth Amendment's right to counsel.







# Public Defender Workload/ Caseload Challenges



Public Defender



Caseload

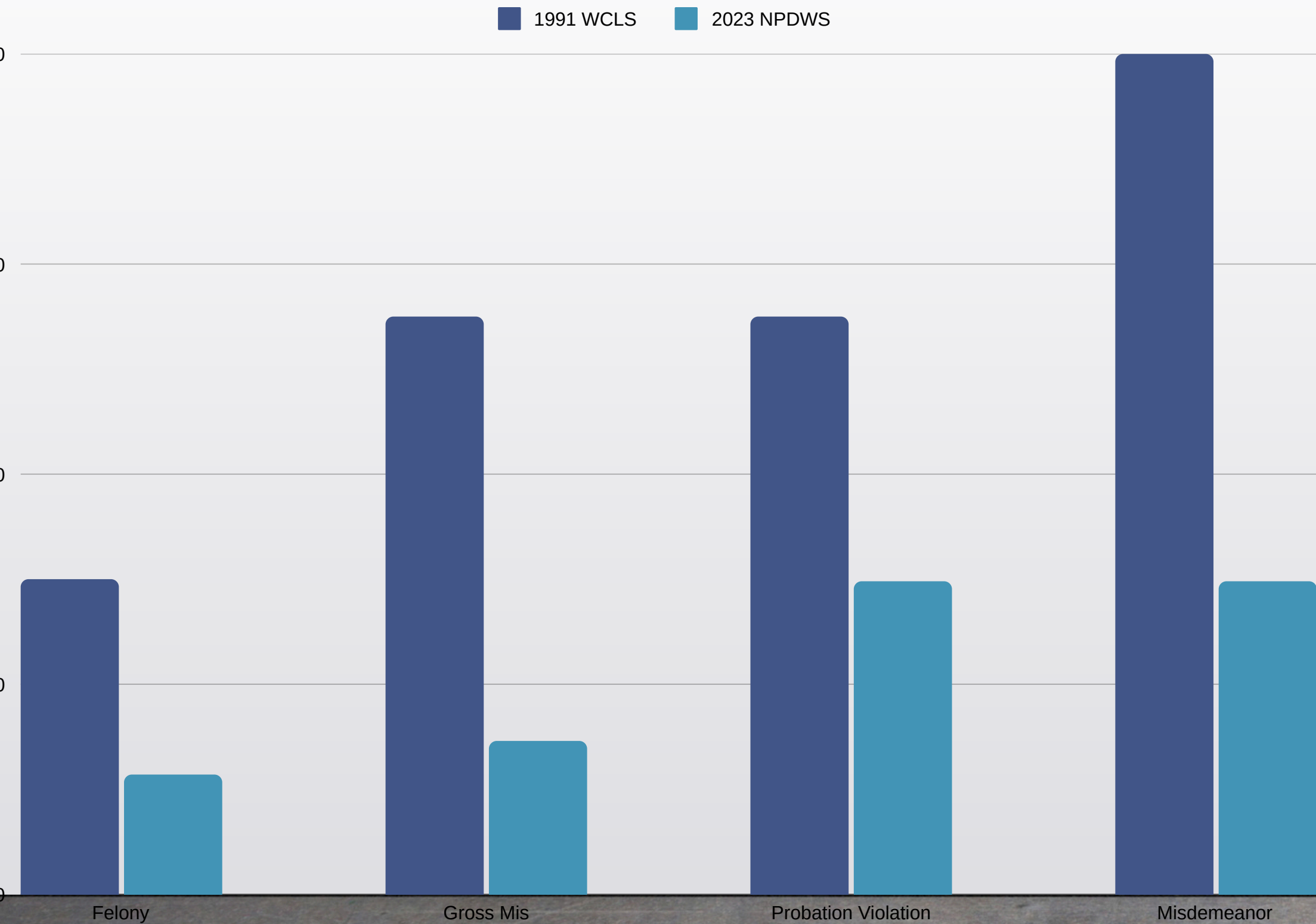
Individual Client







# Public Defender Workloads/ Caseloads Challenges



Case Type	1991 Weighted Caseload Standard	2023 National Public Defender Workload Standard
Felony	150	21-59
Probation Violations	275	149

## Audio/Video Dashboard, Body, Public and Private Cameras

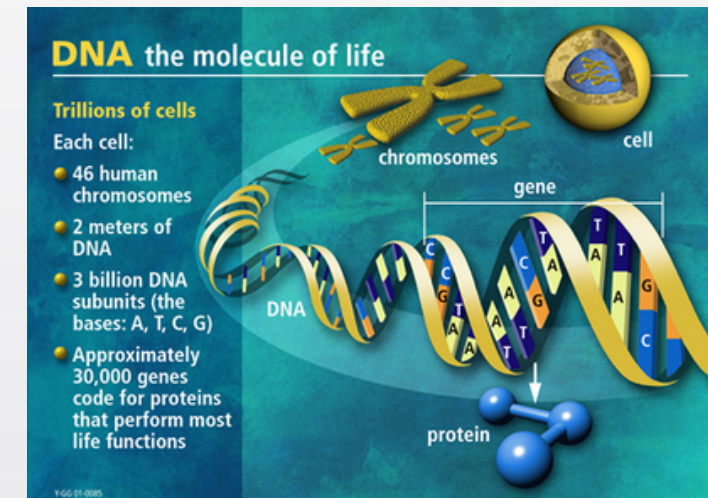
- 2023- received 280 terabytes of data.
- 2024- first **6 months**- 280 terabytes of data. w/o Hennepin County
- = 70,000 full length movies
- Attorney time to review-????
- Storage costs





## Scientific Evidence

- Evidence must be analyzed for the ways in which it is collected, processed, analyzed, and reported.
- This includes computer forensics, drug analysis, fingerprint analysis, DNA, ballistics, arson reports, and other forensic evidence.





- Alcohol/drug abuse and addiction is a factor in 80%-90% of Minnesota's criminal cases.
- 45% of inmates in local jails and prisons have co-occurring substance use and other mental health issues
- 30%-50% of jail inmates suffer from mental illness.
- 50-80% of those involved in the criminal court system have had a TBI





# Language and Cultural Barriers

