Minutes
Legislative Audit Commission
October 6, 2026

Members Present:
Senator Calvin K. Bahr
Senator D. Scott Dibble
Senator Steve J. Drazkowski
Senator Mark W. Koran
Senator Ann H. Rest
Representative Emma Greenman
Representative Rick Hansen
Representative Steven Jacob
Representative Fue Lee
Representative Duane Quam

Members Absent:
Senator Tou Xiong
Representative Patti Anderson

With Senator Ann H. Rest, Chair, attending remotely, Representative Duane Quam, Vice Chair, assumed the chair and called the Legislative Audit Commission (LAC) meeting to order at 2:00 p.m. in room G23 State Capitol. The purpose was to receive the key findings and recommendations in the Office of the Legislative Auditor's (OLA's) evaluation report, *Minnesota Board of Public Defense.* Representative Quam invited OLA staff to introduce themselves and begin their comments.

Jodi Munson Rodríguez, Deputy Legislative Auditor, and Mariyam Naadha, Project Manager, provided background, saying that this evaluation had been requested as a follow-up to OLA's 2010 report, *Public Defender System*. That report found high workloads, an outdated way of measuring workloads, and insufficient supervision; this evaluation found some of the same problems 16 years later.

Ms. Naadha presented three main findings. The first being that the Minnesota Board of Public Defense's (BoPD's) caseload standards are outdated. The standards were set more than 30 years ago, and BoPD staff feedback indicated that standards do not reflect modern defense work. Defense staff now review more body camera video and forensic evidence, represent more clients with mental health and chemical dependency issues, and travel long distances in rural areas.

The second finding was that high workloads are still widely reported. In OLA's BoPD staff survey, large shares of public defenders in several judicial districts said their 2025 workload was too high. Ms. Naadha added that because the standards are outdated, BoPD also lacks an effective way to determine the resources it needs.

The third finding concerned the governing board ("the Board"), which Ms. Naadha said has completed some statutory duties but has not provided effective leadership. She said the Board took formal action on caseload standards only in 2024, despite knowing for years that the standards were outdated. She added that the Board has taken limited action to address longstanding challenges and that its resource allocation procedures rely on outdated information. While the Board has set goals, it has not established performance measures, so it cannot easily determine or demonstrate whether resources are enough, for example, to meet its guideline for visiting in-custody clients promptly.

OLA recommended that BoPD conduct a weighted caseload study and update its caseload standards. OLA also recommended that the Board update its resource allocation procedures based on the new study, use them to determine staffing needs and allocate resources, and establish performance measures and regularly monitor progress toward its goals.

Chief Administrator Kevin Kajer and State Public Defender William Ward had no prepared remarks and referred members to the Board's written response at the end of the report. Mr. Ward agreed that caseload standards are outdated. He said adequate staffing is the main answer to the report's findings. He reminded the LAC members of funding cuts in the mid-2000s that took three biennia for BoPD to recover from. He added that pay increases lagged for prosecutors for decades, and the recent funding increase to BoPD has helped bring staffing closer to parity.

Both then described what additional money would go toward: non-attorney support staff, community programs addressing housing and mental health, and technology improvements. Mr. Ward said BoPD now stores about two petabytes of evidence data, costing roughly $1 million a year, and said he expects artificial intelligence tools to help BoPD with file organization and the ability to find video evidence in the future. He said the policy is that managers carry no more than a half-time caseload, which is hard to maintain when attorneys leave or take time off. On measuring results, he pointed to staff exit interviews, in which staff most often cited too many cases, and said he hopes to start exit interviews with BoPD clients, most of whom he believes are currently dissatisfied because they do not get the time they feel they deserve for their cases.

On hiring, Mr. Kajer said BoPD has roughly 25 to 30 open attorney positions and explained which districts are hard to fill and where new hires are hard to keep. Mr. Ward said the mental health needs of clients have grown dramatically while continuity of care has not, and that treatment courts add to workloads because defenders must attend frequent hearings, sometimes weekly.

Mr. Kajer said BoPD could not meet even its existing caseload standard until the 2024 legislative funding increase, after years of hiring freezes, pauses, and layoffs. He said a group of public defenders and chief public defenders is now updating caseload standards, with completion expected in early or mid-2027. He added that Board members are dedicated volunteers, typically serving two to four years, and four of the nine members are in their first three years. In closing, Mr. Ward said that BoPD meets clients and attends hearings virtually when it can, and that BoPD handles about 90 percent of criminal cases regardless of county attorney charging practices, with chief public defenders reviewing case and staff allocation at least quarterly.

Seeing no further discussion, Representative Quam adjourned the meeting at 3:20 p.m.

Representative Duane Quam, Vice Chair

Maureen Garrahy, Recording Secretary