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**STATE OF MINNESOTA
BOARD OF PUBLIC DEFENSE**

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January 15, 2014

Representative Debra Hilstrom
Chair House Judiciary Policy and Finance Committee
379 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

Senator Ron Latz
Chairman Senate Judiciary Committee
75 Rev. Dr. Martin Luther King Jr. Blvd.
Capitol Building, Room 122
St. Paul, MN 55155-1606

Dear Representative Hilstrom and Senator Latz:

Per Minnesota Statutes 611.20 I am forwarding to you the Fiscal Year 2013 Report on Public Defender Reimbursements.

If you have any questions regarding this please do not hesitate to contact me.

Sincerely,

Kevin Kajer
Chief Administrator

Cc Representative Drazkowski
Senator Limmer
Legislative Reference Library



State of Minnesota
Board of Public Defense
Report on
Public Defender Reimbursements
Fiscal Year 2013



A report to the Legislature prepared
by the Board of Public Defense per
Minnesota Statutes 611.20

Citation

Minnesota Statutes 611.20 requires the State of Minnesota Board of Public Defense to report annually on the collection and disbursement of public defender reimbursements. After consultation with the staff at the Minnesota Supreme Court it was determined that some of the variables outlined for reporting in M.S. 611.20 are not available. Minnesota Statutes 3.197 requires the reporting of the cost of report preparation. Staff time was minimal in preparing this report and as a result there were no production costs.

Background

Minnesota Statutes 611.20 Subd. 2 authorizes the trial court to direct those public defender clients who are able to pay at least part of their defense costs to do so.

Prior to July 1, 1999 the first \$180,000 of public defender reimbursements were deposited in the general fund of the State of Minnesota, as a non-dedicated receipt. The Board of Public Defense, retained receipts in excess of \$180,000. Due to the uncertain nature of this funding expenditures were limited to one-time expenses. The vast majority of this funding was used to provide training for public defenders (Continuing Legal Education Credits).

In the 1998 Legislative Session M.S. 611.20 was amended to direct all reimbursements to the Board of Public Defense. Funds retained under this provision are to be used to offset the overhead costs of part time assistant public defenders. Each Judicial District Public Defender Office receives the reimbursements ordered and collected by the Court in their respective Judicial District. Reimbursement payments are made to part time assistant public defenders on a quarterly basis. The amount that each attorney receives depends on the amount collected, and the number of part time defenders in the Judicial District.

Caseloads and Reimbursements

During FY 2013 employees of the Board of Public Defense reported opening approximately 145,000 cases. In that same time period the State of Minnesota reported receiving \$361,000 in reimbursements from public defender clients.

While the Court does not keep data on the number of cases where reimbursement is ordered, some inter-district comparisons can be made. In order to compare workloads across district lines the board uses a "case unit" measure. The "case unit" is defined by the relative difficulty of the different types of cases as determined by the Board of Public Defense Weighted Caseload Study. A "case unit" equals the defense service that goes into the average misdemeanor case. The "case unit" is then applied to each case type to arrive at the total case units for each district. Reimbursement totals are divided by the number of case units in each Judicial District Public Defender Office to arrive at a reimbursement amount "per case unit".

Table 1 outlines for fiscal year 2013 the total reimbursements by district, amount per case unit, and the amount distributed to each category of part-time public defender. Table 2 indicates the reimbursements by county for fiscal year 2013.

Public Defender Reimbursements | 2013

Table 1

Fiscal Year 2013 Public Defender Reimbursements by Judicial District

<u>District</u>	<u>Cases Opened</u>	<u>Case Units</u>	<u>Total</u>	<u>Amount Per Case Unit</u>	<u>Amount Per 75% Time Public Defender</u>	<u>Amount Per 50% time Public Defender</u>	<u>Amount Per 25% Time Public Defender</u>
First	13,191	23,097	\$83,882	\$3.63	\$3,226	N/A	N/A
Second ¹	14,738	24,199	\$300	\$0.01	\$45	\$30	N/A
Third	10,226	18,635	\$27,542	\$1.48	\$1,836	\$1,224	N/A
Fourth ²	44,278	73,209	\$247	\$0.00	N/A	N/A	N/A
Fifth	6,515	11,138	\$73,002	\$6.55	\$5,475	\$3,650	N/A
Sixth	9,000	15,327	\$4,161	\$0.27	\$240	\$160	N/A
Seventh	11,799	19,504	\$96,474	\$4.95	\$3,215	N/A	N/A
Eighth	3,235	5,666	\$37,054	\$6.54	\$3,176	\$2,117	N/A
Ninth	13,238	22,493	\$17,418	\$0.77	\$900	N/A	\$300
Tenth	18,418	31,964	\$20,970	\$0.66	\$669	\$446	N/A
Total	144,638	245,231	\$361,050	\$1.47			

N/A- Not applicable no part-time defenders in that category.

¹ In the Second Judicial District Criminal Defense Services, Inc. appears on behalf of working defendants who have limited funds to hire an attorney.

² The Fourth Judicial District Public Defender Office does not currently have any part time attorneys employed by the State of Minnesota.

Public Defender Reimbursements | 2013

Table 2

<u>County</u>	<u>JD</u>	<u>Amount</u>	<u>County</u>	<u>JD</u>	<u>Amount</u>
Aitkin	9	\$75	Martin	5	\$7,046
Anoka	10	\$605	McLeod	1	\$5,513
Becker	7	\$1,009	Meeker	8	\$5,867
Beltrami	9	\$237	Mille Lacs	7	\$5,772
Benton	7	\$1,724	Morrison	7	\$7,819
Big Stone	8	\$451	Mower	3	\$1,409
Blue Earth	5	\$13,959	Murray	5	\$747
Brown	5	\$7,755	Nicollet	5	\$6,223
Carlton	6	\$1,340	Nobles	5	\$2,301
Carver	1	\$15,931	Norman	9	\$530
Cass	9	\$2,014	Olmsted	3	\$5,886
Chippewa	8	\$4,988	Otter Tail	7	\$22,292
Chisago	10	\$3,211	Pennington	9	\$2,400
Clay	7	\$6,359	Pine	10	\$39
Clearwater	9	\$645	Pipestone	5	\$1,522
Cook	6	\$114	Polk	9	\$2,332
Cottonwood	5	\$3,249	Pope	8	\$3,331
Crow Wing	9	\$584	Ramsey	2	\$575
Dakota	1	\$31,019	Red Lake	9	\$1,424
Dodge	3	\$1,570	Redwood	5	\$6,801
Douglas	7	\$18,667	Renville	8	\$9,499
Faribault	5	\$2,006	Rice	3	\$1,988
Fillmore	3	\$4,847	Rock	5	\$2,034
Freeborn	3	\$471	Roseau	9	806
Goodhue	1	\$10,350	Scott	1	\$9,163
Grant	8	\$120	Sherburne	10	\$400
Hennepin	4	\$314	Sibley	1	\$3,176
Houston	3	\$1,103	St. Louis	6	\$3,745
Hubbard	9	\$180	Stearns	7	\$28,357
Isanti	10	\$2,124	Steele	3	\$233
Itasca	9	\$3,567	Stevens	8	\$1,179
Jackson	5	\$2,972	Swift	8	\$1,334
Kanabec	10	\$1,477	Todd	7	\$5,024
Kandiyohi	8	\$7,999	Traverse	8	\$50
Kittson	9	\$403	Wabasha	3	\$0
Koochiching	9	\$195	Wadena	7	\$2,760
Lac qui Parle	8	\$1,446	Waseca	3	\$1,266
Lake	6	\$75	Washington	10	\$18,723
Lake of the Woods	9	\$100	Watsonwan	5	\$2,361
Le Sueur	1	\$7,899	Wilkin	8	\$400
Lincoln	5	\$1,561	Winona	3	\$6,989
Lyon	5	\$12,869	Wright	10	\$447
Mahnomen	9	\$42	Yellow Medicine	8	\$4,770
Marshall	9	\$200			