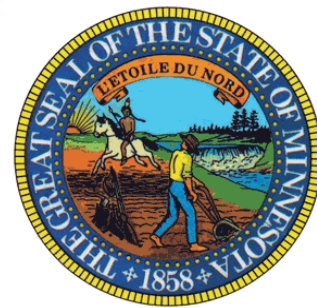




State of Minnesota
Board of Public Defense
Report on
Public Defender Reimbursements
Fiscal Year 2018



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. The board receives the reimbursements ordered and collected by the Court in each 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 fiscal year 2018 employees of the Board of Public Defense reported opening approximately 151,000 cases. In that same time period the State of Minnesota Department of Management and Budget reported receiving \$384,000 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 2018 the total reimbursements by district, amount per case unit, and the amount distributed to each category of part-time public defender. Table 2 outlines the reimbursements by county for fiscal year 2018.

Table 1**Fiscal Year 2018 Public Defender Reimbursements by Judicial District**

<u>District</u>	<u>Cases Opened</u>	<u>Case Units</u>	<u>Amount</u>	<u>Per Case Unit</u>	<u>Per 75% Time Defender</u>	<u>Per 50% Time Defender</u>
First	15,811	28,126	\$112,330	\$3.99	\$3,702	n/a 2
Second (1)	14,847	24,499	\$0	\$0.00	\$0	\$0
Third	11,225	20,972	\$30,863	\$1.47	\$1,888	\$1,259
Fourth	35,920	65,591	\$0	\$0.00	\$0	\$0
Fifth	7,633	14,086	\$80,949	\$5.75	\$13,121	\$8,753
Sixth	9,165	15,110	\$1,207	\$0.08	\$65	\$43
Seventh	15,389	26,458	\$77,117	\$2.91	\$2,444	n/a
Eighth	4,248	7,565	\$26,353	\$3.48	\$3,179	\$2,120
Ninth	15,685	27,225	\$25,468	\$0.94	\$1,266	n/a
Tenth	20,415	36,112	\$29,868	\$0.83	\$859	\$573
Total	150,338	265,743	\$384,157	\$1.95	\$2,652	\$1,821

[1]- Criminal Defense Services Inc. (CDI) appears on behalf of working defendants who have limited funds to hire an attorney.

(2)- There are no part time defenders in this class.

Table 2 Fiscal Year 2018 Reimbursement Amounts by County

<u>County</u>	<u>Jud. Dist.</u>	<u>Amount</u>	<u>County</u>	<u>Jud. Dist.</u>	<u>Amount</u>
Carver	1	\$9,530	Otter Tail	7	\$24,543
Dakota	1	\$19,965	Stearns	7	\$18,689
Goodhue	1	\$13,738	Todd	7	\$2,819
Le Sueur	1	\$2,811	Wadena	7	\$1,066
McLeod	1	\$4,546	Big Stone	8	\$469
Scott	1	\$54,528	Chippewa	8	\$4,943
Sibley	1	\$7,213	Grant	8	\$397
Ramsey	2	\$0	Kandiyohi	8	\$4,509
Dodge	3	\$425	Lac Qui Parle	8	\$845
Fillmore	3	\$924	Meeker	8	\$3,846
Freeborn	3	\$211	Pope	8	\$2,982
Houston	3	\$100	Renville	8	\$3,347
Mower	3	\$4,698	Stevens	8	\$680
Olmsted	3	\$8,679	Swift	8	\$963
Rice	3	\$7,054	Traverse	8	\$201
Steele	3	\$426	Wilkin	8	\$1,055
Wabasha	3	\$2,664	Yellow Medicine	8	\$2,116
Waseca	3	\$925	Aitkin	9	\$1,400
Winona	3	\$4,757	Beltrami	9	\$1,972
Hennepin	4	\$0	Cass	9	\$1,134
Blue Earth	5	\$19,263	Clearwater	9	\$203
Brown	5	\$4,189	Crow Wing	9	\$6,639
Cottonwood	5	\$3,058	Hubbard	9	\$1,033
Faribault	5	\$3,465	Itasca	9	\$1,230
Jackson	5	\$3,162	Kittson	9	\$231
Lincoln	5	\$550	Koochiching	9	\$461
Lyon	5	\$8,361	Lake of the Woods	9	\$437
Martin	5	\$7,637	Mahnomen	9	\$1,312
Murray	5	\$1,418	Marshall	9	\$474
Nicollet	5	\$5,988	Norman	9	\$0
Nobles	5	\$6,663	Pennington	9	\$4,383
Pipestone	5	\$3,327	Polk	9	\$2,508
Redwood	5	\$9,808	Red Lake	9	\$300
Rock	5	\$2,531	Roseau	9	\$1,749
Watonwan	5	\$1,529	Anoka	10	\$236
Carlton	6	\$97	Chisago	10	\$2,704
Cook	6	\$75	Isanti	10	\$2,247
Lake	6	\$80	Kanabec	10	\$2,444
St. Louis	6	\$956	Pine	10	\$1,818
Becker	7	\$2,565	Sherburne	10	\$584
Benton	7	\$1,952	Washington	10	\$16,722
Clay	7	\$7,882	Wright	10	\$3,112
Douglas	7	\$11,849	Statewide Totals		\$384,157
Mille Lacs	7	\$4,183			
Morrison	7	\$1,570			