



# MINNESOTA BOARD OF PUBLIC DEFENSE



## Report on Public Defender Reimbursements Fiscal Year 2020

**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.

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 2020 employees of the Board of Public Defense reported opening approximately 124,000 cases. In that same time period, the State of Minnesota Department of Management and Budget reported receiving \$387,000 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. 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 2020 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 2020.

**Table 1****Fiscal Year 2020 Public Defender Reimbursements by Judicial District**

<b>District</b>	<b>Cases Opened</b>	<b>Case Units</b>	<b>Reimbursements</b>		<b>Per Defender</b>	
			<b>Total</b>	<b>Per Unit</b>	<b>75% Time</b>	<b>50% Time</b>
First	13,015	23,165	\$92,114	\$3.98	\$3,095	n/a <sup>1</sup>
Second <sup>2</sup>	11,778	20,325	\$25	\$0.00	\$2	\$1
Third	9,473	17,711	\$34,367	\$1.94	\$2,087	\$1,392
Fourth	28,769	47,158	\$126	\$0.00	\$126	n/a
Fifth	6,716	12,493	\$84,445	\$6.76	\$16,752	\$11,175
Sixth	8,160	13,382	\$1,028	\$0.08	\$62	\$41
Seventh	13,075	22,881	\$85,272	\$3.73	\$2,792	n/a
Eighth	3,893	7,382	\$29,777	\$4.03	\$4,851	\$3,236
Ninth	12,573	22,243	\$34,865	\$1.57	\$1,889	n/a
Tenth	16,563	29,510	\$25,069	\$0.85	\$613	\$409
<b>Total</b>	<b>124,015</b>	<b>216,250</b>	<b>\$387,100</b>	<b>\$2.29</b>	<b>\$3,227</b>	<b>\$2,709</b>

<sup>1</sup> n/a There are no defenders in this position class.<sup>2</sup> Criminal Defense Services Inc. (CDI) appears on behalf of working defendants who have limited funds to hire an attorney.



**Table 2 Fiscal Year 2020 Reimbursement Amounts by County**

County	Dist.	Amount	County	Dist.	Amount
Carver	1	\$9,886	Morrison	7	\$3,449
Dakota	1	\$13,562	Otter Tail	7	\$16,156
Goodhue	1	\$11,316	Stearns	7	\$18,295
Le Sueur	1	\$1,853	Todd	7	\$7,738
McLeod	1	\$3,902	Wadena	7	\$848
Scott	1	\$47,447	Big Stone	8	\$315
Sibley	1	\$4,147	Chippewa	8	\$2,352
Ramsey	2	\$25	Grant	8	\$240
Dodge	3	\$350	Kandiyohi	8	\$8,678
Fillmore	3	\$469	Lac Qui Parle	8	\$391
Freeborn	3	\$164	Meeker	8	\$5,361
Houston	3	\$0	Pope	8	\$2,946
Mower	3	\$7,357	Renville	8	\$3,418
Olmsted	3	\$14,173	Stevens	8	\$722
Rice	3	\$4,851	Swift	8	\$1,783
Steele	3	\$2,494	Traverse	8	\$149
Wabasha	3	\$2,306	Wilkin	8	\$462
Waseca	3	\$424	Yellow Medicine	8	\$2,960
Winona	3	\$1,781	Aitkin	9	\$1,647
Hennepin	4	\$138	Beltrami	9	\$809
Blue Earth	5	\$22,799	Cass	9	\$2,833
Brown	5	\$7,121	Clearwater	9	\$657
Cottonwood	5	\$4,114	Crow Wing	9	\$9,868
Faribault	5	\$1,852	Hubbard	9	\$1,185
Jackson	5	\$2,768	Itasca	9	\$4,272
Lincoln	5	\$593	Kittson	9	\$135
Lyon	5	\$8,082	Koochiching	9	\$1,192
Martin	5	\$4,333	Lake of the Woods	9	\$793
Murray	5	\$1,969	Mahnomen	9	\$714
Nicollet	5	\$5,019	Marshall	9	\$0
Nobles	5	\$7,514	Norman	9	\$300
Pipestone	5	\$2,687	Pennington	9	\$5,661
Redwood	5	\$10,399	Polk	9	\$1,304
Rock	5	\$1,251	Red Lake	9	\$697
Watonwan	5	\$3,944	Roseau	9	\$2,800
Carlton	6	\$0	Anoka	10	\$45
Cook	6	\$0	Chisago	10	\$391
Lake	6	\$75	Isanti	10	\$2,095
St. Louis	6	\$953	Kanabec	10	\$1,505
Becker	7	\$2,401	Pine	10	\$566
Benton	7	\$5,571	Sherburne	10	\$75
Clay	7	\$12,373	Washington	10	\$18,169
Douglas	7	\$13,208	Wright	10	\$2,223
Mille Lacs	7	\$5,231	<b>Total</b>		<b>\$387,100</b>