



MINNESOTA BOARD OF PUBLIC DEFENSE



Report on Public Defender Reimbursements Fiscal Year 2021

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 2021 employees of the Board of Public Defense reported opening approximately 116,000 cases. In that same time period, the State of Minnesota Department of Management and Budget reported receiving \$315,000 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 2021 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 2021.

Table 1**Fiscal Year 2021 Public Defender Reimbursements by Judicial District**

<u>District</u>	<u>Cases</u>	<u>Case</u>	<u>Reimbursements</u>		<u>Per Defender</u>	
	<u>Opened</u>	<u>Units</u>	<u>Total</u>	<u>Per Unit</u>	<u>75% Time</u>	<u>50% Time</u>
First	13,575	24,386	\$66,438	\$2.72	\$2,264	n/a (1)
Second (2)	9,406	17,675	\$0	\$0.00	\$0	\$0
Third	8,774	16,262	\$22,436	\$1.38	\$1,670	\$1,114
Fourth	24,041	41,570	\$635	\$0.02	\$462	n/a
Fifth	6,944	12,748	\$75,583	\$5.93	n/a	\$13,959
Sixth	7,619	12,633	\$842	\$0.07	\$34	\$22
Seventh	13,686	24,100	\$74,332	\$3.08	\$2,431	n/a
Eighth	4,238	7,874	\$25,979	\$3.30	\$3,232	\$2,156
Ninth	12,912	22,670	\$23,011	\$1.02	\$1,177	n/a
Tenth	15,169	28,150	\$26,702	\$0.95	\$642	\$415
Total	116,364	208,068	\$315,958	\$1.85	\$1,324	\$2,944

1. n/a defenders in these job classes.

2. Criminal Defense Services Inc. appears on behalf of some low income clients.

Table 2 Fiscal Year 2021 Reimbursement Amounts by County

County	Dist.	Amount	County	Dist.	Amount
Carver	1	\$9,801	Morrison	7	\$4,982
Dakota	1	\$8,097	Otter Tail	7	\$14,519
Goodhue	1	\$3,904	Stearns	7	\$12,027
Le Sueur	1	\$1,672	Todd	7	\$4,229
McLeod	1	\$1,841	Wadena	7	\$1,201
Scott	1	\$38,192	Big Stone	8	\$280
Sibley	1	\$2,931	Chippewa	8	\$2,138
Ramsey	2	\$0	Grant	8	\$427
Dodge	3	\$240	Kandiyohi	8	\$6,185
Fillmore	3	\$243	Lac Qui Parle	8	\$795
Freeborn	3	\$905	Meeker	8	\$4,045
Houston	3	\$300	Pope	8	\$1,618
Mower	3	\$3,187	Renville	8	\$4,235
Olmsted	3	\$6,448	Stevens	8	\$863
Rice	3	\$5,110	Swift	8	\$1,101
Steele	3	\$3,884	Traverse	8	\$451
Wabasha	3	\$660	Wilkin	8	\$1,200
Waseca	3	\$819	Yellow Medicine	8	\$2,641
Winona	3	\$641	Aitkin	9	\$1,954
Hennepin	4	\$635	Beltrami	9	\$1,099
Blue Earth	5	\$20,451	Cass	9	\$1,814
Brown	5	\$8,325	Clearwater	9	\$913
Cottonwood	5	\$3,447	Crow Wing	9	\$3,356
Faribault	5	\$426	Hubbard	9	\$682
Jackson	5	\$2,138	Itasca	9	\$3,683
Lincoln	5	\$376	Kittson	9	\$75
Lyon	5	\$5,485	Koochiching	9	\$1,052
Martin	5	\$4,382	Lake of the Woods	9	\$0
Murray	5	\$1,980	Mahnomen	9	\$332
Nicollet	5	\$4,778	Marshall	9	\$0
Nobles	5	\$7,943	Norman	9	\$0
Pipestone	5	\$2,227	Pennington	9	\$1,719
Redwood	5	\$10,658	Polk	9	\$2,546
Rock	5	\$1,013	Red Lake	9	\$487
Watonwan	5	\$1,956	Roseau	9	\$3,299
Carlton	6	\$196	Anoka	10	\$11
Cook	6	\$0	Chisago	10	\$226
Lake	6	\$0	Isanti	10	\$1,777
St. Louis	6	\$647	Kanabec	10	\$1,874
Becker	7	\$2,479	Pine	10	\$281
Benton	7	\$3,379	Sherburne	10	\$75
Clay	7	\$9,390	Washington	10	\$19,769
Douglas	7	\$18,227	Wright	10	\$2,690
Mille Lacs	7	\$3,900	Total		\$315,958