



# MINNESOTA BOARD OF PUBLIC DEFENSE



## Report on Public Defender Reimbursements Fiscal Year 2022

**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 2022 employees of the Board of Public Defense reported opening approximately 127,000 cases. In that same time period, the State of Minnesota Department of Management and Budget reported receiving \$330,000 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 2022 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 2022.

**Table 1****Fiscal Year 2022 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           | 14,059         | 24,849         | \$74,159              | \$2.98          | \$2,455             | n/a (1)         |
| Second (2)      | 11,014         | 19,240         | \$0                   | \$0.00          | \$0                 | \$0             |
| Third           | 9,207          | 16,234         | \$26,246              | \$1.62          | \$2,314             | \$1,544         |
| Fourth          | 26,406         | 43,945         | \$172                 | \$0.00          | \$159               | n/a             |
| Fifth           | 6,687          | 12,306         | \$80,845              | \$6.57          | \$14,933            | \$9,962         |
| Sixth           | 8,692          | 13,244         | \$682                 | \$0.05          | \$39                | \$26            |
| Seventh         | 14,451         | 25,246         | \$82,574              | \$3.27          | \$2,794             | n/a             |
| Eighth          | 4,111          | 7,607          | \$24,188              | \$3.18          | \$3,872             | \$2,583         |
| Ninth           | 13,185         | 22,880         | \$18,503              | \$0.81          | \$1,251             | n/a             |
| Tenth           | 18,952         | 31,765         | \$23,397              | \$0.74          | \$556               | \$371           |
| <b>Total</b>    | <b>126,764</b> | <b>217,317</b> | <b>\$330,766</b>      | <b>\$1.92</b>   | <b>\$2,837</b>      | <b>\$2,414</b>  |

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 2022 Reimbursement Amounts by County

| County     | Dist. | Amount   | County            | Dist. | Amount           |
|------------|-------|----------|-------------------|-------|------------------|
| Carver     | 1     | \$7,210  | Morrison          | 7     | \$7,687          |
| Dakota     | 1     | \$12,985 | Otter Tail        | 7     | \$12,771         |
| Goodhue    | 1     | \$4,140  | Stearns           | 7     | \$21,553         |
| Le Sueur   | 1     | \$1,226  | Todd              | 7     | \$5,234          |
| McLeod     | 1     | \$3,663  | Wadena            | 7     | \$567            |
| Scott      | 1     | \$40,541 | Big Stone         | 8     | \$200            |
| Sibley     | 1     | \$4,395  | Chippewa          | 8     | \$1,552          |
| Ramsey     | 2     | \$0      | Grant             | 8     | \$435            |
| Dodge      | 3     | \$377    | Kandiyohi         | 8     | \$8,179          |
| Fillmore   | 3     | \$677    | Lac Qui Parle     | 8     | \$461            |
| Freeborn   | 3     | \$26     | Meeker            | 8     | \$4,040          |
| Houston    | 3     | \$0      | Pope              | 8     | \$250            |
| Mower      | 3     | \$1,727  | Renville          | 8     | \$3,089          |
| Olmsted    | 3     | \$7,140  | Stevens           | 8     | \$582            |
| Rice       | 3     | \$7,987  | Swift             | 8     | \$1,065          |
| Steele     | 3     | \$3,942  | Traverse          | 8     | \$194            |
| Wabasha    | 3     | \$2,919  | Wilkin            | 8     | \$971            |
| Waseca     | 3     | \$75     | Yellow Medicine   | 8     | \$3,169          |
| Winona     | 3     | \$1,377  | Aitkin            | 9     | \$1,594          |
| Hennepin   | 4     | \$172    | Beltrami          | 9     | \$956            |
| Blue Earth | 5     | \$18,416 | Cass              | 9     | \$843            |
| Brown      | 5     | \$7,544  | Clearwater        | 9     | \$47             |
| Cottonwood | 5     | \$4,174  | Crow Wing         | 9     | \$2,032          |
| Faribault  | 5     | \$356    | Hubbard           | 9     | \$353            |
| Jackson    | 5     | \$2,503  | Itasca            | 9     | \$577            |
| Lincoln    | 5     | \$1,047  | Kittson           | 9     | \$1,133          |
| Lyon       | 5     | \$5,728  | Koochiching       | 9     | \$0              |
| Martin     | 5     | \$3,791  | Lake of the Woods | 9     | \$275            |
| Murray     | 5     | \$2,090  | Mahnomen          | 9     | \$153            |
| Nicollet   | 5     | \$5,378  | Marshall          | 9     | \$0              |
| Nobles     | 5     | \$11,022 | Norman            | 9     | \$581            |
| Pipestone  | 5     | \$4,376  | Pennington        | 9     | \$1,762          |
| Redwood    | 5     | \$9,851  | Polk              | 9     | \$3,395          |
| Rock       | 5     | \$930    | Red Lake          | 9     | \$33             |
| Watonwan   | 5     | \$3,638  | Roseau            | 9     | \$4,770          |
| Carlton    | 6     | \$0      | Anoka             | 10    | \$175            |
| Cook       | 6     | \$0      | Chisago           | 10    | \$50             |
| Lake       | 6     | \$0      | Isanti            | 10    | \$845            |
| St. Louis  | 6     | \$682    | Kanabec           | 10    | \$614            |
| Becker     | 7     | \$2,754  | Pine              | 10    | \$689            |
| Benton     | 7     | \$1,405  | Sherburne         | 10    | \$75             |
| Clay       | 7     | \$6,472  | Washington        | 10    | \$17,711         |
| Douglas    | 7     | \$20,264 | Wright            | 10    | \$3,237          |
| Mille Lacs | 7     | \$3,867  | <b>Total</b>      |       | <b>\$330,766</b> |