



**MINNESOTA
BOARD OF
PUBLIC DEFENSE**



**Report on
Public Defender Reimbursements
Fiscal Year 2023**

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 2023 employees of the Board of Public Defense reported opening approximately 130,000 cases. In that same time period, the State of Minnesota Department of Management and Budget reported receiving \$339,000 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 2023 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 2023.

Table 1**Fiscal Year 2023 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	14,632	25,574	\$68,110	\$2.66	\$2,377	n/a (1)
Second (2)	12,449	20,701	\$0	\$0.00	\$0	\$0
Third	10,134	18,126	\$14,933	\$0.82	\$1,474	\$983
Fourth	29,142	47,567	\$149	\$0.00	\$88	n/a
Fifth	6,743	12,381	\$98,776	\$7.98	\$16,979	\$11,327
Sixth	8,596	13,074	\$296	\$0.02	\$16	\$11
Seventh	13,843	23,914	\$85,221	\$3.56	\$2,663	n/a
Eighth	3,720	7,056	\$25,482	\$3.61	\$4,866	\$3,246
Ninth	12,123	21,626	\$22,120	\$1.02	\$1,656	n/a
Tenth	19,108	32,578	\$23,803	\$0.73	\$617	\$412
Total	130,490	222,596	\$338,889	\$2.04	\$3,074	\$2,663

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 2023 Reimbursement Amounts by County

County	Dist.	Amount	County	Dist.	Amount
Carver	1	\$7,557	Morrison	7	\$8,850
Dakota	1	\$12,564	Otter Tail	7	\$12,883
Goodhue	1	\$4,005	Stearns	7	\$24,977
Le Sueur	1	\$1,822	Todd	7	\$8,305
McLeod	1	\$4,022	Wadena	7	\$650
Scott	1	\$33,247	Big Stone	8	\$63
Sibley	1	\$4,893	Chippewa	8	\$1,635
Ramsey	2	\$0	Grant	8	\$95
Dodge	3	\$183	Kandiyohi	8	\$7,317
Fillmore	3	\$127	Lac Qui Parle	8	\$120
Freeborn	3	\$112	Meeker	8	\$4,362
Houston	3	\$200	Pope	8	\$618
Mower	3	\$1,447	Renville	8	\$5,440
Olmsted	3	\$5,966	Stevens	8	\$438
Rice	3	\$3,209	Swift	8	\$1,138
Steele	3	\$1,497	Traverse	8	\$435
Wabasha	3	\$1,699	Wilkin	8	\$687
Waseca	3	\$200	Yellow Medicine	8	\$3,134
Winona	3	\$293	Aitkin	9	\$1,293
Hennepin	4	\$149	Beltrami	9	\$1,614
Blue Earth	5	\$19,761	Cass	9	\$705
Brown	5	\$9,116	Clearwater	9	\$0
Cottonwood	5	\$7,315	Crow Wing	9	\$1,826
Faribault	5	\$330	Hubbard	9	\$1,489
Jackson	5	\$1,385	Itasca	9	\$750
Lincoln	5	\$2,188	Kittson	9	\$955
Lyon	5	\$6,545	Koochiching	9	\$1,236
Martin	5	\$4,237	Lake of the Woods	9	\$0
Murray	5	\$1,974	Mahnomen	9	\$2,709
Nicollet	5	\$7,712	Marshall	9	\$0
Nobles	5	\$13,965	Norman	9	\$550
Pipestone	5	\$4,939	Pennington	9	\$1,943
Redwood	5	\$10,857	Polk	9	\$3,489
Rock	5	\$1,183	Red Lake	9	\$0
Watonwan	5	\$7,267	Roseau	9	\$3,561
Carlton	6	\$0	Anoka	10	\$300
Cook	6	\$0	Chisago	10	\$503
Lake	6	\$0	Isanti	10	\$3,249
St. Louis	6	\$296	Kanabec	10	\$1,850
Becker	7	\$887	Pine	10	\$940
Benton	7	\$1,807	Sherburne	10	\$600
Clay	7	\$4,671	Washington	10	\$14,174
Douglas	7	\$17,438	Wright	10	\$2,188
Mille Lacs	7	\$4,752	Total		\$338,889