



State of Minnesota
Board of Public Defense
Report on
Public Defender Reimbursements
Fiscal Year 2016



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 FY 2016 employees of the Board of Public Defense reported opening approximately 143,000 cases. In that same time period the State of Minnesota Department of Management and Budget reported receiving \$376,000 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 2016 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 2016.

Public Defender Reimbursements | 2016

Table 1

Fiscal Year 2016 Public Defender Reimbursements by Judicial District

<u>District</u>	<u>Cases Opened</u>	<u>Case Units</u>	<u>Total</u>	<u>Per Case Unit</u>	<u>75% Time Defender</u>	<u>50% Time Defender</u>	<u>25% Time Defender</u>
First	14,271	25,150	\$92,751	\$3.69	\$2,986.64	\$1,990.90	n/a
Second (1)	15,231	24,741	\$0	\$0.00	\$0.00	\$0.00	n/a
Third	10,560	19,488	\$30,031	\$1.54	\$2,351.80	\$1,567.71	\$783.86
Fourth(2)	37,876	63,804	\$0	\$0.00	\$0.00	\$0.00	n/a
Fifth	6,939	12,184	\$78,547	\$6.45	\$5,800.58	\$3,866.66	n/a
Sixth	9,485	15,424	\$2,745	\$0.18	\$152.09	\$101.38	n/a
Seventh	13,792	23,115	\$84,038	\$3.64	\$2,386.98	\$1,591.16	n/a
Eighth	3,670	6,477	\$33,594	\$5.19	\$3,283.96	\$2,189.09	n/a
Ninth	14,140	24,707	\$26,137	\$1.06	\$1,284.67	\$856.36	\$428.18
Tenth	17,796	32,046	\$27,760	\$0.87	\$845.57	\$563.66	n/a
Total	143,760	247,136	\$375,603	\$1.52	\$1,909.23	\$1,272.69	\$606.02

[n/a- no public defenders in those categories.](#)

[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 state employed defenders in the Fourth District

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Table 2- Fiscal Year 2016 Reimbursement Amount by County

<u>County</u>	<u>District</u>	<u>Total</u>	<u>County</u>	<u>District</u>	<u>Total</u>
CARVER	1	\$7,979	OTTER TAIL	7	\$25,872
DAKOTA	1	\$27,834	STEARNS	7	\$15,982
GOODHUE	1	\$6,615	TODD	7	\$2,643
LE SUEUR	1	\$4,582	WADENA	7	\$1,337
MCLEOD	1	\$5,286	BIG STONE	8	\$292
SCOTT	1	\$32,632	CHIPPEWA	8	\$3,678
SIBLEY	1	\$7,822	GRANT	8	\$269
RAMSEY	2	\$0	KANDIHOYI	8	\$9,200
DODGE	3	\$385	LAC QUI PARLE	8	\$604
FILLMORE	3	\$665	MEEKER	8	\$4,184
FREEBORN	3	\$595	POPE	8	\$2,755
HOUSTON	3	\$1,403	RENVILLE	8	\$5,873
MOWER	3	\$2,029	STEVENS	8	\$560
OLMSTED	3	\$5,012	SWIFT	8	\$1,154
RICE	3	\$12,011	TRAVERSE	8	\$146
STEELE	3	\$1,140	WILKIN	8	\$390
WABASHA	3	\$2,247	YELLOW MEDICIN	8	\$4,489
WASECA	3	\$686	AITKIN	9	\$127
WINONA	3	\$3,858	BELTRAMI	9	\$2,621
HENNEPIN	4	\$0	CASS	9	\$962
BLUE EARTH	5	\$15,119	CLEARWATER	9	\$115
BROWN	5	\$9,211	CROW WING	9	\$5,656
COTTONWOOD	5	\$2,353	HUBBARD	9	\$330
FARIBAULT	5	\$2,830	ITASCA	9	\$3,921
JACKSON	5	\$1,694	KITTSOON	9	\$0
LINCOLN	5	\$1,411	KOOCHICHING	9	\$290
LYON	5	\$10,862	LAKE OF WOODS	9	\$243
MARTIN	5	\$8,960	MAHNOMEN	9	\$861
MURRAY	5	\$969	MARSHALL	9	\$2,450
NICOLLET	5	\$4,447	NORMAN	9	\$1,130
NOBLES	5	\$5,828	PENNINGTON	9	\$499
PIPESTONE	5	\$1,962	POLK	9	\$2,048
REDWOOD	5	\$8,262	RED LAKE	9	\$2,134
ROCK	5	\$1,969	ROSEAU	9	\$2,749
WATONWAN	5	\$2,671	ANOKA	10	\$329
CARLTON	6	\$183	CHISAGO	10	\$991
COOK	6	\$306	ISANTI	10	\$1,751
LAKE	6	\$80	KANABEC	10	\$1,113
ST LOUIS	6	\$2,176	PINE	10	\$620
BECKER	7	\$3,764	SHERBURNE	10	\$4,484
BENTON	7	\$1,599	WASHINGTON	10	\$16,742
CLAY	7	\$8,742	WRIGHT	10	\$1,729
DOUGLAS	7	\$18,377	TOTAL		\$375,603
MILLE LACS	7	\$3,077			
MORRISON	7	\$2,644			