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**STATE OF MINNESOTA  
BOARD OF PUBLIC DEFENSE**

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November 29, 2017

Representative Tony Cornish  
Chair, House Public Safety Finance Committee  
365 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, Minnesota 55155

Senator Warren Limmer  
Chair, Senate Judiciary and Public Safety Finance Committee  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
Capitol Building, Room 122  
St. Paul, MN 55155-1606

Dear Representative Cornish and Senator Limmer:

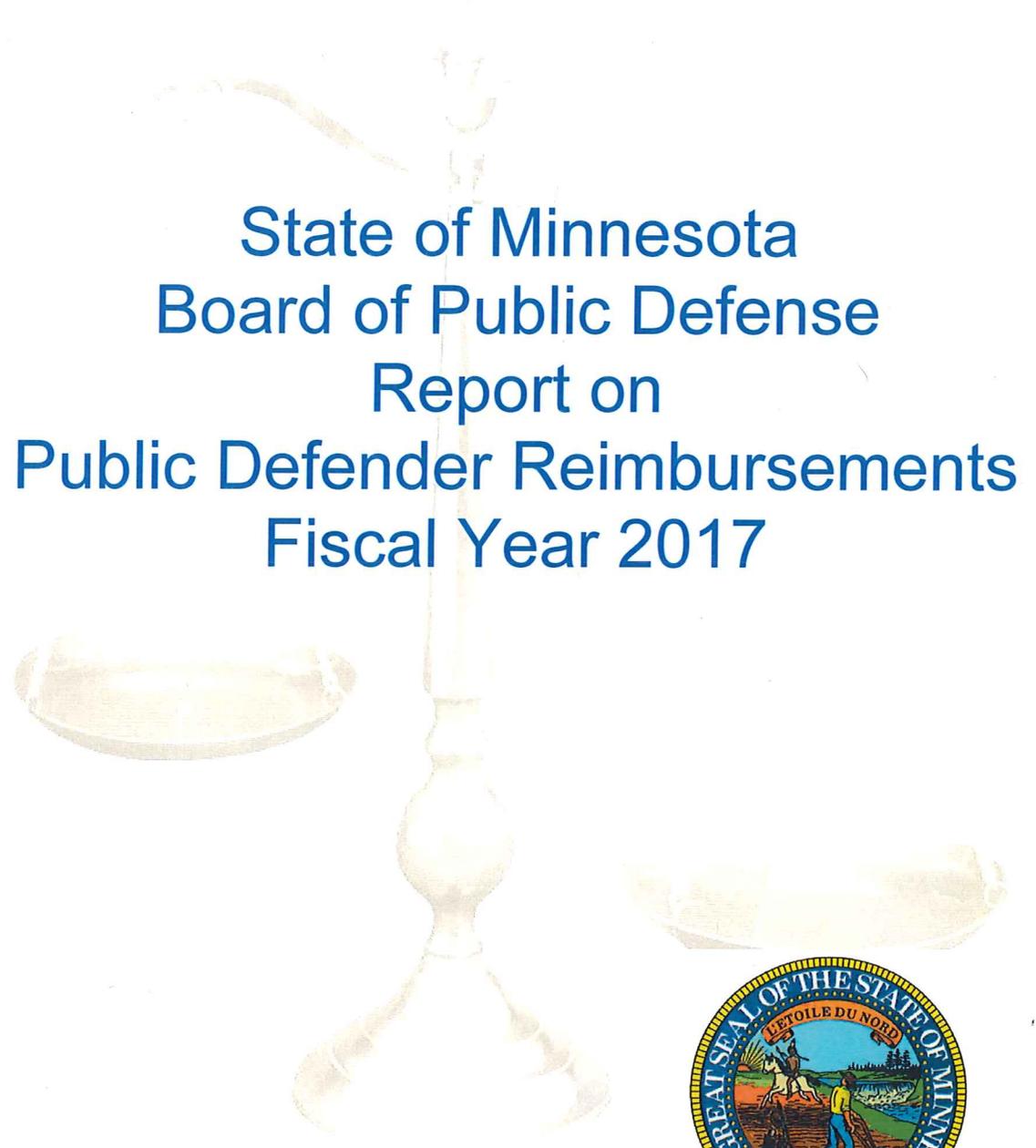
Per Minnesota Statutes 611.20 I am forwarding to you the Fiscal Year 2017 Report on Public Defender Reimbursements.

If you have any questions regarding this please do not hesitate to contact me.

Sincerely,

Kevin Kajer  
Chief Administrator

Cc Representative Hilstrom  
Senator Latz  
Legislative Reference Library ✓



State of Minnesota  
Board of Public Defense  
Report on  
Public Defender Reimbursements  
Fiscal Year 2017



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 fiscal year 2017 employees of the Board of Public Defense reported opening approximately 151,000 cases. In that same time period the State of Minnesota Department of Management and Budget reported receiving \$378,000 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 2017 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 2017.

**Table 1****Fiscal Year 2017 Public Defender Reimbursements by Judicial District**

<b><u>District</u></b>	<b><u>Cases Opened</u></b>	<b><u>Case Units</u></b>	<b><u>Amount</u></b>	<b><u>Per Case Unit</u></b>	<b><u>Per 75% Time Defender</u></b>	<b><u>Per 50% Time Defender</u></b>
First	15,375	26,678	\$114,651	\$4.30	\$3,814	n/a <sup>1</sup>
Second <sup>2</sup>	14,626	23,511	\$88	\$0.00	\$8	\$5
Third	12,442	21,529	\$28,225	\$1.31	\$1,575	\$1,055
Fourth <sup>3</sup>	37,374	64,275	\$56	\$0.00	n/a	n/a
Fifth	6,869	12,139	\$73,885	\$6.09	\$7,896	\$5,290
Sixth	9,521	14,591	\$2,570	\$0.18	\$134	\$90
Seventh	14,886	25,651	\$80,546	\$3.14	\$2,343	n/a
Eighth	3,948	6,969	\$31,073	\$4.46	\$3,183	\$2,133
Ninth	15,227	25,736	\$20,313	\$0.79	\$888	n/a
Tenth	20,864	32,170	\$26,343	\$0.82	\$759	\$509
<b>Total</b>	<b>151,132</b>	<b>253,247</b>	<b>\$377,751</b>	<b>\$2.11</b>	<b>\$2,289</b>	<b>\$1,534</b>

<sup>1</sup> n/a= there are no part time defenders in this class.

<sup>2</sup> Criminal Defense Services Inc. (CDI) appears with defendants who have limited means to hire an attorney.

<sup>3</sup> There are no part time state employees in this district.

# Public Defender Reimbursements

2017

**Table 2- Fiscal Year 2017 Reimbursement Amount by County**

<u>County</u>	<u>Judicial Dist.</u>	<u>Amount</u>	<u>County</u>	<u>Judicial Dist.</u>	<u>Amount</u>
Carver	1	\$5,883	Otter Tail	7	\$24,712
Dakota	1	\$24,585	Stearns	7	\$17,125
Goodhue	1	\$10,273	Todd	7	\$4,089
Le Sueur	1	\$3,829	Wadena	7	\$1,112
McLeod	1	\$5,672	Big Stone	8	\$375
Scott	1	\$58,240	Chippewa	8	\$3,876
Sibley	1	\$6,169	Grant	8	\$515
Ramsey	2	\$88	Kandiyohi	8	\$6,289
Dodge	3	\$2,172	Lac Qui Parle	8	\$598
Fillmore	3	\$670	Meeker	8	\$4,410
Freeborn	3	\$339	Pope	8	\$4,061
Houston	3	-\$50	Renville	8	\$4,926
Mower	3	\$3,672	Stevens	8	\$580
Olmsted	3	\$7,325	Swift	8	\$1,067
Rice	3	\$5,375	Traverse	8	\$463
Steele	3	\$1,349	Wilkin	8	\$864
Wabasha	3	\$1,616	Yellow Medicine	8	\$3,049
Waseca	3	\$1,115	Aitkin	9	\$625
Winona	3	\$4,643	Beltrami	9	\$2,650
Hennepin	4	\$56	Cass	9	\$1,228
Blue Earth	5	\$15,659	Clearwater	9	\$785
Brown	5	\$6,778	Crow Wing	9	\$3,187
Cottonwood	5	\$4,510	Hubbard	9	\$358
Faribault	5	\$2,951	Itasca	9	\$1,633
Jackson	5	\$1,159	Kittson	9	\$1,019
Lincoln	5	\$1,156	Koochiching	9	\$677
Lyon	5	\$8,602	Lake of the Woods	9	\$400
Martin	5	\$6,515	Mahnomen	9	\$381
Murray	5	\$2,881	Marshall	9	\$83
Nicollet	5	\$4,241	Norman	9	\$2,248
Nobles	5	\$6,045	Pennington	9	\$881
Pipestone	5	\$2,008	Polk	9	\$2,707
Redwood	5	\$7,324	Red Lake	9	\$0
Rock	5	\$1,922	Roseau	9	\$1,451
Watonwan	5	\$2,135	Anoka	10	\$400
Carlton	6	\$904	Chisago	10	\$231
Cook	6	\$0	Isanti	10	\$1,194
Lake	6	\$0	Kanabec	10	\$1,772
St. Louis	6	\$1,666	Pine	10	\$350
Becker	7	\$1,891	Sherburne	10	\$892
Benton	7	\$2,928	Washington	10	\$18,807
Clay	7	\$8,145	Wright	10	\$2,696
Douglas	7	\$13,897	<b>STATEWIDE TOTALS</b>		<b>\$377,751</b>
Mille Lacs	7	\$4,398			
Morrison	7	\$2,250			