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Board of Public Defense

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<https://www.pubdef.state.mn.us/>

AT A GLANCE

- Largest user of Minnesota Courts- provides mandated criminal defense services at the trial and appellate court level.
- 150,000 trial court cases opened annually.
- 4,000 appellate cases opened annually.

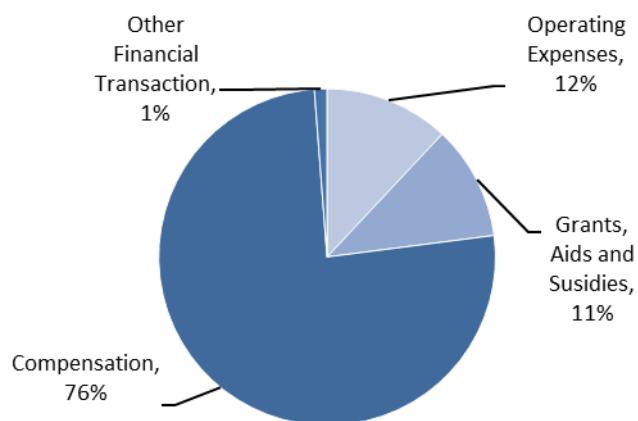
PURPOSE

The Board of Public Defense (BOPD) is a judicial branch agency whose purpose is to provide legal services mandated by the Constitution and statute. The Board's mission is to provide excellent criminal and juvenile legal defense services to indigent clients through an independent, responsible, and efficient public defender system.

The board is committed to five major goals: client centered representation, creative advocacy, continual training for all staff, recruitment, and retention of excellent staff, and being a full partner in the justice system. A well-funded and functioning public defender system ensures that the constitutional rights of the indigent are protected. This helps to protect the rights of all of our citizens. It also helps to make sure that the work of the court system continues uninterrupted which helps ensure that people in Minnesota are safe. Public defender services are almost exclusively financed by the general fund. In Hennepin County (the 4th Judicial District) there is a cost sharing between the State of Minnesota and Hennepin County.

BUDGET

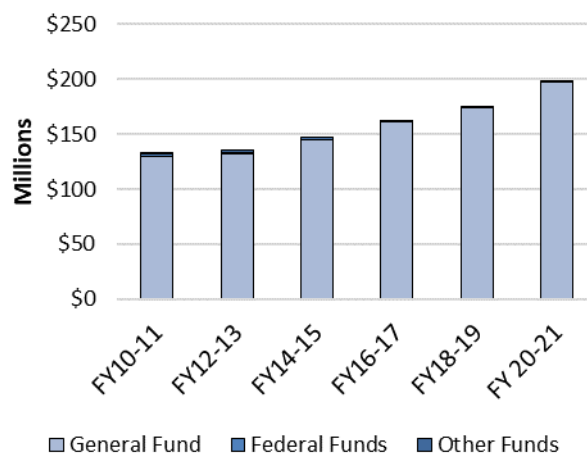
**Spending by Category
FY 2021 Actual**



Source: Budget Planning & Analysis System (BPAS)

Compensation includes funding of county employees in the 2nd and 4th Judicial Districts; however, this is included in the grants, aids, and subsidies funding category on the fiscal reports.

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

The board has developed various tools to further our mission and goals and to provide effective and efficient service delivery. These include:

- Implementation of quality representation guidelines on the trial and appellate levels
- Development of an electronic content management system
- Commitment to vertical representation
- Commitment to team defense
- Commitment to continual training of all staff
- Using a cost-effective model of representation that combines full and part time defenders
- Development of an internal resource allocation policy to better target attorney resources

M.S. 611 (<https://www.revisor.mn.gov/statutes/cite/611>) provides the legal authority for the Board of Public Defense

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	93,152	103,840	102,347	116,244	111,909	111,909	155,384	164,860
2000 - Restrict Misc Special Revenue	435	280	420	712	350	350	350	350
2403 - Gift	47	106	414	424	100	100	100	100
3015 - ARP-State Fiscal Recovery			674	3,271				
Total	93,634	104,226	103,855	120,651	112,359	112,359	155,834	165,310
Biennial Change				26,647		212		96,638
Biennial % Change				13		0		43
Enacted Budget Change from Base								96,426
Enacted Budget % Change from Base								43

Public Defense Board

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base FY24FY25		Enacted Budget FY24FY25	
1000 - General								
Balance Forward In		3,429		4,335				
Direct Appropriation	96,374	101,178	106,381	111,409	111,409	111,409	154,884	164,360
Transfers In		843	880	1,000	500	500	500	500
Transfers Out		843	380	500				
Cancellations		767	199					
Balance Forward Out	3,222		4,335					
Expenditures	93,152	103,840	102,347	116,244	111,909	111,909	155,384	164,860
Biennial Change in Expenditures				21,599		5,227		101,653
Biennial % Change in Expenditures				11		2		47
Enacted Budget Change from Base								96,426
Enacted Budget % Change from Base								43

2000 - Restrict Misc Special Revenue

Balance Forward In	455	402	452	362				
Transfers In	382	331	329	350	350	350	350	350
Balance Forward Out	402	452	362					
Expenditures	435	280	420	712	350	350	350	350
Biennial Change in Expenditures				417		(432)		(432)
Biennial % Change in Expenditures				58		(38)		(38)
Enacted Budget Change from Base								0
Enacted Budget % Change from Base								0

2403 - Gift

Balance Forward In	113	224	303	324				
Receipts	138	185	434	100	100	100	100	100
Balance Forward Out	205	303	324					
Expenditures	47	106	414	424	100	100	100	100
Biennial Change in Expenditures				685		(638)		(638)
Biennial % Change in Expenditures				449		(76)		(76)
Enacted Budget Change from Base								0
Enacted Budget % Change from Base								0

3015 - ARP-State Fiscal Recovery

Public Defense Board

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
Balance Forward In				3,271				
Direct Appropriation			3,945					
Balance Forward Out			3,271					
Expenditures			674	3,271				
Biennial Change in Expenditures				3,945		(3,945)		(3,945)
Biennial % Change in Expenditures						(100)		(100)
Enacted Budget Change from Base								0
Enacted Budget % Change from Base								

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	111,409	111,409	111,409	222,818
Forecast Base	111,409	111,409	111,409	222,818
Change Items				
Meeting Challenges Facing Public Defense		42,725	52,951	95,676
Aiding and Abetting Public Defender		750		750
Total Enacted Budget	111,409	154,884	164,360	319,244
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	712	350	350	700
Forecast Base	712	350	350	700
Total Enacted Budget	712	350	350	700
Fund: 2403 - Gift				
Planned Spending	424	100	100	200
Forecast Base	424	100	100	200
Total Enacted Budget	424	100	100	200
Revenue Change Summary				
Dedicated				
Fund: 2403 - Gift				
Forecast Revenues	100	100	100	200
Total Enacted Budget	100	100	100	200

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25	FY26	FY27	Biennium 2026-27
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Meeting Challenges Facing Public Defense

This provision provides funding to increase public defender salaries to compete with salaries offered by the board's public sector competitors. This funding will also be used to hire additional public defenders to meet the Weighted Caseload Standards for staffing and reduce the board's caseload backlog.

1000 - General Fund Cost (Savings)	0	42,725	52,951	95,676	52,951	52,951	105,902
Expenditures	0	42,725	52,951	95,676	52,951	52,951	105,902

Aiding and Abetting Public Defender

This provision provides onetime funding for the Board of Public Defense for the anticipated assignment of new cases to public defenders for the crime of felony murder due to new limitations included in statute. New limits apply to first-degree murder and second-degree murder.

1000 - General Fund Cost (Savings)	0	750	0	750	0	0	0
Expenditures	0	750	0	750	0	0	0