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Board of Public Defense

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

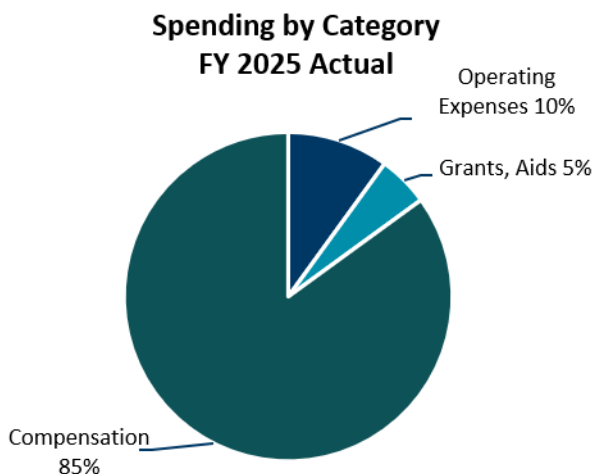
AT A GLANCE

- Largest user of Minnesota Courts; provides mandated criminal defense services at the trial and appellate court level
- 130,000 trial court cases opened annually
- 4,000 appellate cases opened annually

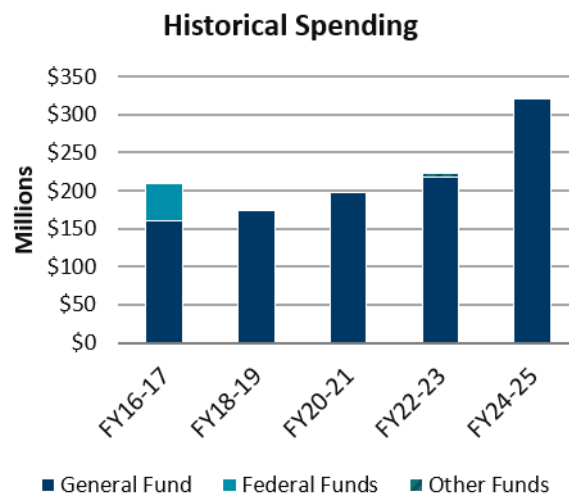
PURPOSE

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 protect the liberty of and engage in transformational criminal justice reform on behalf of those individuals we are privileged to serve by respecting the whole individual, being culturally responsive, and providing a well-resourced and trained defense team. 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 and helps to protect the rights of all our citizens. It also allows the work of the court system to continue uninterrupted, which helps to keep the people in Minnesota safe.

BUDGET



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

STRATEGIES

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

- Implementation of quality representation guidelines on the trial and appellate levels
- Commitment to vertical representation – meaning the same attorney represents a defendant from beginning to final resolution - and team defense
- Integration with prosecutors for access to discovery and use of AI tools to assist attorneys in preparing cases
- Development of an internal resource allocation policy to better target attorney resources

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

Program: Appellate Office<https://www.pubdef.state.mn.us/>**AT A GLANCE**

- Provides constitutionally mandated services to indigent Minnesotans who:
 - appeal their criminal cases;
 - pursue post-conviction proceedings; and
 - are defendants in supervised release/parole revocation hearings.
- Largest user of Minnesota Appellate Courts and Minnesota Supreme Court

PURPOSE AND CONTEXT

The Appellate Office provides services to indigent clients who appeal their criminal cases to the Minnesota Court of Appeals and Supreme Court; who pursue post-conviction proceedings in the district courts; and, to defendants in supervised release/parole revocation proceedings.

The goal for the Appellate Office is to provide excellent client-centered representation to clients in criminal appeals, post-conviction proceedings in the district courts, and supervised release/parole revocation hearings. The Appellate Office is dedicated to the principle that all clients are entitled to equal access to justice and quality representation.

By providing quality representation, the Appellate Office helps ensure that legislation and court decisions are based on sound constitutional and legal principles, thereby ensuring that the rights of all citizens are protected.

SERVICES PROVIDED

The Appellate Office provides mandated services to indigent prisoners who appeal their criminal cases to the Minnesota Court of Appeals, or in first-degree murder cases to the Supreme Court, challenging convictions, sentences, and probation revocation orders. They also provide services to those challenging convictions or sentences filed in district courts when a direct appeal is no longer available. Finally, the office provides services to defendants on supervised release, parole, or conditional release following his/her prison term and there is an allegation that a condition of release has been violated.

RESULTS**Part A: Performance Data**

The practice of criminal law does not readily lend itself to numerical results. However, the Appellate Office has incorporated quality representation guidelines into its attorney practice. Caseloads have increased and remained high, and with short timelines for post-conviction relief cases there is even greater pressure to resolve these cases.

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Appellate Files Opened	Quantity	Board's case management system.	3,979 in FY 2024	3,722 FY 2025
Briefs Filed	Quantity	Board's case management system	1,076 in FY 2024	1,042 FY 2025
Parole Revocation Hearings	Quantity	Board's case management system	2,549 in FY 2024	2,411 FY 2025

Part B: Evidence of Effectiveness

No evidence-based practices identified.

[M.S. 611](https://www.revisor.mn.gov/statutes/cite/611) (<https://www.revisor.mn.gov/statutes/cite/611>) provides the legal authority for the program.

Program: Administrative Services Office<https://www.pubdef.state.mn.us>**AT A GLANCE**

- Continued implementation of an electronic content management system to accept, store, and retrieve documents, audio, and video files
- 900+ employees receive training at statewide/district events
- Human resources, payroll, technology, and administrative functions for 900+ employees

PURPOSE AND CONTEXT

The Administrative Services Office provides district and appellate defenders and staff with the resources they need to be successful in providing high-quality legal assistance to indigent Minnesotans, and to do so in a cost-effective manner.

The office implements board policies and provides staff support and training for all public defense functions statewide. In addition, the office has developed and manages agency systems in the areas of caseloads, budget, personnel, and agency assets.

Over 900 employees in the agency's 29 offices, our part-time lawyers' offices, and Public Defense Corporation offices rely on our technology staff for hardware and software assistance and the management of accounts used to access agency systems that are needed in the representation of clients.

The office has developed an Electronic Content Management system (ECM). The ECM allows for the transmission, review, and storage of electronic records that flow to and from our justice partners. The office is continuing to work with county and city prosecutors to implement this statewide.

The office is currently working on developing revised caseload standards based on 2023 National Public Defender Workload Standards.

SERVICES PROVIDED

- Continued work on an ECM system to integrate with the courts and prosecutors statewide
- Continued development of revised caseload standards to address changes in the practice of criminal law
- Developed and implemented policies covering personnel, compensation, budgeting, training, conflict cases, internal controls, and management information systems
- Implemented quality representation guidelines, and an internal resource allocation policy to better target attorney resources
- Implementing a model and training for handling cases involving DNA and other scientific evidence
- Developed an upgraded "defender dashboard" on the case management system to allow defenders to more effectively use additional features of the case management system
- Implemented AI solutions for case work

RESULTS**Part A: Performance Data**

The office has continued work in meeting the goals set by the Board.

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Recruitment and retention of diverse workforce	Quantity	Administrative services office	CY 2024 Office is made up of 56 percent women, 12 percent BIPOC	CY 2025 Office is made up of 59 percent women, 14 percent BIPOC
Laptop/server/maintenance	Quantity	Administrative services-technology office- fixed asset inventory system	CY 2024 Maintained and provided maintenance for 1,033 laptops, 402 servers	CY 2025 Maintained and provided maintenance for 1,200 laptops, 441 servers
Uptime on internal systems	Quantity	Administrative Services Office	CY 2024 98%	CY 2025 98%
Statewide trainings	Quantity	Administrative services office	Fiscal year (FY) 2024 28 training events	FY 2025 28 statewide/district training sessions
CLE Credit Opportunities	Quantity	Administrative services office	No data – new measure	FY 2025 268 hours (on demand, in person and webinar format)
Technology Requests Response Time	Quantity	Administrative services office	No data – new measure	FY 2025 890 technology requests with a one business day response time

Work continues with our justice partners to improve and increase the effectiveness of the criminal justice system. This work includes regular meetings with county attorneys and working with district chief public defenders and prosecutors to develop a systematic approach to the use of electronic disclosure in criminal cases. These contributions help to improve efficiency and maintain a capable and reliable justice system.

Part B: Evidence of Effectiveness

This activity cannot be evaluated using randomized control or quasi-experimental design methods.

[M.S. 611.27](https://www.revisor.mn.gov/statutes/cite/611.27) (<https://www.revisor.mn.gov/statutes/cite/611.27>) provides the authority for this program.

Program: District Public Defense<https://www.pubdef.state.mn.us/>**AT A GLANCE**

- 130,000 + cases opened annually
- Largest user of the trial court system

PURPOSE AND CONTEXT

The District Public Defense Program provides legal services required by the Constitution and statutes to indigent persons in Minnesota's trial courts. This is accomplished through a system that relies on a mix of full-time and part-time attorneys as well as support staff. Trial-level public defenders provide service in approximately 130,000 cases per year (80 to 90 percent of all criminal cases). This program also includes statutory funding for four nonprofit public defense corporations per [M.S 611.215](https://www.revisor.mn.gov/statutes/cite/611.215) (<https://www.revisor.mn.gov/statutes/cite/611.215>). The corporations provide criminal and juvenile defense services primarily to minority indigent defendants, who otherwise would need public defense services.

SERVICES PROVIDED

Under Minnesota law, all individuals accused of a felony, gross misdemeanor, misdemeanor, or juvenile crime are entitled to be represented by an attorney. The District Defense Program provides quality mandated criminal defense services to indigent persons in these cases. The program also provides representation for children ten (10) years of age and older in Children in Need of Protective Services (CHIPS) cases.

The public defense corporations are nonprofit corporations that provide criminal and juvenile defense services primarily to minority indigent defendants, who otherwise would need public defense services. The four corporations are the Neighborhood Justice Center (Saint Paul), Legal Rights Center (Minneapolis), Duluth Indian Legal, and the Regional Native Public Defense Corporation (serving Leech Lake and White Earth).

RESULTS**Part A: Performance Data**

The increasingly complex landscape continues to create new challenges that make case settlement more difficult and time-consuming. Several factors contribute to this, including the expansion of video evidence that must be reviewed, legislation that has increased the severity of consequences for certain crimes, criminal charges or convictions that have civil consequences, additional hearings mandated by new legal requirements, language and cultural barriers, and more clients with mental illness and chemical dependency. High workloads, time demands, and court-imposed deadlines for resolving cases continue to hamper efforts to provide quality representation and these same pressures make it increasingly difficult to recruit new staff and retain experienced staff.

The increased use of video (body, dashboard, business, and government) in criminal proceedings has been and will continue to be a major demand on attorney time and resources. The video must be viewed by the attorneys and must be stored. In 2023, the board received 280.5 new terabytes of data from counties and as of June 2026, the board is storing 3.5 petabytes (1,000 terabytes to 1 petabyte) of data. This is the equivalent to approximately 700,000 to 1 million hours of high-definition video, or 80 to 110 years of nonstop, 24/7 movie watching.

In 2023, the RAND Corporation, in collaboration with the National Center for State Courts and the American Bar Association, released the “National Public Defense Workload Study”. The study updates national standards that were 50 years old. The study accounts for the time needed to provide adequate representation in various case types while also considering the more time-intensive nature of current-day criminal defense. The public defender system is operating with caseloads that vary significantly than those recommended in the workload study, for example, the study recommends an annual caseload for 150 cases for low-level misdemeanor cases to 93 for high-level misdemeanor cases while the board currently operates at 400 cases for all misdemeanor types.

The increased use of scientific evidence has made the practice of law much more complicated over the last several years. Such evidence must be analyzed for its validity, and the ways in which this evidence is collected, processed, analyzed, and reported. This includes computer forensics, drug analysis, fingerprint analysis, DNA, ballistics, arson reports, and other forensic evidence.

Finally, the criminal justice system has also had to serve an increased number of defendants who suffer from mental illness and/or drug and alcohol addiction. It is estimated that approximately 50 percent of inmates in county jails suffer from some form of mental illness, and alcohol/drug abuse is a factor in 80-90 percent of Minnesota’s criminal cases.

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Attorney staffing capacity as a percent of total need to ensure adequate representation per the 2023 National Standards	Quality	Cases opened in the board’s case management system, National Public Defense Workload Study (https://www.rand.org/pubs/research_reports/RR_A2559-1.html)	Approximately 24 percent in FY 2023	Approximately 38 percent FY 2026
Video discovery stored	Quantity	Collected from prosecutors via electronic content management system	222 terabytes stored in FY 2024	3.5 petabytes stored in FY 2026
Counties with public defender at first appearance (out of custody)	Quality	Reported by district chief public defenders	60 percent in 2018 85 percent in 2024	87 percent in FY 2026

Part B: Evidence of Effectiveness

This activity cannot be evaluated using randomized control or quasi-experimental design methods.

[M.S. 611.215](https://www.revisor.mn.gov/statutes/cite/611.215) (https://www.revisor.mn.gov/statutes/cite/611.215) provides the legal authority for District Public Defense.