
Minnesota Board of Public Defense

Program Evaluation Description

January 2026

BACKGROUND

In 1963, the U.S. Supreme Court ruled that the assistance of counsel in criminal prosecutions was essential to fair trials and a fundamental constitutional right. Minnesota statutes direct the Minnesota Board of Public Defense (BoPD) to oversee the state's public defender system and to represent individuals charged with certain crimes who are unable to afford legal counsel.

A nine-member board governs the BoPD; the governor appoints four members and the Supreme Court appoints five members. Statutes direct the board to (1) appoint certain BoPD management staff, including the state public defender, and (2) recommend a budget to the Legislature and determine allocation of state funds across the public defender system. Statutes also direct the state public defender, with approval from the board, to establish standards for public defender offices.

Between fiscal years 2021 and 2025, annual state appropriations for BoPD increased from \$101 million to \$165 million. BoPD reports that it employs nearly 950 staff, including about 625 public defenders who represent individuals in more than 150,000 cases each year.

The Office of the Legislative Auditor (OLA) has conducted several program evaluations of the state's public defender system and offered numerous recommendations to address issues it has identified. In its most recent report published in 2010, OLA described several challenges facing Minnesota's public defender system, including heavy public defender workloads and issues accurately quantifying workloads.

EVALUATION ISSUES

1. What are current average workloads for public defenders in Minnesota, and how do they compare to national standards?
2. To what extent have board members and BoPD management staff carried out their responsibilities and provided effective leadership?

DISCUSSION

To conduct this evaluation, we will review BoPD case data to determine the extent to which public defenders' workloads meet BoPD's standards and applicable national standards. We will also conduct site visits and interview public defender staff. In addition, we will survey public defender staff to gather their perspectives on workloads.

We will review BoPD policies and procedures and other documented activities and assess the extent to which they align with applicable laws. We will also interview board members and BoPD management staff to understand their perspectives on their duties and efforts.

Finally, we will evaluate the extent to which BoPD has implemented OLA's recommendations from its 2010 *Public Defender System* evaluation.

This evaluation focuses on BoPD and its oversight of the state's public defender system. We will not evaluate the quality of public defender services or the Judicial Branch's role in determining eligibility for representation by a public defender.

This evaluation is scheduled to be completed in Summer 2026. For additional information, contact Mariyam Naadha at 651-296-6973 or [Mariyam.Naadha@state.mn.us](mailto:Mariam.Naadha@state.mn.us).