



Minnesota Board of Public Defense

The Minnesota Board of Public Defense (BoPD) has not adequately managed public defender workloads or addressed ongoing management and oversight concerns.

Report Summary

Workload and Staffing

The state public defender, with approval from the Board, establishes caseload standards and staffing levels for the state's public defender system. Appropriately managing public defender workloads helps to ensure BoPD provides effective representation to its clients. However, we found that:

- BoPD has not updated its caseload standards in more than 30 years; the current standards are outdated and do not accurately reflect public defender workloads. (p. 17)
- In spite of recent increases in staff, BoPD's support staff and attorney staffing levels have not met standards. (p. 24)

Recommendation ► BoPD should conduct a weighted caseload study and update its caseload standards. Updating its caseload standards would help BoPD assess public defender workloads and align resources with the demands on the public defender system. (p. 26)

Management

In our 2010 *Public Defender System* report, we identified certain weaknesses in BoPD's management and recommended improvements. For example, we identified that high manager caseloads impeded managers' ability to supervise public defense staff.

- BoPD has improved certain management practices, but workload and staffing challenges contribute to ongoing weaknesses. (p. 27)

Recommendation ► The state public defender and the Board should determine the proper balance of caseloads and supervisory responsibilities for managers, and they should ensure managers complete performance evaluations as required. (p. 35)

Background

Public defenders fulfill a constitutional obligation to provide legal representation to people charged with certain crimes who cannot afford counsel. In Fiscal Year 2025, Minnesota's public defenders represented individuals in more than 135,000 criminal defense cases.

The Minnesota Board of Public Defense (BoPD)—consisting of a governing board ("the Board"), management staff, and public defense staff—is the primary entity responsible for providing public defense services in Minnesota. By law, the Board is responsible for overseeing Minnesota's public defender system and appointing the state public defender, chief administrator, and chief public defenders in each of Minnesota's 10 judicial districts and the appellate office. Statutes direct the state public defender, with approval from the Board, to establish standards for public defense services.

Oversight

The Board has important leadership and oversight duties, including approving BoPD's budget requests, distributing funding across the public defender system, and providing oversight of the state public defender and chief administrator.

- While the Board has fulfilled some of its statutory duties, it has not provided effective leadership. (p. 38)

Recommendation ► The Board should establish performance measures related to BoPD's goals and regularly monitor BoPD's progress toward its goals. (p. 40)

- The Board has generally complied with its statutory responsibilities related to financial oversight; however, the Board's resource allocation procedures rely on outdated information. (p. 40)

Recommendation ► The Board should update its resource allocation procedures based on an updated caseload study and use updated procedures to determine BoPD's staffing needs and allocate resources across the public defender system. (p. 42)

- The Board evaluated the performance of chief public defenders, but it has not adequately evaluated the performance of the chief administrator or state public defender in recent years. (p. 43)

Recommendation ► The Board should develop procedures to evaluate the performance of the chief administrator and state public defender and conduct annual performance evaluations for these staff. (p. 45)

Minnesota Board of Public Defense Response

In a letter dated September 30, 2026, the State Public Defender, Board Chair, and Chief Administrator responded to "the most significant recommendations in the report." They said the Board can review its policy on managers' caseloads but indicated that a policy change would "require additional resources which the Board does not have." They agreed that performance evaluations are important and said they will "continue to emphasize" their importance. They also said the Board agreed that "meaningful goals and appropriate measures of progress are important components of effective governance" but noted that they believe the Board's role is that of an oversight, rather than a management body. They said BoPD leadership should develop performance measures, and that the Board will work with the State Public Defender "to identify a limited number of meaningful measures" that will allow the Board to assess BoPD's progress. They said they have established a committee to update BoPD's workload standards and resource allocation process.