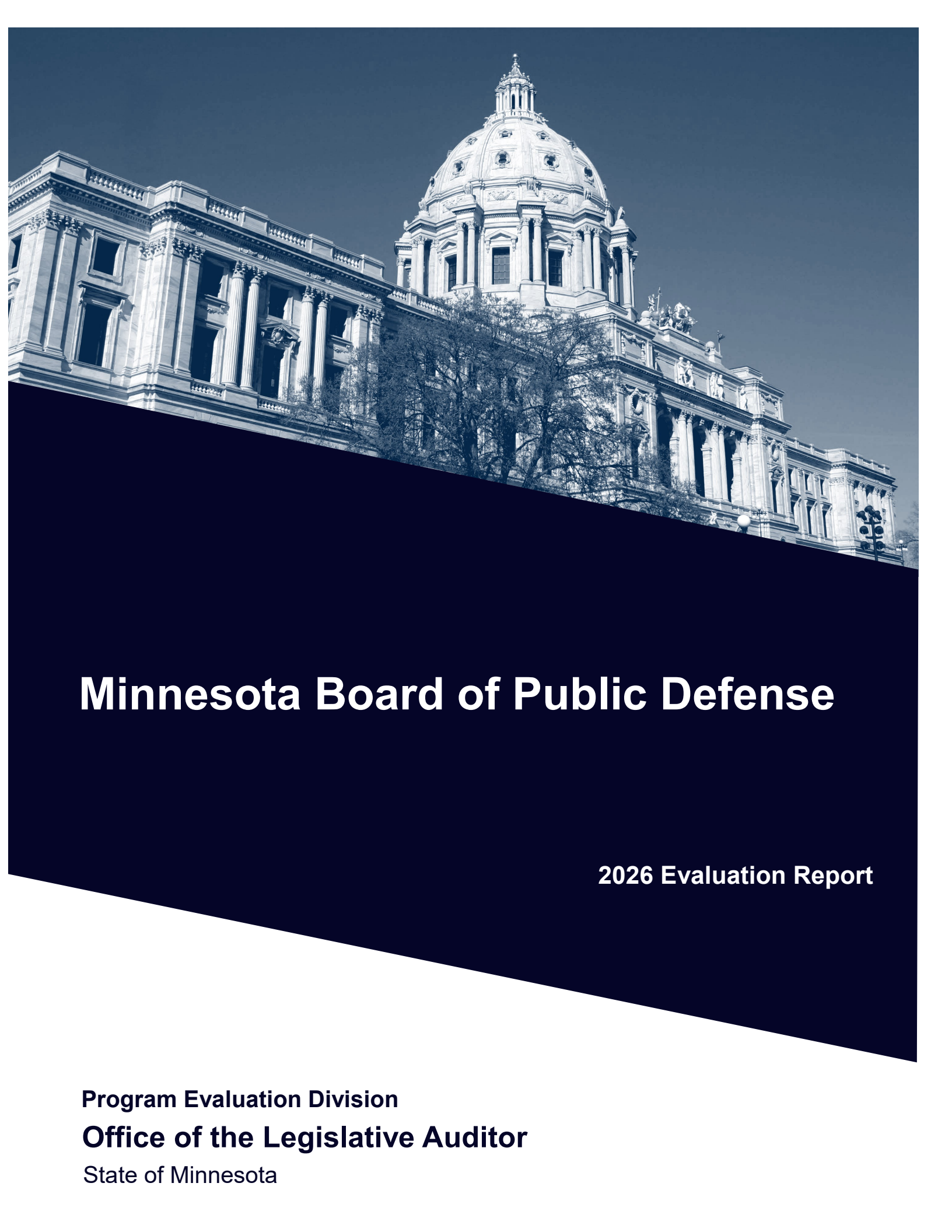




Minnesota Board of Public Defense

2026 Evaluation Report

Program Evaluation Division
Office of the Legislative Auditor
State of Minnesota

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Printed on Recycled Paper

October 2026

Members of the Legislative Audit Commission:

Public defenders provide constitutionally mandated legal counsel for defendants in Minnesota who cannot otherwise afford representation. The Minnesota Board of Public Defense (BoPD) oversees the state's public defender system, including establishing standards for public defender caseloads and staffing levels to ensure BoPD provides effective representation to its clients.

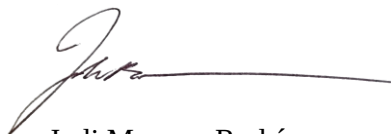
We found that BoPD has not adequately managed public defender workloads nor addressed ongoing management and oversight concerns. We make several recommendations to BoPD, including that it update its caseload standards to reflect public defender workloads. We also recommend BoPD's governing board establish performance measures related to BoPD's goals and regularly monitor BoPD's progress toward its goals.

Our evaluation was conducted by Mariyam Naadha (project manager), Ian Allen, Jenna Hoge, and Roman Morris. BoPD board members and staff cooperated fully with our evaluation, and we thank them for their assistance.

Sincerely,



Judy Randall
Legislative Auditor



Jodi Munson Rodríguez
Deputy Legislative Auditor



OLA



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- BoPD has not updated its caseload standards in more than 30 years; the current standards are outdated and do not accurately reflect public defender workloads.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.

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OLA

Introduction

Public defenders fulfill a constitutional requirement to provide legal representation to people who are charged with a crime who could not otherwise afford representation.¹ In Minnesota, public defenders are part of a statewide public defender system that is centralized under the Minnesota Board of Public Defense (BoPD). BoPD has a governance board and leadership staff who are responsible for managing the system.

In recent years, stakeholders have expressed concerns about various aspects of BoPD's management of public defender services. In 2025, the Legislative Audit Commission directed the Office of the Legislative Auditor to evaluate BoPD. We focused this program evaluation on the following questions:

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

To conduct this evaluation, we reviewed relevant requirements in state law, BoPD policies and procedures, and national best practices related to public defender workloads. We also reviewed BoPD's financial data from fiscal years 2021 to 2025, interviewed chief public defenders and public defense staff, and surveyed public defense staff.²

To better understand public defenders' workloads, we analyzed BoPD case and staffing data and compared these data to BoPD standards.³ We also conducted site visits to public defender offices to interview public defense staff, and we observed court proceedings involving public defenders.⁴

To evaluate the extent to which board members and BoPD management staff have fulfilled their duties, we reviewed board documents and meeting materials from fiscal years 2021 to 2025 and attended several board meetings during Fiscal Year 2026. Additionally, we surveyed board members and interviewed select board members and BoPD management staff.⁵ We also reviewed a sample of BoPD's performance evaluation records.⁶

¹ *U.S. Constitution*, amend. VI; and *Minnesota Constitution*, art. I, sec 6.

² In March 2026, we surveyed 874 public defense staff, including public defender office management staff, public defenders, and support staff, and received responses from 793 staff, for a response rate of 91 percent.

³ We reviewed BoPD case data for cases opened in fiscal years 2021 to 2025. We reviewed BoPD's staffing data for the same years.

⁴ We visited four district offices and the appellate office. We also attended court proceedings during four of these visits.

⁵ We surveyed all board members as of March 2026. We received responses from six of the eight board members.

⁶ We requested performance evaluation records for 98 BoPD public defense staff, representing 11 percent of public defense staff as of January 15, 2026.

**UPDATE
TO 2010
REPORT**

In each box, we indicate whether the 2010 recommendations were:

- **IMPLEMENTED**
- **PARTIALLY IMPLEMENTED**
- **NOT IMPLEMENTED**

The Legislative Audit Commission selected this evaluation as a follow-up to our 2010 evaluation on Minnesota's public defender system.⁷ Throughout this report, we use boxes as shown to the left to highlight the implementation status of relevant recommendations from our 2010 report. Each box contains a recommendation that we made to board

members or BoPD staff and our determination of the extent to which the recommendation has been implemented.

We focused this evaluation on BoPD and its oversight and management of the state's public defender system. We did not evaluate nonprofit public defense corporations, which also receive state funding to provide public defender services. We also did not evaluate the courts' determinations of defendants' eligibility for public defender services.⁸ Finally, we did not evaluate the quality of services provided by public defenders or public defenders' individual decisions or actions taken in criminal defense cases.

⁷ Office of the Legislative Auditor, Program Evaluation Division, *Public Defender System* (2010).

⁸ Judges are responsible for determining defendants' eligibility for public defender services. *Minnesota Statutes* 2025, 611.17(a) and 611.18.

Chapter 1: Background

Every year, Minnesota courts appoint public defenders to represent thousands of people accused of crimes who cannot afford legal counsel. For the people who depend on a public defender for representation, the quality of that representation can affect outcomes that follow them for years, including whether they go to prison, whether they can keep their job, or whether they remain with their family. For the public defenders who provide that representation, the work is professionally demanding and conducted under workload and resource conditions set by the state.

The Minnesota Board of Public Defense (BoPD)—consisting of a governing board, leadership and management staff, and public defense staff—is the primary entity responsible for providing and overseeing public defense services in Minnesota.

In this chapter, we describe the federal and state requirements that govern public defender services in Minnesota. We also provide an overview of BoPD, including information about its duties in law and its finances and staffing.

Overview

Both the U.S. and Minnesota Constitutions guarantee every person accused of a crime in Minnesota the right to legal counsel.¹ In 1963, the U.S. Supreme Court held that the right to counsel is fundamental to a fair trial and applies to individuals facing certain charges in state courts.² Minnesota courts have interpreted the Minnesota Constitution more broadly, extending the right to counsel to any criminal matter in which the accused stands a substantial chance of facing incarceration.³



Rights of Accused in Criminal Prosecutions

The accused shall enjoy the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel in his defense.

— *Minnesota Constitution*,
art. I, sec. 6.

Appointment of a Public Defender in Minnesota

State law guarantees the right to a public defender for individuals who are financially unable to obtain legal counsel and fall into one of the following categories:

- Adults charged with a felony, gross misdemeanor, or misdemeanor⁴

¹ *U.S. Constitution*, amend. VI; and *Minnesota Constitution*, art. I, sec. 6.

² *Gideon v. Wainwright*, 372 U.S. 335 (1963).

³ *State v. Borst*, 278 Minn. 388, 397, 154 N.W.2d 888, 894 (1967).

⁴ *Minnesota Statutes* 2025, 611.14(1).

- Minors 10 years of age or older who are charged with certain juvenile offenses, and children in need of protection or services (CHIPS)⁵
- Individuals who are appealing a conviction of a felony, gross misdemeanor, or misdemeanor, or individuals pursuing post-conviction proceedings who have not already had a direct appeal of the conviction⁶
- Individuals facing probation revocation hearings⁷

Exhibit 1.1

Public defenders represent individuals who have been charged with certain crimes that carry the potential for imprisonment.

Offense Level	Description
Felony	Penalty if convicted is imprisonment for one year or longer. Examples include theft of property or services worth more than \$1,000.
Gross Misdemeanor	Penalty if convicted is imprisonment up to 364 days and may involve a maximum fine of \$3,000. Examples include theft of property or services worth more than \$500 but not more than \$1,000.
Misdemeanor	Penalty if convicted is imprisonment up to 90 days and a maximum fine of \$1,000. Examples include theft of property or services worth \$500 or less.

Source: *Minnesota Statutes* 2025, 611.14; 609.02, subds. 2–4; 609.0342; and 609.52, subd. 3.

In Minnesota, district courts determine individuals' financial eligibility for a public defender and appoint public defenders in criminal cases.⁸ State law requires each judicial district to screen requests for public defender representation and determine financial eligibility based on certain criteria, described in the box to the right.⁹



Financial Eligibility for a Public Defender

A defendant is considered financially unable to obtain counsel if either:

- The defendant, or a dependent in the defendant's household, receives means-tested governmental benefits, or
- The court determines that the defendant, through any combination of liquid assets and current income, would be unable to pay the reasonable costs of private counsel in the judicial district.

— *Minnesota Statutes* 2025, 611.17(a)

⁵ *Minnesota Statutes* 2025, 611.14(4); 260B.163, subd. 4; and 260C.163, subd. 3.

⁶ *Minnesota Statutes* 2025, 611.14(2).

⁷ *Minnesota Statutes* 2025, 611.14(3); and 609.14, subds. 1 and 2.

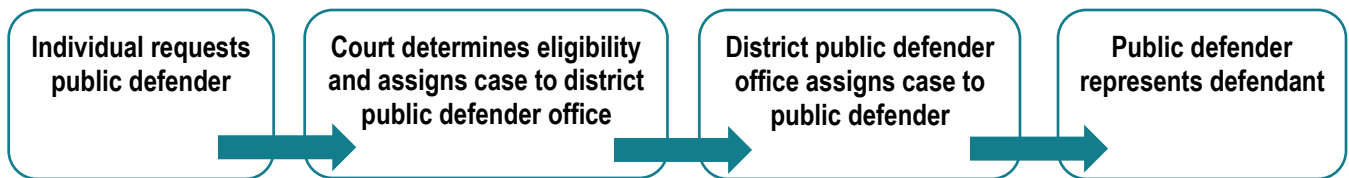
⁸ The appointment process differs for individuals requiring public defense services in appellate matters. Under *Minnesota Statutes* 2025, 611.18, the chief appellate public defender represents individuals in certain appeals cases. Individuals seeking to appeal generally request assistance from the appellate public defender office directly—by self-referral or through a family member or trial attorney—and the appellate office determines their financial eligibility for services.

⁹ *Minnesota Statutes* 2025, 611.17.

To request a public defender, individuals submit an application and must demonstrate financial eligibility to the judicial district.¹⁰ By law, individuals requesting a public defender are required to provide financial statements to demonstrate eligibility and are “under a continuing duty while represented by a public defender to disclose any changes in financial circumstances.”¹¹ Exhibit 1.2 shows the process by which public defenders are assigned to defendants in criminal cases.

Exhibit 1.2

Public Defender Appointment Process

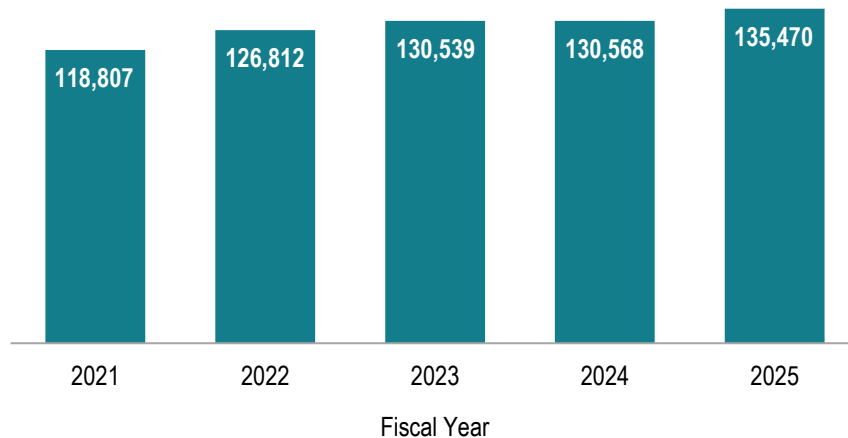


Source: Office of the Legislative Auditor, based on *Minnesota Statutes* 2025, 611.16–611.18; and 611.26, subd. 6.

Exhibit 1.3 shows the number of new cases assigned to district public defenders in recent years. Between fiscal years 2021 and 2025, the total number of new cases assigned to public defenders increased from nearly 119,000 cases to about 135,000 cases—a 14 percent increase.

Exhibit 1.3

Number of New Cases Assigned to Public Defenders, Fiscal Years 2021–2025



Note: Case counts include only new cases opened each fiscal year.

Source: Office of the Legislative Auditor, analysis of public defender case data, fiscal years 2021–2025.

¹⁰ *Minnesota Statutes* 2025, 611.17(a)–(b); and Minnesota Judicial Branch, State Court Administrator’s Office, *Public Defender Information*, <https://mncourts.gov/help-topics/public-defender>, accessed August 8, 2026.

¹¹ *Minnesota Statutes* 2025, 611.17(b).

Minnesota's Public Defender System

The organization of Minnesota's public defender system has evolved over time, from a county-based system to one that is managed and funded by the state. Historically, the public defender system consisted of part-time attorneys working for and funded by individual counties. In 1981, the Minnesota Legislature created BoPD to administer a statewide public defender system.¹² Beginning in 1989, the state began assuming financial responsibility for the public defender system, phasing in state funding over several years.¹³

BoPD is an independent entity within the Judicial Branch of Minnesota, overseen by a nine-member board. In establishing state oversight of Minnesota's public defender system, the Legislature placed BoPD within the Judicial Branch but not under judicial administrative control.¹⁴ The Legislature created a governance board ("the Board") with oversight responsibilities for BoPD. The Minnesota Supreme Court and the governor each have responsibility for appointing board members according to requirements established in law.¹⁵ For example, the Supreme Court is responsible for appointing five attorney members who are "well acquainted with the defense of persons accused of crime, but not employed as prosecutors."¹⁶ As of 2023, at least one attorney member must have recently been a public defender.¹⁷ The governor appoints four public members; state law does not establish specific requirements for these members.¹⁸



Definitions

Throughout this report, we refer to the Minnesota Board of Public Defense—the state entity tasked with providing public defense—as “**BoPD**.” We refer to BoPD’s governance board simply as “**the Board**.”

State law splits oversight and administrative responsibilities between the Board and BoPD leadership staff. The Board is charged with recommending a budget to the Legislature, establishing procedures for the distribution of funds across the public defender system, and appointing key leadership staff.¹⁹ The state public defender and the chief administrator (“BoPD leadership staff”) have primary administrative responsibility for the public defender system. For instance, the state public defender is responsible for supervising BoPD’s operations, policies, and procedures and setting

¹² *Laws of Minnesota* 1981, chapter 356, sec. 360, subs. 1 and 2, codified as *Minnesota Statutes* 2025, 611.215.

¹³ *Laws of Minnesota* 1989, chapter 335, art. 1, sec. 7.

¹⁴ *Minnesota Statutes* 2025, 611.215, subd. 1(a).

¹⁵ *Minnesota Statutes* 2025, 611.215, subd. 1(a)(1)–(2).

¹⁶ *Minnesota Statutes* 2025, 611.215, subd. 1(a)(1).

¹⁷ *Laws of Minnesota* 2023, chapter 52, art. 19, sec. 41, codified as *Minnesota Statutes* 2025, 611.215, subd. 1(a)(1).

¹⁸ *Minnesota Statutes* 2025, 611.215, subd. 1(a)(2).

¹⁹ *Minnesota Statutes* 2025, 611.215, subs. 1(a) and 2(a)–(b); 611.23; 611.24, subd. 1(a); and 611.26, subd. 2.

standards regarding public defender qualifications, training, staffing levels, and caseloads.²⁰ The chief administrator is responsible for assisting the Board with its financial duties, enforcing Board decisions, and more.²¹ Exhibit 1.4 shows key duties of the Board and BoPD leadership staff.

Exhibit 1.4

Key Statutory Duties of the Board and BoPD Leadership Staff

The Board

- Appoint the state public defender, chief administrator, chief appellate public defender, and chief district public defenders
- Approve and submit to the Legislature budget requests for the Board, district and appellate offices, and public defense corporations
- Establish procedures for distributing state funding and considering caseloads and the results of any weighted caseload study

State Public Defender

- Supervise the operations, activities, policies, and procedures of the statewide public defender system
- With approval from the Board, establish standards for public defender offices, including staff training, staffing levels, and caseloads
- Set minimum qualifications for public defenders and support staff
- Set standards for handling cases involving conflicts of interest

Chief Administrator

- Enforce Board resolutions and decisions
- Provide plans, studies, and recommendations to the Board and state public defender, and recommend measures necessary to carry out the Board's and state public defender's powers and duties
- Advise the Board of BoPD's financial condition, prepare its annual budget, and provide requested financial information
- Recommend to the Board adoption of rules and regulations necessary for efficient operation of the Board and its functions

Source: *Minnesota Statutes* 2025, 611.215; 611.23–611.24; and 611.26–611.27.

²⁰ *Minnesota Statutes* 2025, 611.215, subd. 2(c); and 611.23.

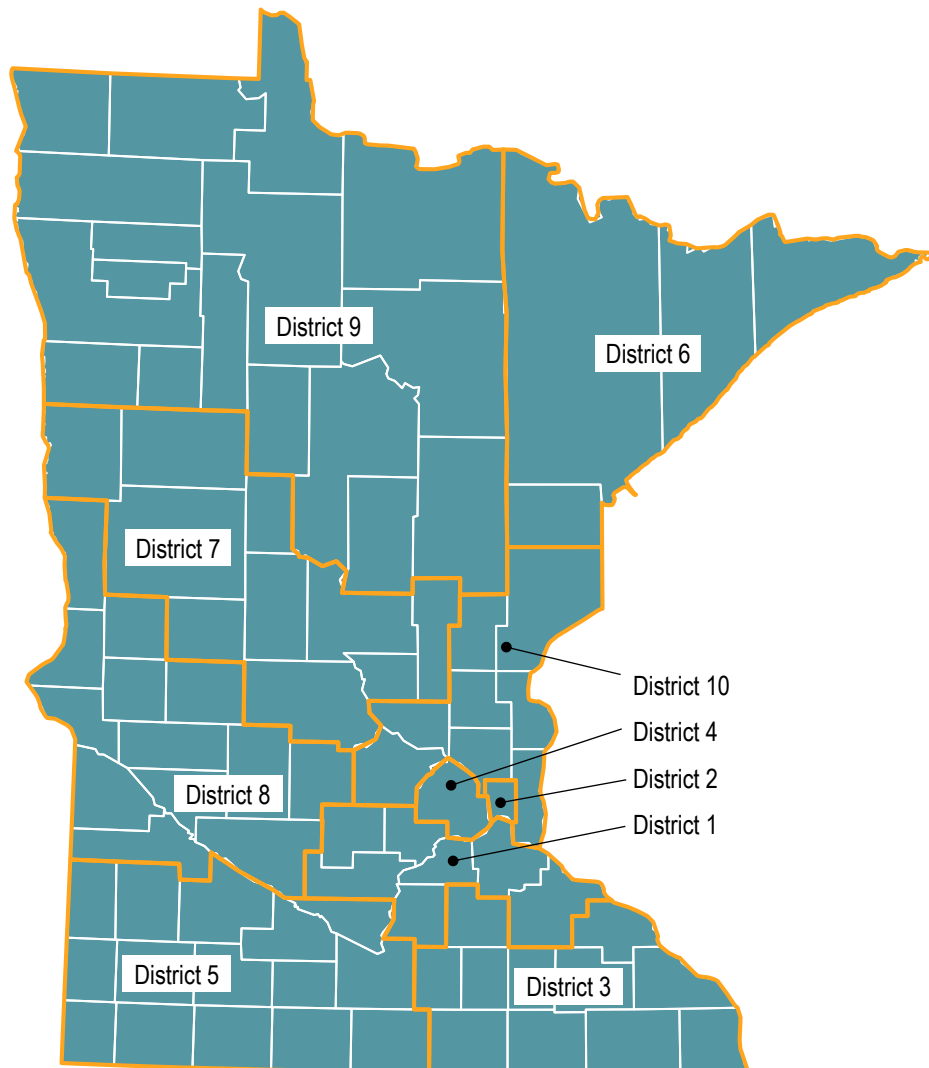
²¹ *Minnesota Statutes* 2025, 611.215, subd. 1a.

Organization

BoPD comprises a central administrative office, 10 district public defender offices (which align with the state court system's 10 judicial districts), and an appellate office. Exhibit 1.5 shows Minnesota's public defender districts.

Exhibit 1.5

Minnesota Public Defender Districts, 2026



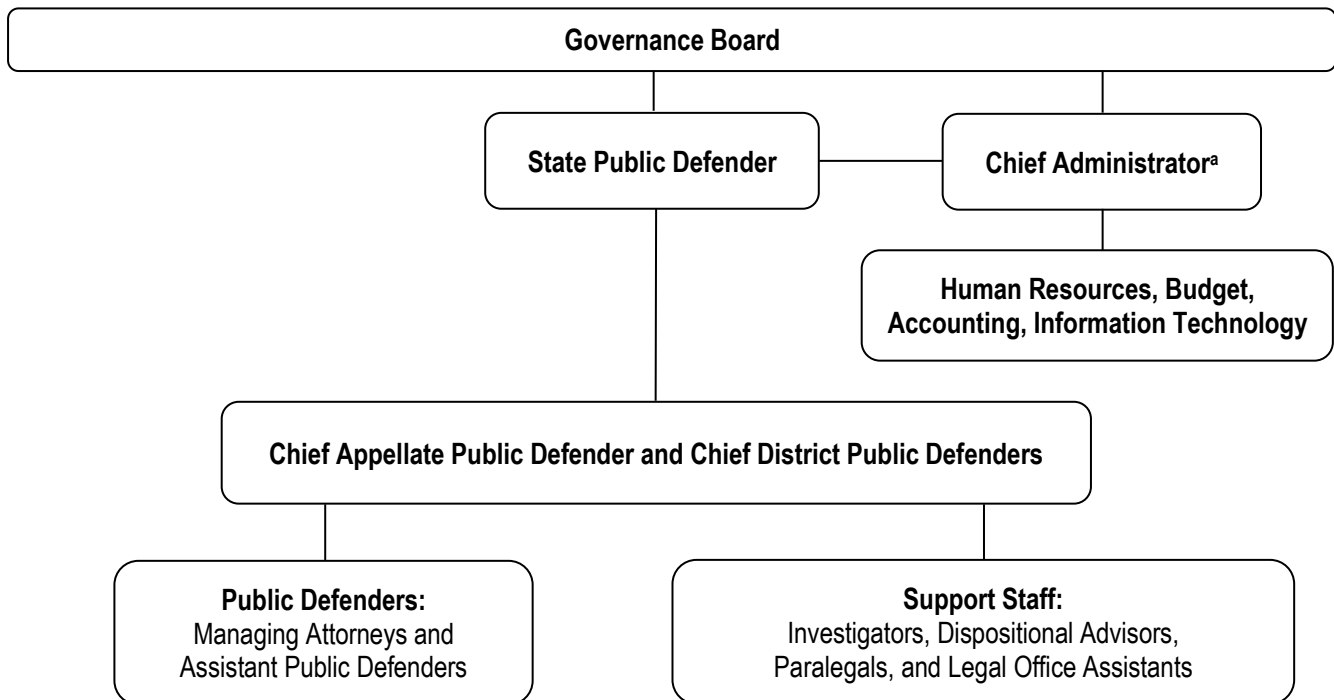
Source: BoPD, <https://www.pubdef.state.mn.us/offices>, accessed June 29, 2026.

The chief administrator heads the central administrative office (“Administrative Services Office”), which manages the budget, accounting, human resources, and information technology functions.

A Board-appointed chief public defender leads each district and appellate public defender office and is responsible for managing the office's budget, hiring and supervising personnel, and overseeing case assignments. Chief district public defenders supervise and manage delivery of public defender services at the trial level in each of Minnesota's 10 judicial districts. The chief appellate public defender oversees the representation for individuals in appellate matters. All chief public defenders report to the state public defender.

Exhibit 1.6

Organization of BoPD



Notes: In addition to distributing state funds to districts, state law directs the Board to appropriate money to nonprofit criminal and juvenile defense corporations that serve clients with low-incomes. *Minnesota Statutes* 2025, 611.216. The Board currently funds four public defense corporations. We did not evaluate the work of Minnesota's public defense corporations.

^a By law, the chief administrator has dual responsibilities to the Board and the state public defender, such as recommending measures necessary to enforce or carry out the powers and duties of the Board and the state public defender. *Minnesota Statutes* 2025, 611.215, subd. 1a.

Source: Office of the Legislative Auditor, review of *Minnesota Statutes* 2025, Chapter 611; and BoPD.

Public defense staff—consisting of attorneys and support staff, as shown in the box below—provide defense services to eligible individuals. Attorneys, including assistant public defenders and managing attorneys, represent clients on a daily basis. Public defense support staff—including dispositional advisors, investigators, legal office assistants, and paralegals—provide case support to attorneys.



Public Defense Staff

Public Defenders

- **Assistant public defenders** represent clients in cases
- **Managing attorneys** represent clients and supervise assistant public defenders and support staff

Public Defense Support Staff

- **Dispositional advisors** propose alternatives to incarceration (such as substance abuse treatment), and gather information about a client's background to provide the court with additional context
- **Investigators** gather and analyze facts and evidence, coordinate witness testimony, and more
- **Legal office assistants** prepare legal documents and provide clerical support
- **Paralegals** perform a variety of legal tasks, such as obtaining discovery and drafting motions

— OLA review of BoPD position descriptions

Most public defense staff are state employees. As a carryover from the previous county-based system, a small number of employees in the Second and Fourth Judicial Districts (Ramsey and Hennepin Counties, respectively) continued to be county employees during our review period.²²

²² By law, employees in the Second and Fourth Judicial Districts who were hired before 1999 were employees of Ramsey and Hennepin Counties, respectively. Ramsey County employees in the Second Judicial District were funded by BoPD, and Hennepin County funded personnel costs of county employees in the Fourth Judicial District. *Minnesota Statutes* 2025, 611.26, subd. 3a; and 611.263.

Finances and Staffing

Funding

BoPD funding increased in recent years, largely due to a \$42 million increase in BoPD's base General Fund appropriations beginning in Fiscal Year 2024. As shown in Exhibit 1.7, BoPD's total funding increased from nearly \$120 million to more than \$166 million between fiscal years 2021 and 2025—a 39 percent increase, adjusted for inflation. Nearly all of BoPD's funding was from the state's General Fund.

Exhibit 1.7

BoPD Funding for Fiscal Years 2021–2025

In 2025 dollars, rounded to the nearest thousand

	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund Appropriation	\$119,304,000	\$115,566,000	\$115,509,000	\$157,784,000	\$164,360,000
Local Government Aid ^a	–	543,000	518,000	509,000	500,000
American Rescue Plan ^b	–	4,286,000	–	–	–
Gifts	218,000	472,000	384,000	104,000	1,973,000
Special Revenue ^c	390,000	358,000	351,000	288,000	–
Total	\$119,912,000	\$121,224,000	\$116,763,000	\$158,687,000	\$166,833,000

Notes: Amounts are adjusted for inflation to 2025 dollars using the Bureau of Economic Analysis (BEA) state and local government consumption expenditures and gross investments chained price index. Column totals may not sum due to rounding.

^a BoPD receives Local Government Aid to fund certain public defense services under *Minnesota Statutes* 2025, 477A.03, subd. 2b(a); and 611.27.

^b BoPD received federal relief funding from the American Rescue Plan to hire contract attorneys to address the case backlog that resulted from the COVID-19 pandemic.

^c By law, BoPD's special revenue funding consists of two parts: a public defender fee that the Minnesota Supreme Court may charge licensed attorneys, and partial payments that courts may require defendants to pay for public defense services. *Minnesota Statutes* 2025, 481.22; and 611.20, subd. 2.

Source: Office of the Legislative Auditor, analysis of state financial data.

Expenditures

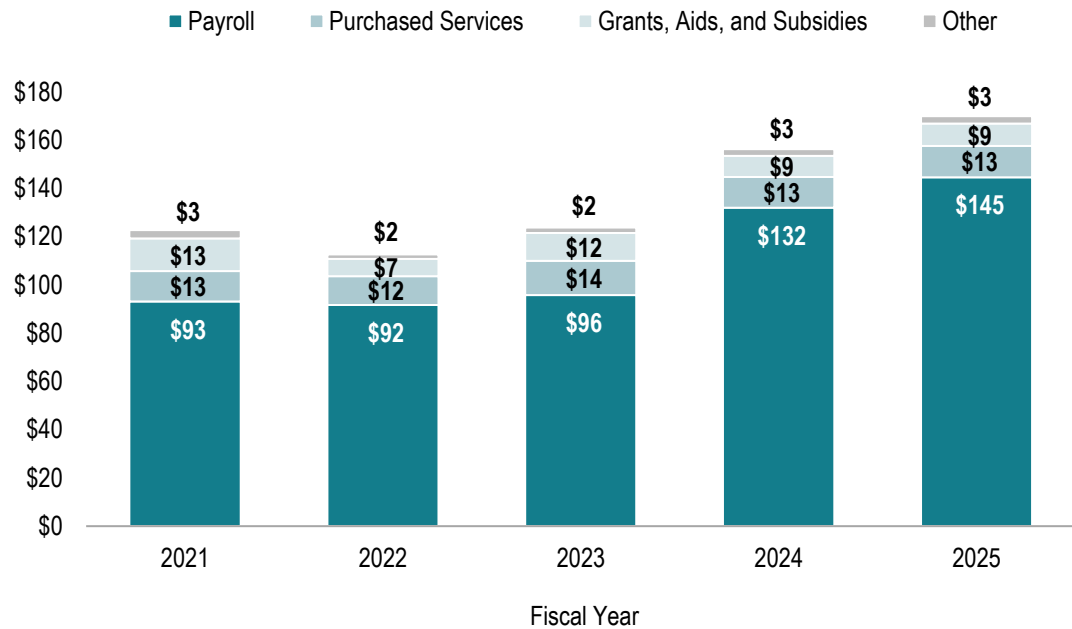
BoPD's expenditures also increased by nearly 39 percent, adjusted for inflation, from about \$123 million in Fiscal Year 2021 to about \$170 million in Fiscal Year 2025.²³

Payroll was BoPD's largest expense, as shown in Exhibit 1.8.

Exhibit 1.8

Payroll accounted for the majority of BoPD expenditures from fiscal years 2021 to 2025.

In 2025 dollars, rounded to the nearest million



Note: Amounts are adjusted for inflation to 2025 dollars using the BEA state and local government consumption expenditures and gross investments chained price index.

Source: Office of the Legislative Auditor, analysis of state financial data.

BoPD's expenditures also include purchased services—such as office space rental, utilities, contracted services such as expert witnesses, and information technology system services—and grants to counties and nonprofit public defense corporations. The remaining “other” expenditures include supplies, equipment, and repairs.

²³ BoPD may “carry forward”—or use in subsequent fiscal years—unused special revenue appropriations and gifts. *Minnesota Statutes* 2025, 481.22; 16A.016; and 16A.28, subd. 7.

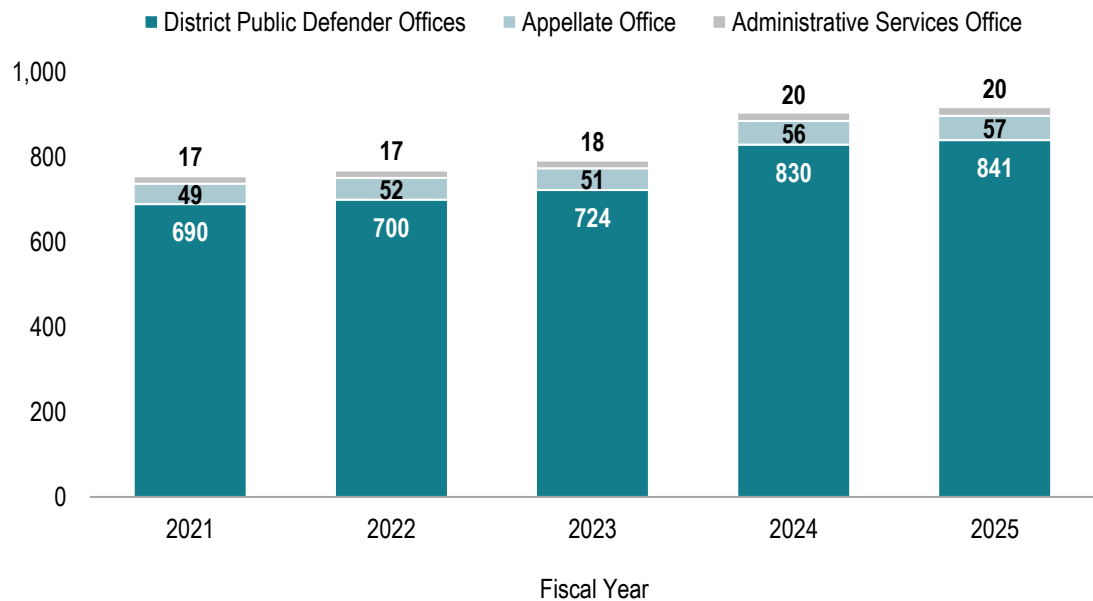
Staffing

Between fiscal years 2021 and 2025, BoPD increased its staffing by 22 percent, from 755 to 918 full-time-equivalent (FTE) employees.²⁴ In particular, following a substantial increase in state funding for Fiscal Year 2024, BoPD increased staff by 114 FTEs—a 14 percent increase.

A majority of BoPD’s employees were located in district public defender offices, as shown in Exhibit 1.9. In Fiscal Year 2025, there were 841 FTEs in district public defender offices and 57 FTEs in the appellate office.²⁵ Twenty FTEs in the Administrative Services Office provided statewide information technology, human resources, and other administrative services.

Exhibit 1.9

BoPD FTE by Office Type, Fiscal Years 2021–2025



Notes: FTE figures are as of June 30 of each fiscal year. FTE figures for district public defender offices include county public defense staff in the Second and Fourth districts (Ramsey and Hennepin Counties, respectively). FTE figures for the Administrative Services Office include the state public defender and chief administrator.

Source: Office of the Legislative Auditor, analysis of state human resources and BoPD data.

²⁴ A full-time-equivalent employee is an employee who works 40 hours per week. For example, an employee who works 30 hours each week is counted as 0.75 FTE. FTE counts are from June 30 of each fiscal year.

²⁵ Total FTE counts include county public defense staff in the Second and Fourth Judicial Districts’ (Ramsey and Hennepin Counties, respectively). As a carryover from the county-based public defender system, some public defense staff in the Second and Fourth Judicial Districts’ were still county employees during fiscal years 2021 to 2025. Their numbers are decreasing through attrition, as all new hires must be state employees. *Minnesota Statutes* 2025, 611.263, subd. 3.

National Standards

Organization and administration of public defense services vary across the nation. Some states operate similarly to Minnesota; public defenders are government employees, and a government entity—such as a board or a council—appoints the chief public defender. In other states, the government primarily pays private attorneys to handle cases. In many states, either local or state governments have sole responsibility for administration of public defense, while in other states, both local and state governments administer public defense services and divide responsibilities.

While each state differs in its service delivery model, each has an obligation to ensure its defense system provides effective representation to those who are unable to afford private counsel. As we noted earlier, the U.S. Constitution guarantees the right to counsel, and the U.S. Supreme Court has ruled that the “right to counsel is the right to effective assistance of counsel.”²⁶

The American Bar Association (ABA), in its *Ten Principles of a Public Defense Delivery System*, establishes minimum standards for state public defense systems, as shown in Exhibit 1.10. While states are not obligated to comply with the ABA principles, they provide guidance for policy makers on how to assess the adequacy of their public defense systems. For instance, ABA recommends independent oversight of a state’s public defense function. Further, the principles also provide guidance on public defenders’ work conditions, including workloads, training, and supervision.

Exhibit 1.10

ABA’s *Ten Principles of a Public Defense Delivery System*

1. The public defense function, including the selection, funding, and payment of defense counsel, should be independent.
2. The state is responsible for providing public defense representation; there should be adequate funding and oversight of public defender agencies.
3. The workload of public defense agencies should be regularly monitored and controlled to ensure effective and competent representation.
4. States should collect reliable data on public defense, regularly review such data, and implement necessary improvements.
5. Public defense should be provided at no cost to any person who is financially unable to obtain adequate representation.
6. Counsel should be appointed immediately after arrest, detention, or upon request.
7. Public defense agencies should ensure the experience, training, and supervision of lawyers match the complexity of the case.
8. The same defense lawyer should continuously represent the client until completion of the case.
9. Public defense agencies should have the assistance of investigators, social workers, mitigation specialists, experts, and other specialized professionals as necessary.
10. Public defense agencies should be included as equal participants in the legal system.

Source: Office of the Legislative Auditor, based on American Bar Association, *Ten Principles of a Public Defense Delivery System* (2023).

²⁶ *McMann v. Richardson*, 397 U.S. 759, 771 n.14 (1970).

Chapter 2: Workload and Staffing

In Chapter 1, we explained that public defenders are required to represent individuals in certain cases who are financially unable to obtain legal counsel. In recent years, legislators, public defenders, and stakeholders have expressed concerns about the challenges facing Minnesota’s public defender system, including high public defender workloads and insufficient staffing. These challenges can impact the quality of representation public defenders provide to individuals they represent.

In this chapter, we explain the extent to which the Minnesota Board of Public Defense (BoPD) has managed public defender workloads. We also describe the factors that affect BoPD’s ability to do so, including the number of public defense staff.

Key Findings in This Chapter

- BoPD’s caseload standards are outdated; they do not accurately reflect public defender workloads.
- BoPD has not met its caseload standards in several judicial districts.
- In spite of recent increases in staff, BoPD’s support staff and attorney staffing have not met its standards.

Workload

Not only does the U.S. Constitution guarantee a defendant’s right to counsel, the U.S. Supreme Court has held that the “right to counsel is the right to the effective assistance of counsel.”¹ Further, according to the Minnesota Supreme Court’s Rules of Professional Conduct, attorneys—including public defenders—are required to provide prompt, competent, and diligent representation.² To provide effective counsel, an attorney must have sufficient time to dedicate to each case. In fact, the Minnesota Supreme Court’s rules require an attorney’s workload to be controlled so that each matter can be handled competently.³ National legal professional associations also recommend limiting an attorney’s workload to ensure effective representation. For example, in its *Ten Principles of a Public Defense Delivery System*, the American Bar Association recommends monitoring and controlling public defender workloads to ensure quality representation.⁴

¹ *McMann v. Richardson*, 397 U.S. 759 (1970).

² Minnesota Supreme Court, *Minnesota Rules of Professional Conduct*, “Client-Lawyer Relationship,” Rules 1.1 and 1.3 (1985).

³ *Minnesota Rules of Professional Conduct*, Rule 1.3 (1985).

⁴ American Bar Association, “Principle 3: Control of Workloads,” *Ten Principles of a Public Defense Delivery System* (2023), 4.

BoPD's Caseload Standards

Public defender workloads depend on a variety of factors, including the number and complexity of cases public defenders must handle. In Chapter 1, we noted that, by law, individuals have the right to a public defender when charged with a variety of crimes, ranging from misdemeanors to felonies. The amount of time and effort public defenders need to prepare for and defend a case is typically dependent on the severity of the case, with misdemeanors generally requiring fewer resources than felonies or juvenile cases.



BoPD's Caseload Standards

The target caseload of a full-time public defender per year is one of the following:

- 150 felonies
- 275 gross misdemeanors
- 400 misdemeanors
- 80 child protection cases
- 175 other juvenile cases
- 275 other cases

A **case unit** equals the defense services that are required for the average misdemeanor case. To calculate how many case units each type of case represents, the misdemeanor caseload standard is divided by the standard for the type of case. For example, to determine the case units required for a felony, one would divide 400 (the misdemeanor caseload standard) by 150 (the felony caseload standard) and get 2.67. Thus, while a misdemeanor requires 1 case unit, a felony requires 2.67 case units.

— OLA review of BoPD caseload standards, updated 1995

As required by law, the state public defender and BoPD's governing board ("the Board") have established standards related to public defender caseloads.⁵ To determine the level of effort associated with different types of cases, BoPD conducted a "weighted caseload study" in 1991. Based on this study, BoPD adopted caseload standards to manage public defender caseloads, as shown in the box to the left. To measure and compare the time and effort required for each case type, BoPD uses one misdemeanor case as a "case unit," also described in the box to the left. Felonies and gross misdemeanors are awarded a higher number of case units.

In our 2010 *Public Defender System* report, we concluded that BoPD's caseload standards were flawed and outdated.⁶ For example, we reported that the standards did not reflect regional differences—such as driving time and local prosecutorial practices—which affect the time needed to prepare for and defend cases.

In 2023, the RAND Corporation, in its National Public Defense Workload Study (NPDWS), established updated national caseload standards to help public defender agencies plan for and manage public defender workloads.⁷ According to NPDWS, its caseload standards reflect the average number of hours public defenders need to provide reasonably effective counsel in various types of criminal cases, as shown in Exhibit 2.1.⁸ NPDWS standards are most applicable to local public defense agencies that do not have location-specific workload standards or have workload standards that are outdated or flawed.

⁵ *Minnesota Statutes* 2025, 611.215, subd. 2(c)(2).

⁶ Office of the Legislative Auditor, Program Evaluation Division, *Public Defender System*, (2010), 28–29.

⁷ Nicholas M. Pace, et al., *National Public Defense Workload Study* (RAND Corporation, 2023). Until recently, prevailing national standards were based on the National Advisory Commission (NAC) standards and Criminal Justice Standards and Goals from 1973. The NAC standards estimated that annually, a public defender could handle up to 150 felonies, 400 misdemeanors, 200 mental health cases, 200 juvenile cases, or 25 appeals.

⁸ Pace et al., *National Public Defense Workload Study* (2023), xii.

Exhibit 2.1
2023 NPDWS Caseload Standards

Case Type	Case Weight (Hours per Case)	Annual Caseload Standard
Felony–High–Life Without Parole	286.0	7
Felony–High–Murder	248.0	8
Felony–High–Sex	167.0	12
Felony–High–Other	99.0	21
Felony–Mid	57.0	36
Felony–Low	35.0	59
Driving Under the Influence (DUI)–High	33.0	63
DUI–Low	19.0	109
Misdemeanor–High	22.3	93
Misdemeanor–Low	13.8	150
Probation and Parole Violations	13.5	154

Note: NPDWS’s annual caseload standards represent the maximum number of cases of each case type that should be assigned to a public defender annually, assuming that the public defender handles only cases of that case type.

Source: Pace et al., *National Public Defense Workload Study*, 2023.

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.

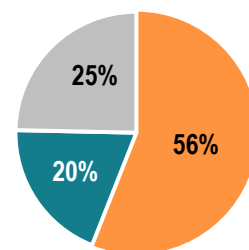
BoPD last updated its caseload standards in 1995.⁹ Having outdated caseload standards means that BoPD’s current methods to determine the time and effort needed to prepare for and defend cases do not accurately reflect public defenders’ actual workloads. The state public defender and chief administrator (“BoPD leadership staff”) told us they are aware that BoPD’s caseload standards are outdated. In addition, we surveyed public defense staff, and the majority of public defenders who responded to a question about BoPD’s case weight system indicated that it did not accurately reflect workloads, as shown in Exhibit 2.2.¹⁰

⁹ The Board adopted BoPD’s caseload standards in 1991. According to the chief administrator, the Board added certain case types to its caseload standards in 1995.

¹⁰ We surveyed public defense staff, including chief public defenders, public defenders, and public defense support staff. Out of the 874 staff we surveyed, we received responses from 793 staff, for a response rate of 91 percent.

Exhibit 2.2
Survey Statement: The Minnesota Board of Public Defense’s case weight system accurately reflects public defenders’ workloads.

■ Disagree or Strongly Disagree
■ Agree or Strongly Agree
■ Not Sure



Notes: Responses above are from the 497 public defenders who responded to the question. Percentages may not sum to 100 due to rounding.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

In our 2010 report, we recommended that BoPD conduct an updated caseload study when funding became available.¹¹ The chief administrator told us that BoPD has not conducted an updated caseload study because the costs of such a study would be

**UPDATE TO
2010
REPORT**

Our 2010 *Public Defender System* report recommended that when funding becomes available, BoPD should conduct a caseload study that includes methods sufficient to develop separate caseload standards for metropolitan area, suburban, and rural public defender districts.

RECOMMENDATION NOT IMPLEMENTED

BoPD has not conducted an updated caseload study and has not requested additional funding from the Legislature to do so.

prohibitive. Instead, he told us, they have focused on using existing resources to ensure public defender caseloads meet BoPD's current standards. According to BoPD leadership staff, the Board has not requested funding from the Legislature because BoPD was waiting on the results of the NPDWS (which were published in 2023) to update its standards.

BoPD has begun work to review and update its caseload standards, but as of September 2026, BoPD had not concluded its work. Beginning

in 2024, BoPD established a workgroup—consisting of BoPD leadership staff, chief public defenders, board members, and public defenders—to review and update its caseload standards based on the NPDWS standards shown in Exhibit 2.1.

The state public defender told us that in its review, the workgroup intends to account for certain factors specific to Minnesota that the NPDWS standards do not reflect, such as BoPD's reliance on public defense support staff. For example, he told us that in addition to matching BoPD's case types to NPDWS case types, the workgroup plans to account for the work of support staff and time savings generated by BoPD's case management system. The chief administrator told us that the workgroup's goal is to complete its review and update BoPD's standards in 2027. As of September 2026, BoPD's caseload standards review work was ongoing, and we were not able to evaluate the extent to which the workgroup's efforts met NPDWS's recommended actions or would enable BoPD to complete a weighted caseload study.

While BoPD's caseload standards are outdated, they are the only measure currently available to assess Minnesota's public defender workloads. As such, we reviewed public defenders' case data for fiscal years 2021 to 2025 to determine the extent to which Minnesota's public defender caseloads met BoPD's standards.

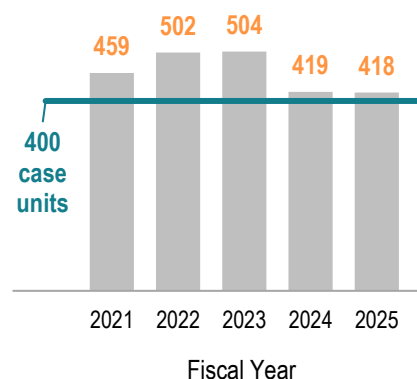
¹¹ OLA, *Public Defender System*, 32.

Public defender caseloads have decreased in recent years, but caseloads still do not meet BoPD's standards in several judicial districts.

BoPD's caseload standards call for a full-time attorney to carry no more than 400 case units per year, but BoPD has not met this standard in recent years, as shown in Exhibit 2.3.¹² In our 2010 report, we found that the statewide average weighted caseload per full-time equivalent (FTE) attorney was 779 case units at the end of Fiscal Year 2009.¹³ In Fiscal Year 2025, the statewide average weighted caseload per FTE attorney was 418 case units.¹⁴ The average weighted caseload ranged from 328 case units in the Eighth Judicial District (13 counties in western Minnesota) to 482 case units in the Second Judicial District (Ramsey County), as shown in Exhibit 2.4.

Exhibit 2.3

BoPD has not met its caseload standards in recent years.



Source: Office of the Legislative Auditor, analysis of BoPD case data.

Exhibit 2.4

Number of Case Units Per FTE Attorney, by Judicial District, Fiscal Years 2021–2025

District	2021	2022	2023	2024	2025
First	527	540	517	406	393
Second	429	439	451	427	482
Third	394	408	434	353	379
Fourth	379	436	477	430	434
Fifth	490	474	481	382	384
Sixth	491	446	472	401	431
Seventh	536	591	538	404	384
Eighth	534	597	523	418	328
Ninth	563	738	677	512	459
Tenth	443	529	534	433	424
Statewide Average	459	502	504	419	418

Notes: Attorney FTE counts are for June 30 of each fiscal year and include only employee FTEs. Case units per FTE for each fiscal year were calculated using weighted case units for cases opened in that fiscal year. Instances when district caseloads met BoPD's standards (400 case units or less) are indicated in teal.

Source: Office of the Legislative Auditor, analysis of BoPD case data and state human resources data from fiscal years 2021 to 2025.

¹² According to BoPD leadership staff, public defender offices contract with private defense attorneys to address temporary capacity constraints, such as vacancies. We did not include contract attorneys in our analysis.

¹³ OLA, *Public Defender System*, 35. In our 2010 report, FTE count was a snapshot as of May 2009, and case units per FTE were calculated using weighted case units for the previous calendar year.

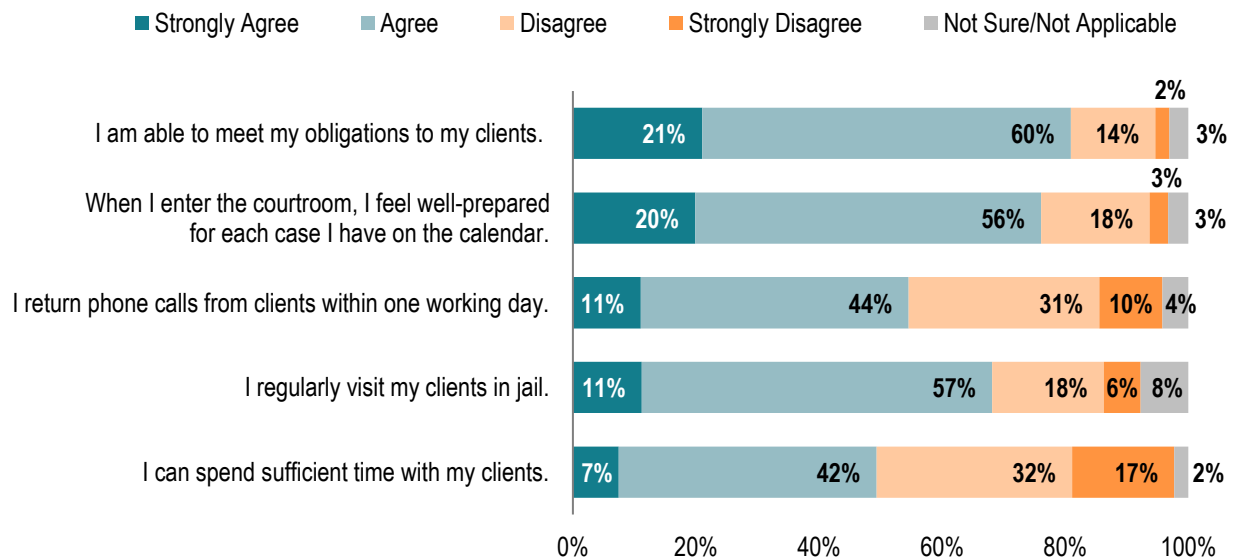
¹⁴ FTE counts are for June 30, 2025. We calculated case units per FTE using weighted case units for cases opened in that fiscal year.

Caseloads in many districts, while much closer to BoPD’s standards, still did not meet the standards in spite of recent increases in funding and staffing. As we described in Chapter 1, BoPD increased its staffing by 22 percent between fiscal years 2021 and 2025. However, attorney FTEs continued to fall short of the levels BoPD needed to meet its caseload standards in most districts.

High caseloads threaten public defenders’ ability to provide quality representation. As shown in Exhibit 2.5, public defenders in our survey reported spending less time on certain activities crucial for quality representation, including some activities outlined in BoPD’s client representation guidelines.¹⁵ While a majority of the public defenders who responded to our survey question indicated that they are able to meet their obligations to clients (81 percent), less than one-half of the respondents indicated that they are able to spend sufficient time with their clients (49 percent). While BoPD’s client representation guidelines recommend doing so, more than 40 percent of respondents disagreed or strongly disagreed with the statement “I return phone calls from my clients within one working day.”

Exhibit 2.5

Many public defenders in our survey indicated that they were not able to complete tasks that BoPD has identified are important for quality representation.



Note: Responses above are from 518 to 526 public defenders who responded to these survey questions.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

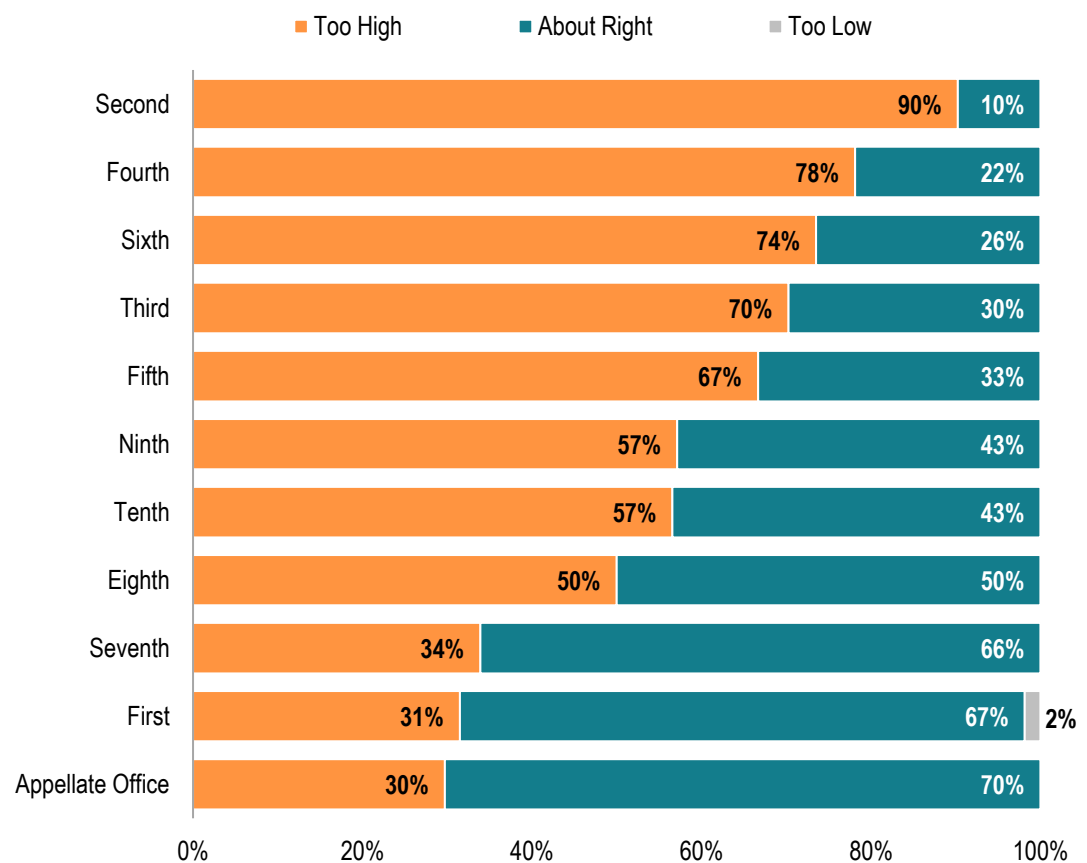
¹⁵ Board of Public Defense, *Quality Representation Guidelines* (2011). We discuss BoPD’s guidelines in more detail in Chapter 4.

Large shares of public defenders in many judicial districts reported high workloads.

As shown in Exhibit 2.6, many public defenders who responded to our survey indicated that their workload was too high in 2025. In particular, a majority of public defenders in several judicial districts, including districts that met BoPD’s caseload standards in Fiscal Year 2025 and who responded to the survey question, reported that their workload was too high in 2025.

Exhibit 2.6

Survey Question: How would you rate your workload in 2025?



Note: Responses above are from 521 public defenders who responded to the survey question.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

According to chief public defenders, public defense staff, and stakeholders with whom we spoke, many factors contribute to high workloads. They indicated that changes in the nature of criminal defense cases require public defenders to spend more time on cases. For example, they told us that technological advances in recent years—such as an increase in body camera video footage and forensic evidence—have led to an increase in materials that public defenders must review. They also said that public defenders are increasingly representing clients with mental health and chemical dependency issues, which also adds to their workload. Further, in rural parts of the state and in judicial districts that provide services in multiple counties, distances public defenders need to travel—for example to attend court hearings or to visit with clients—also impact public defender workloads.



Technology has greatly impacted the amount of time needed to effectively review and prepare for each case. The amount of body cam footage, city camera footage, personal cell phone video and photos, phone dump records, GPS data, and audio recordings associated with even the lowest-level offenses is over whelming. There are literally not enough hours in the work week to review all of the audio/video related materials that we receive.

— Public Defender

In addition to impacting the quality of representation, high workloads can increase stress and burnout among staff. Many public defenders in our survey described high demands on their time and the need to work long hours. Public defenders also shared concerns about triaging work duties, emotional stress, and low morale, as the selection of comments in the box below shows.



I feel as if I am constantly treading water at the edge of a waterfall named Malpractice. I have hours of body camera to watch for even the most common of cases, clients are constantly trying to get into treatment from jail and I am juggling those requests along with constant phone calls wanting status updates. I know I could win more trials or get better dispositions for my clients if I had a more reasonable workload.

There is no way I can provide adequate representation to the clients working 40 hours a week; I can't even do this working 50 hours a week. To that point, I spend sufficient time with my clients because I go to the jail on the weekends, or after official work hours.

...those of us who stay are often dealing with burnout, being overwhelmed and not feeling competent at this job because of the number of things we simply cannot get to in a day/week/month. This has an incredible effect on individual mental health but also office morale.

The constant triaging of tasks also takes a toll on me. What is more important - the client in jail or the supervisee who is breaking down in my office? Do I take a case myself that I know I don't have time for, or give it to the person who already has 150 felony files? These decisions hurt, and I am forced to make them every day.

— Public Defenders

Public Defense Staff

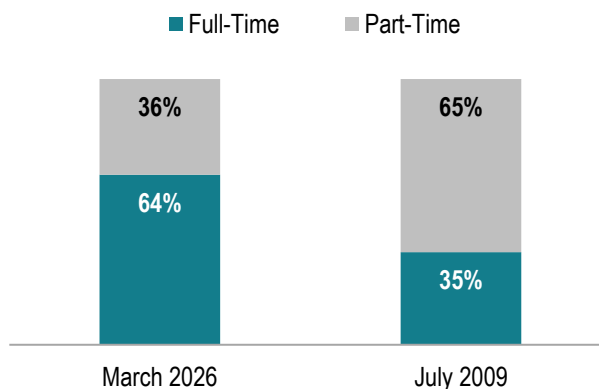
Minnesota’s public defender system relies on a combination of attorneys and support staff—including dispositional advisors, investigators, legal office assistants, and paralegals—located in district public defender offices and the appellate office to provide public defense services.

National standards call for public defender agencies to be staffed with full-time attorneys.¹⁶ As we noted in Chapter 1, historically, the Minnesota public defender system consisted of part-time attorneys working for and funded by individual counties. Even after the state assumed control of the public defender system, BoPD continued to rely on part-time public defenders for many years. In fact, in our 2010 report, we noted that BoPD’s heavy reliance on part-time public defenders in judicial districts outside of the Second and Fourth Judicial Districts presented risks, including that part-time public defenders worked without the benefit of support from a nearby public defender office and may not have received adequate supervision.¹⁷

BoPD has reduced the number of part-time public defenders in recent years. As of March 2026, 36 percent of assistant public defenders outside of the Second and Fourth Judicial Districts were part-time, as shown in Exhibit 2.7. At the time of our 2010 report, 65 percent of assistant public defenders outside of the Second and Fourth Judicial Districts were part-time.¹⁸

Exhibit 2.7

Proportion of Non-Metro, Full-Time and Part-Time Assistant Public Defenders, March 2026 and July 2009



Notes: Proportions above represent counts of assistant public defenders and do not include the appellate office. We define “non-metro” as outside of the Second and Fourth Judicial Districts.

Source: Office of the Legislative Auditor, analysis of state human resources data and *Public Defender System*, 26.

¹⁶ American Bar Association, “Standard 5-1.2 Systems for legal representation,” *ABA Standards for Criminal Justice: Providing Defense Services* (1992).

¹⁷ OLA, *Public Defender System*, 25–26.

¹⁸ OLA, *Public Defender System*, 26.

UPDATE
TO 2010
REPORT

In our 2010 *Public Defender System* report, we recommended that the Board and the state public defender complete long-range planning efforts to evaluate the proper balance of full-time and part-time public defenders needed in the future.

RECOMMENDATION PARTIALLY IMPLEMENTED

BoPD has increased the proportion of full-time to part-time public defenders in rural judicial districts, though it is unclear the extent to which BoPD completed long-range planning to do so.

The chief administrator told us that in recent years, BoPD has made several changes to reduce the number of part-time public defenders, based on district needs. For instance, he said that BoPD considers converting vacant part-time positions to full-time positions based on discussion with district chief public defenders. He also explained that with increased funding in Fiscal Year 2024, BoPD converted part-time positions to full-time. On the other hand, BoPD leadership staff told us that there are several advantages to employing part-time public defenders. For example, the state public defender

explained that BoPD depends on part-time public defenders to provide representation for instances when an attorney has a conflict of interest in a case. According to the chief administrator, part-time public defenders are cost-effective, reduce travel time, and can help ensure that BoPD provides representation at a defendant's first appearance in court.

In general, the chief administrator said that decisions related to the proper balance of part-time to full-time public defenders are largely driven by district needs, including court and prosecutorial practices, geography, public defender office budgets and locations, and the need for a certain level of experience in public defender offices.

Staffing Standards

By law, the state public defender, with approval from the Board, is required to establish standards related to public defender office staffing.¹⁹ BoPD has established standards for adequate ratios of support staff to attorneys, shown in the box to the right. Public defense support staff provide case support to attorneys to ensure effective representation for clients. For example, investigators gather and analyze evidence, and dispositional advisors can help identify alternatives to incarceration, allowing attorneys to focus their time on representing clients. As we noted earlier, BoPD also requires an adequate number of attorneys to meet its caseload standards.



BoPD Support Staff Standards

- 1 dispositional advisor for every 7 attorneys
- 1 investigator for every 6 attorneys
- 1 legal office assistant for every 4 attorneys
- 1 paralegal for every 8 attorneys

— OLA review of BoPD support staff standards

In spite of recent increases in staff, BoPD's support staff and attorney staffing have not met its standards.

Between fiscal years 2021 and 2025, BoPD increased its public defense support staff FTEs by 32 percent and attorney FTEs by 18 percent. However, BoPD's public defense support staff ratios did not meet its standards from fiscal years 2021 to 2025, as shown in Exhibit 2.8. As we noted earlier, available attorney FTEs were insufficient to meet BoPD's outdated caseload standards in recent years as well.

¹⁹ *Minnesota Statutes* 2025, 611.215, subd. 2(c)(1).

Exhibit 2.8
BoPD has not met its standards for public defense support staff ratios in recent years.

Support Staff Role	Statewide Standards	Standards Not Met				
		FY2021	FY2022	FY2023	FY2024	FY2025
Dispositional Advisor	7	14.0	10.3	9.2	9.6	10.3
Investigator	6	10.1	7.2	7.2	9.0	8.4
Legal Office Assistant	4	5.5	5.4	5.3	5.7	5.7
Paralegal	8	14.2	10.3	10.5	10.6	10.6

Notes: The ratios presented above include only FTEs for district public defender offices and do not include the appellate office. FTE counts are for June 30 of each fiscal year.

Source: Office of the Legislative Auditor, analysis of state human resources data.

According to BoPD staff, BoPD has faced challenges to recruit and retain staff in recent years. For instance, some chief public defenders with whom we spoke described difficulties recruiting staff in rural judicial districts. BoPD leadership staff told us that staff compensation and excessive workloads contributed to turnover issues. A BoPD staff person also explained that high caseloads and burnout are major retention challenges, and BoPD’s turnover occurred primarily among attorney staff.

As we described in Chapter 1, the Legislature increased BoPD’s funding significantly in Fiscal Year 2024, and BoPD leadership staff and the Board took several steps to address staff retention and recruitment issues it had identified. BoPD received an additional \$42 million to its base appropriations in Fiscal Year 2024.²⁰ The Board allocated about two-thirds of the additional funds to increase public defense staff salaries to levels comparable to the salaries of certain counties’ legal staff. The Board allocated about one-third of the additional funds to hire new staff and approved measures to increase hiring in rural judicial districts.

According to BoPD staff, these efforts were necessary to improve BoPD’s ability to hire and retain staff. BoPD leadership staff told us that increased state funding was crucial for BoPD to increase public defense staff salaries to ensure pay parity with prosecutors and retain public defenders. Several chief public defenders also told us that increased salaries and pay parity with prosecutors helped with recruitment and retention.

Insufficient staffing impacts individual staff workloads and risks BoPD’s ability to provide quality representation. As we described earlier, many public defenders reported high workloads, which affect the time available to prepare for cases. Staffing issues can also contribute to low morale, stress, and burnout, risking BoPD’s ability to retain staff—further exacerbating these issues.

²⁰ Fiscal Year 2024 appropriations are adjusted for inflation in 2025 dollars.

Discussion

To provide effective representation for individuals in Minnesota who cannot otherwise afford legal counsel, public defenders must have a manageable workload. The state public defender and the Board have a responsibility to ensure BoPD's caseload standards reflect Minnesota's public defender workloads in order to understand and effectively advocate for BoPD's needs. As we noted earlier, state law requires the state public defender, with approval from the Board, to establish caseload standards.²¹ By law, the Board is also required to consider public defender caseloads in distributing funding across public defender offices.²² As we described earlier, BoPD's caseload standards are outdated, leaving the state public defender and the Board without a mechanism to accurately assess the resources BoPD needs to manage public defender workloads and provide effective representation. This, in turn, limits BoPD's ability to accurately communicate its needs to the Legislature.

RECOMMENDATION

BoPD should conduct a weighted caseload study and update its caseload standards.

Given that many public defenders across the state reported high workloads, which are not accurately reflected in BoPD's current caseload standards, we think it is critical for BoPD to update its caseload standards. As such, we recommend that the state public defender and the Board conduct a weighted caseload study and update its caseload standards. The Board and BoPD leadership have taken an important first step by convening a workgroup to review and update BoPD's caseload standards based on updated national standards. Because BoPD's weighted caseload study was conducted more than 30 years ago, we recommend that the Board and the state public defender conduct a new weighted caseload study. We also recommend that the Board and the state public defender adopt data driven methods informed by national best practices—such as estimating attorney hours available and updating case types as recommended by NPDWS—to ensure that its caseload standards reflect the realities of public defender cases.

As of September 2026, BoPD's caseload standards workgroup had not concluded its work. If the Board and the state public defender do not have sufficient resources to ensure BoPD's caseload standards are updated, we recommend the Board request additional funding from the Legislature to do so.

Updating its caseload standards would help the Board and the state public defender assess public defender workloads and request funding that aligns with the demands on the public defender system. Similarly, updated caseload standards would help BoPD more accurately determine public defenders' actual workloads.

²¹ *Minnesota Statutes* 2025, 611.215, subd. 2(c)(2).

²² *Minnesota Statutes* 2025, 611.27, subd. 1.

Chapter 3: Management

Active management of the public defender system—including training and supervision of public defense staff—is crucial for ensuring that individuals who require public defense services receive effective and competent representation. Training is important for public defense staff to have the knowledge and skills to provide effective representation in a changing criminal defense landscape. Supervision helps ensure that public defense staff provide effective representation.

Key Finding in This Chapter

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

In this chapter, we describe the Minnesota Board of Public Defense’s (BoPD’s) management practices related to training and supervision. We also describe the extent to which BoPD has improved management practices since the Office of the Legislative Auditor (OLA) last evaluated BoPD in 2010.

Overview

As we discussed in Chapter 1, the state public defender and chief administrator (“BoPD leadership staff”) are responsible for the management and administration of Minnesota’s public defender system. For example, the state public defender is responsible for supervising BoPD’s operation, policies, and procedures and for setting standards for public defender qualifications, training, staffing levels, and caseloads.¹

In our 2010 *Public Defender System* report, we recommended that BoPD improve its management practices to address weaknesses we identified.² For example, we found that managing attorneys’ caseloads limited the time they could spend supervising and coaching assistant public defenders.

UPDATE TO 2010 REPORT

In our 2010 *Public Defender System* report, we recommended that the Board and state public defender improve management practices that ensure active supervision of full- and part-time assistant public defenders to monitor their performance representing clients and litigating in court.

RECOMMENDATIONS PARTIALLY IMPLEMENTED

The Board and the state public defender have made improvements in BoPD’s management practices; however, some weaknesses remain.

BoPD has improved certain management practices, but workload and staffing challenges contribute to ongoing weaknesses.

Since our 2010 report, BoPD has reported improvements to its management practices, including adopting policies and procedures to address issues we raised in 2010. For instance, following our 2010 report, BoPD established a policy that the ratio of assistant public defenders to managing attorneys should be no more than 10 to 1.

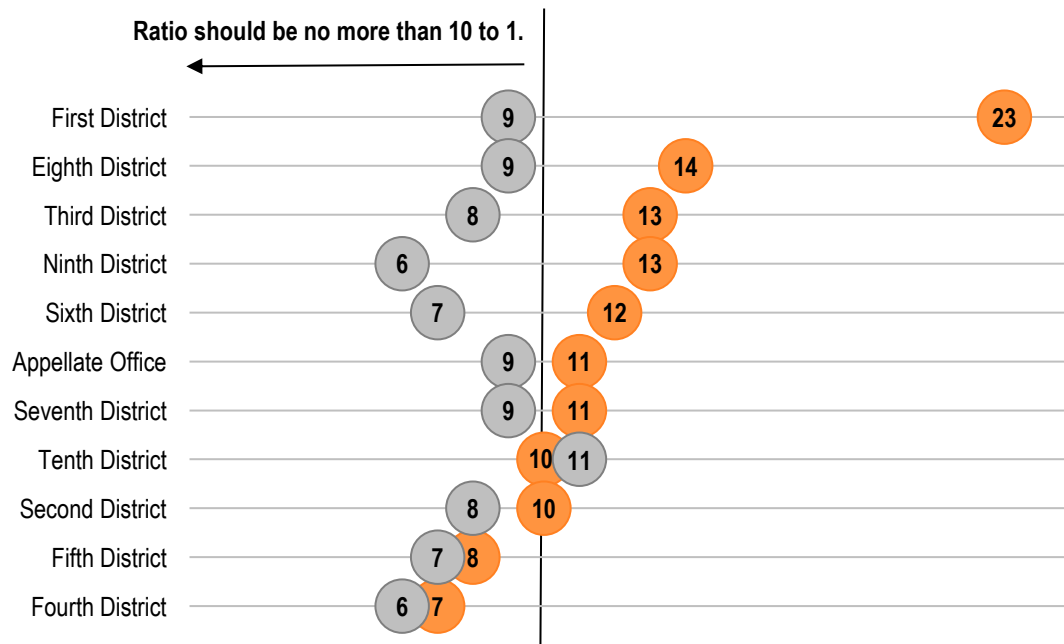
¹ *Minnesota Statutes* 2025, 611.23 and 611.215, subd. 2(c).

² Office of the Legislative Auditor, Program Evaluation Division, *Public Defender System* (2010), 23.

As we noted in Chapter 1, between fiscal years 2021 and 2025, BoPD increased the number of Full-Time Equivalent (FTE) staff by 22 percent, including managing attorney FTEs. As a result, BoPD has improved its ratio of assistant public defenders to managing attorneys to meet its policy in most districts, as shown in Exhibit 3.1.

Exhibit 3.1

The ratio of assistant public defenders to managing attorneys has improved in nearly all districts and the appellate office from 2021 to 2025.



Note: Ratios in the graphic were calculated using FTE figures as of June 30 of each fiscal year.

Source: Office of the Legislative Auditor, analysis of state human resources data.

BoPD also worked to reduce caseload standards for managers, including managing attorneys, first assistants, and chief public defenders.³ In 2012, BoPD instituted a policy that managing attorneys should carry no more than a one-half caseload, meaning a full-time managing attorney is expected to devote at least 50 percent of their time to supervisory responsibilities and no more than 50 percent of their time to representing clients. Although not documented in a policy, the state public defender told us that chief public defenders are expected to devote 100 percent of their time to management.

While BoPD has made some improvements, we found that workload and staffing challenges continue to contribute to ongoing management weaknesses. First, while BoPD staff continue to report high satisfaction with the training they receive, some public defenders noted that they did not have enough time to attend training. Second, while BoPD has established policies to increase its supervisory capacity, in practice, some managers carry a high workload, limiting their ability to provide adequate supervision. Third, BoPD has failed to ensure that managers complete performance evaluations as required. We discuss these issues in more detail in the rest of this chapter.

³ In some districts, management staff include “first assistants” who provide management and administrative support to the chief public defender.

Training

Ongoing training is critical to ensure public defense staff provide effective representation. State law requires the state public defender to establish standards for BoPD staff training.⁴ Similarly, national legal professional associations recommend that public defender organizations provide training and education on a regular basis for attorneys and public defense support staff. For instance, the American Bar Association (ABA) recommends that public defender agencies provide training at no cost to staff and require staff to attend continuing education programs or other trainings to improve their knowledge and skills.⁵ Further, the Minnesota Supreme Court requires attorneys to earn continuing legal education (CLE) credits to practice law in Minnesota.⁶

BoPD has a statewide training program overseen by a full-time training director. Training records for fiscal years 2024 and 2025 showed that BoPD organized several trainings for public defense staff, including trainings for its support staff and trainings that provided CLE credits.

In our 2010 report, we noted that the public defense staff who responded to our survey shared generally positive opinions of training.⁷ However, some staff at that time noted that budget constraints somewhat limited their access to certain training. During this evaluation, we found similar results.

While public defense staff largely expressed satisfaction with BoPD training, some shared they did not have enough time to attend training.

Public defense staff who responded to our survey generally expressed satisfaction with BoPD's training, as shown in Exhibit 3.2.⁸ For example, 92 percent of respondents agreed or strongly agreed with the statement "The training I receive is relevant to the work I do."

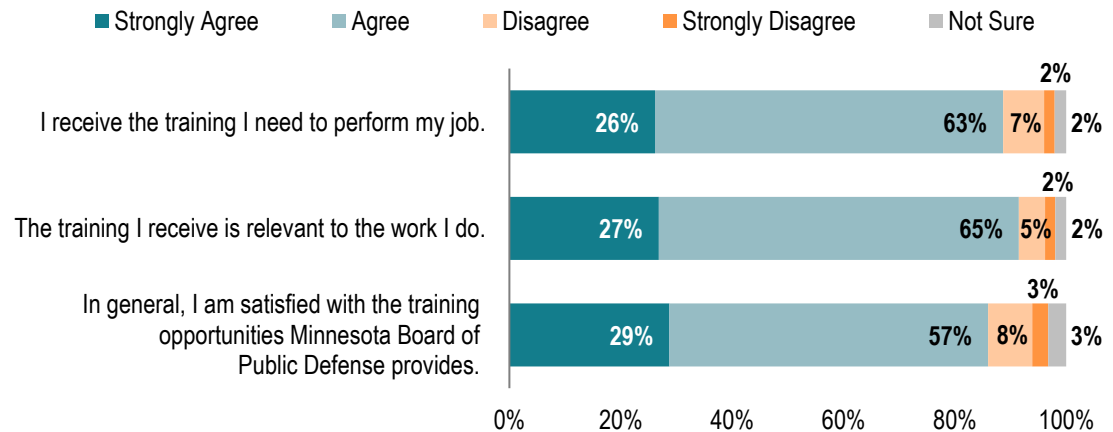
⁴ *Minnesota Statutes* 2025, 611.215, subd. 2(c)1.

⁵ American Bar Association, "Principle 7: Experience, Training, and Supervision," *Ten Principles of a Public Defense Delivery System* (2023), 5.

⁶ Minnesota State Board of Continuing Legal Education, *Rules of the Board of Continuing Legal Education*, Rule 9, subd. A (2000).

⁷ OLA, *Public Defender System*, 21.

⁸ We surveyed public defense staff, including chief public defenders, public defenders, and public defense support staff. Out of the 874 staff we surveyed, we received responses from 793 staff, for a response rate of 91 percent.

Exhibit 3.2**Most public defense staff expressed positive opinions about BoPD's training.**

Notes: Responses above are from 764 to 776 staff who responded to these questions. Percentages may not sum to 100 due to rounding.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

While a majority of public defense staff expressed positive opinions about BoPD's training, some survey respondents shared training-related concerns, including that they did not have adequate time for training, as the comment in the box to the right shows. Other public defense staff shared that they were frustrated that their requests to attend external trainings were rejected based on budget limitations. Some support and management staff who responded to our survey said they wished there were better onboarding or more role-specific training. For instance, one investigator wrote:



I am very satisfied with the training provided and consider it to be high quality. The issue was getting to training. I had multiple trainings that were highly relevant to my job that I had to skip because my workload would not allow me to take the time off that I needed to attend.

— Public Defender

The trainings are adequate. There are not as many investigator-related training opportunities as there are for attorneys. This has been getting better, and the Board of Public Defense recently partnered with the National Defense Investigator Association to provide additional trainings. It is difficult to attend all of the offered trainings because I often do not have the time.

In Chapter 2, we explained that public defenders have carried high caseloads and BoPD has been unable to meet its staffing standards in recent years, which likely impacts the amount of time available to staff to complete training.⁹ We recommended in Chapter 2 that BoPD update its caseload standards to ensure staff workloads are appropriate. Appropriate workloads would also help staff find time to attend training.

⁹ In Chapter 2, we described that BoPD has not met its support staff to attorney ratios in recent years. For example, BoPD has established a standard of one full-time dispositional advisor for every seven full-time attorneys. However, in Fiscal Year 2025, the statewide average was one dispositional advisor for every 10 full-time attorneys.

Supervision

Regular and timely supervision is also an important aspect of ensuring that public defenders provide effective representation. According to the ABA, public defense agencies “should regularly supervise and systematically evaluate their lawyers to ensure the delivery of effective and competent representation free from discrimination or bias.”¹⁰ Supervision is necessary for monitoring workload and assuring that public defense staff complete the tasks essential for effective representation. It can also help managers identify the support and resources staff need to do their job effectively.

In Minnesota’s public defender system, managers—including chief public defenders, first assistants, and managing attorneys—supervise public defenders and public defense support staff in each district office and the appellate office. BoPD requires managers to supervise and assess public defenders’ work and ensure appropriate distribution of workload. Managers with whom we spoke indicated they did so by reviewing information in BoPD’s case management system and observing public defenders in court. They also told us they relied on feedback from judges and court personnel and reviewed client complaints to assess public defenders’ performance.

In our 2010 evaluation, we reported that the majority of public defense staff who responded to our survey agreed that they received an annual performance appraisal and useful feedback and coaching from their supervisors.¹¹ However, we noted weaknesses in the timeliness of performance reviews and information managers used for their reviews. We also observed that managers’ caseloads limited their ability to provide adequate supervision.

While public defense staff expressed satisfaction with the supervision they receive, some managers described time and resource challenges that affect their ability to adequately supervise staff.

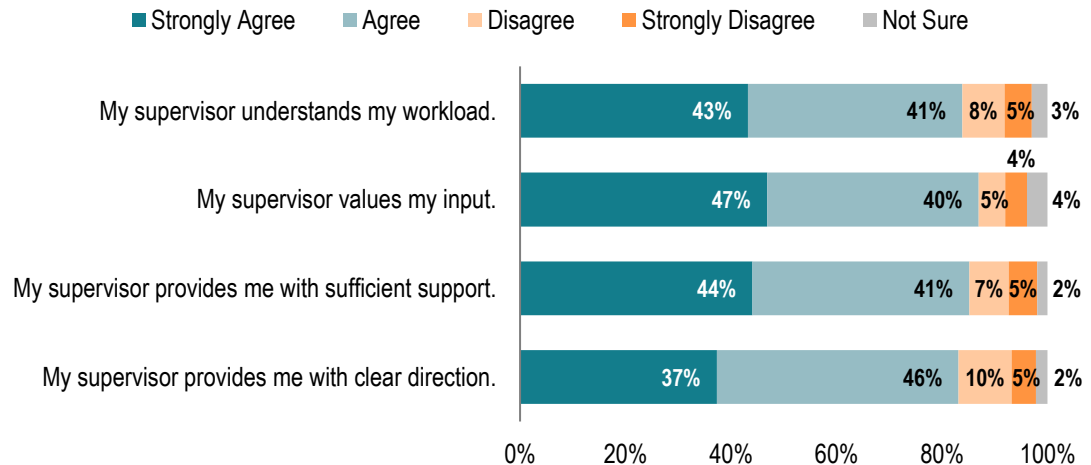
A majority of public defense staff who responded to our survey expressed positive opinions in response to various questions about their supervisor, as shown in Exhibit 3.3. For example, 85 percent of respondents agreed or strongly agreed with the statement “My supervisor provides me with sufficient support.”

¹⁰ ABA, “Principle 7,” *Ten Principles of a Public Defense Delivery System* (2023), 5.

¹¹ OLA, *Public Defender System*, 22.

Exhibit 3.3

Public defense staff largely expressed positive opinions about the supervision they receive.



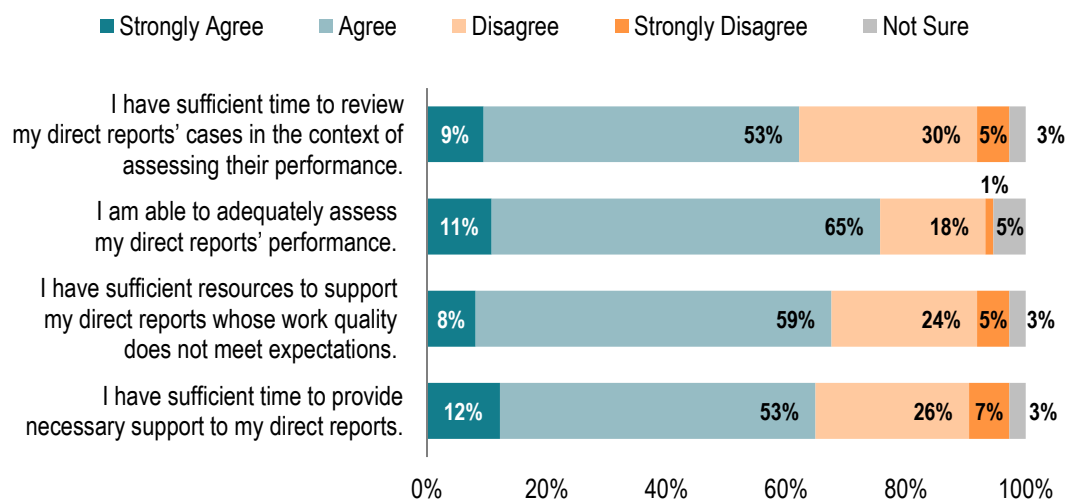
Notes: Responses above are from 773 to 777 staff who responded these questions. Percentages may not sum to 100 due to rounding.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

While a majority of managers who responded to our survey shared positive opinions, some managers expressed less positive opinions in response to various questions about their ability to provide adequate supervision. As shown in Exhibit 3.4, more than 30 percent of respondents disagreed or strongly disagreed with the statement “I have sufficient time to provide necessary support to my direct reports.”

Exhibit 3.4

Some managers disagreed with statements related to their ability to supervise staff.



Notes: Responses above are from 74 managers who responded to these questions. Percentages may not sum to 100 due to rounding.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

Many managers who responded to our survey and spoke with us during site visits explained that lack of time was the biggest challenge in supervising staff adequately. For example, one managing attorney shared:

I am drowning in management responsibilities and casework because I have a caseload. I can't do anything well right now. Mistakes are happening—people do not have a lawyer at their hearing because I have not had time to assign one. That is unacceptable. But I am only one person and I can only do so much.

Other managers shared comments about how time constraints prevent them from providing proactive supervision and in-depth review of their direct reports' work. For instance, one managing attorney wrote "I am very aware that I am not supporting [my direct reports] sufficiently, and that I am only really able to pay attention when it's urgent or when their work is very poor."

While BoPD has made policy changes in an effort to improve supervisory capacity—such as increasing the number of managing attorneys and reducing caseload standards—it has not meaningfully improved managers' ability to provide supervision. For instance, while BoPD has established a policy of no more than 10 assistant public defenders to 1 managing attorney, in practice, managing attorneys in some public defender offices also supervise public defense support staff. As such, some managing attorneys may supervise more staff than indicated in BoPD's policy.

In addition, high caseloads and staffing issues result in some managers carrying a high workload. For example, according to one chief public defender with whom we spoke, while managing attorneys carry a reduced caseload, they also fill in for staff due to vacancies, absences, or other circumstances as needed. Another chief public defender told us that managing attorneys may also be assigned to cases to assist certain attorneys, in addition to their own caseloads. A few chief public defenders noted that due to turnover, many assistant public defenders are relatively new and require more guidance and direction, which requires managing attorneys to spend more time supervising these staff. Further, as we described in Chapter 2, because cases have become more complex and therefore require more time than in the past, managers need to spend more time on their own caseloads, in addition to their supervisory responsibilities.



The only way I can really review [staff] performance is to observe hearings in court, but time doesn't allow for me to sit through team member's court hearings when I have my own elsewhere.

— Managing Attorney

Managers' time constraints can impact BoPD's ability to ensure adequate supervision of public defense staff. In turn, limited supervisory time can prevent managers from identifying when staff need additional support or are experiencing stress and burnout. Adequate time for supervision is necessary for managers to meaningfully engage with public defense staff, provide coaching to ensure staff meet standards for representation, and review staff performance—which we discuss further in the following section.

Performance Evaluations

Performance evaluations are an important tool managers have to assess the effectiveness of public defender representation. Regular performance evaluations can help managers hold staff accountable by providing an opportunity to recognize a staff member's strengths and identify areas for improvement.

In our 2010 report, we identified issues related to adequate performance evaluations and day-to-day supervision of public defenders.¹² For example, in 2010, we noted that some public defenders reported that their last performance evaluation was more than six months late or remained incomplete.¹³

To determine the extent to which performance evaluation practices have improved, we reviewed a sample of performance evaluations for calendar years 2024 and 2025.¹⁴

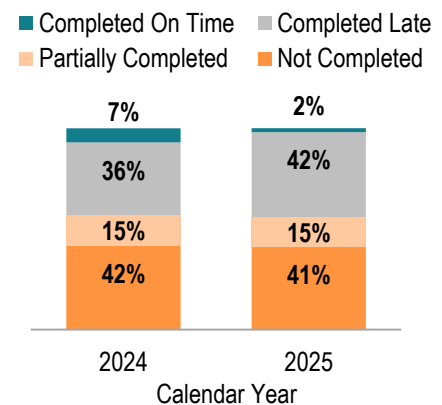
Managers completed very few performance evaluations as required.

BoPD's policy requires managers—including the state public defender, chief public defenders, and managing attorneys—to complete annual performance evaluations for staff.¹⁵ For the sample of staff performance evaluations due in 2025, only 2 percent were completed on time, as shown in Exhibit 3.5. More than 40 percent were completed late, 15 percent were only partially completed, and another 41 percent were not completed at all. Among performance evaluations that were completed late, about one-third were completed more than six months past due.¹⁶ Looking across both 2024 and 2025, nearly 30 percent of employees in our sample did not receive a performance review in either year.

Exhibit 3.5

Managers completed very few performance evaluations on time.

Percentage of performance evaluations by completion status



Note: Our sample included 92 performance evaluations due in 2024 and 98 due in 2025.

Source: Office of the Legislative Auditor, review of BoPD public defense staff performance evaluation records.

¹² OLA, *Public Defender System*, 22.

¹³ OLA, *Public Defender System*, 22. In our 2010 report, 11 percent of respondents to the survey question indicated their last review was over six months late or still had not been provided.

¹⁴ For our sample, we requested performance evaluation records for 98 BoPD public defense staff, representing 11 percent of public defense staff as of January 15, 2026. The sample included the 10 chief public defenders and a random sample of 88 public defenders and public defense support staff. Six of the 98 public defense staff did not have performance evaluations due in 2024 based on their hire date.

¹⁵ According to BoPD policy, employee performance evaluations must be completed by the anniversary of their hire date.

¹⁶ Among late performance evaluations, 22 percent were completed within a month of their due date.

BoPD leadership staff told us that they communicate performance evaluation expectations regularly. However, as we described above, evaluations were frequently completed late or not at all. Some managers who responded to our survey said high caseloads limit the time available for supervisory tasks, including completing performance evaluations.

Recommendations

As we have described throughout this chapter, managers' ability to provide supervision, including performance reviews, is limited by workload constraints.

RECOMMENDATIONS

The state public defender and the Board should:

- **Determine the proper balance of caseloads and supervisory responsibilities for managers.**
 - **Ensure managers complete performance evaluations as required.**
-

As we described in Chapter 2, BoPD does not have a method to accurately assess workloads, and therefore it is not able to effectively measure the appropriate balance of management and caseload duties for its management staff. We recommend that the Board and state public defender use the results of an updated caseload study to re-evaluate managers' caseloads and establish appropriate expectations for management staff. An appropriate balance of caseload and supervisory duties would enable managers to complete their responsibilities effectively. This could improve BoPD's ability to assess staff performance, proactively identify issues, and provide necessary coaching and support in a timely manner. It could also help ensure that managers and staff provide quality representation for the clients they are assigned.

Regular performance evaluations provide an important opportunity for managers to ensure that public defense staff meet BoPD's expectations for effective representation. We recommend that the state public defender and the Board enforce BoPD's performance evaluation requirements and ensure that evaluations are completed in a timely manner. This can help ensure staff meet performance expectations, including providing quality representation.



OLA

Chapter 4: Board Oversight

When it centralized Minnesota’s public defender system, the Legislature established a governing board (“the Board”) to oversee the system.¹ The Board is responsible for providing structure and direction for the Minnesota Board of Public Defense’s (BoPD’s) activities. Oversight of Minnesota’s public defender system is critical to ensuring it provides effective public defense services to eligible individuals, as required by the U.S. and Minnesota Constitutions.²

In this chapter, we discuss key aspects of the Board’s governance of BoPD. We examine the extent to which the Board has carried out key responsibilities, including financial oversight and performance management, and its compliance with the Open Meeting Law.³ Throughout this chapter, we offer recommendations for improvement.

Key Findings in This Chapter

- While the Board has fulfilled some of its statutory duties, it has not provided effective leadership.
- The Board’s resource allocation procedures are outdated.
- The Board has not adequately evaluated key leaders’ performance.
- Board meetings do not comply with some Open Meeting Law notification requirements.

Leadership

As we described in Chapter 1, the Legislature established BoPD as an independent entity within the Judicial Branch of Minnesota and assigned oversight responsibilities to a governing board. State law establishes requirements for Board membership, as shown in the box to the right.⁴

State law outlines several duties that the Board must fulfill, which we described in more detail in Chapter 1. For example, state law requires the Board to approve and recommend a budget to the Legislature and to establish procedures for allocating resources across the state’s public defender



Select BoPD Board Membership Requirements

- Five Supreme Court-appointed attorneys
 - At least one must have been a public defender within the past five years
 - None may be prosecutors
- Four governor-appointed public members
- At least three members from judicial districts outside of the Twin Cities Metropolitan Area
- No active judges

— **Minnesota Statutes 2025, 611.215, subd. 1(a)–(b)**

¹ *Laws of Minnesota* 1981, chapter 356, sec. 360, subds. 1 and 2, codified as *Minnesota Statutes* 2025, 611.215, subd. 1.

² *U.S. Constitution*, amend. VI; and *Minnesota Constitution*, art. I, sec 6.

³ *Minnesota Statutes* 2025, Chapter 13D.

⁴ *Minnesota Statutes* 2025, 611.215, subd. 1(a)–(b). During most of Fiscal Year 2026, the Board consisted of only eight members. One governor-appointed seat was vacant from September 2025 to May 2026.

system.⁵ The Board is responsible for appointing the chief administrator and the state public defender (“BoPD leadership staff”) and chief public defenders for each judicial district and the appellate office.⁶ The Board must also approve the state public defender’s standards for public defender offices, which we described in Chapters 2 and 3.⁷

While the Board has fulfilled some of its statutory duties, it has not provided effective leadership.

The Board has fulfilled its financial duties, including approving BoPD’s budget requests and distribution of resources across the public defender system.⁸ The Board has also appointed chief public defenders as required.⁹

However, the Board has taken limited action to address longstanding challenges facing the public defender system. For instance, the Board must approve the state public defender’s standards for public defender offices, including those related to caseloads and staffing.¹⁰ As we described in Chapter 2, BoPD’s caseload standards are more than 30 years old and widely considered outdated, preventing BoPD from accurately assessing public defender workloads. Despite being aware of this issue since at least 2010—when our office last evaluated the public defender system and found BoPD’s standards to be outdated—only in 2024 did the Board approve establishing a workgroup to update caseload standards.¹¹ In our review of board documents and meeting materials, we found that the Board has not taken any other formal action to direct the state public defender to conduct an updated weighted caseload study or update caseload standards.



BoPD Goals

- Client-centered representation
- Creative advocacy
- Continual training for all staff
- Recruitment and retention of excellent staff
- Partnership in the justice system

— Minnesota Board of Public Defense (2022)

Further, while the Board has fulfilled its financial duties, it did so using procedures that rely on outdated information to determine BoPD’s budget requests and distribute resources across BoPD. As we describe in more detail later in this chapter, the Board’s allocation of resources is based largely on BoPD’s outdated caseload standards, which do not accurately reflect public defender workloads.

The Board has engaged in strategic planning efforts in recent years with few tangible results. In 2022, for example, the Board updated BoPD’s goals, shown in the box to the left. But it has not established performance measures to track progress against these goals. For example, the Board has established a goal of

⁵ *Minnesota Statutes* 2025, 611.215, subd. 2(a)–(b).

⁶ *Minnesota Statutes* 2025, 611.215, subd. 1a; 611.23; 611.24; and 611.26, subd. 2.

⁷ *Minnesota Statutes* 2025, 611.215, subd. 2(c).

⁸ *Minnesota Statutes* 2025, 611.215, subd. 2(a)–(b).

⁹ *Minnesota Statutes* 2025, 611.26, subd. 2.

¹⁰ *Minnesota Statutes* 2025, 611.215, subd. 2(c).

¹¹ Beginning in 2024, BoPD established a workgroup to review and update BoPD’s caseload standards. The goal of BoPD’s workgroup is to recommend to the Board updated caseload standards based on recent national guidance. We described BoPD’s ongoing caseload review work in more detail in Chapter 2.

“client-centered representation.” According to the American Bar Association’s *Ten Principles of a Public Defense Delivery System*, client-centered representation entails understanding a client’s needs and ensuring representation is responsive to a client’s individual circumstances.¹² However, the Board has not set performance

measures to monitor and track progress towards achieving this goal.

The Board’s lack of performance measures is not a new issue. In our 2010 report, we found that the Board and state public defender could do more to measure and supervise the quality of public defender services.¹³ We recommended that they establish standards for and measures of quality client representation.

UPDATE TO 2010 REPORT

In our 2010 *Public Defender System* report, we recommended that the Board and state public defender establish standards for and measures of quality representation of clients.

RECOMMENDATION PARTIALLY IMPLEMENTED

BoPD has established guidelines for quality representation, but it has not established measures that would help it monitor and track progress.

In 2011, BoPD adopted quality representation guidelines that identify expectations for delivering public defense services, as the box to the right shows.¹⁴ However, BoPD has not established methods to determine whether the guidelines are met. For example, the Board has not required BoPD to track and report on the percentage of clients whose public defenders communicate with them within 72 hours of being taken into custody.

The Board’s lack of performance measures related to BoPD’s goals and quality representation guidelines hinders the Board’s ability to provide strategic direction and effectively communicate BoPD’s goals, priorities, and resource needs to the Legislature. For example, performance measures related to attorney activities—such as proportion of attorneys who visit in-custody clients—can help the Board and BoPD better understand the extent to which existing resources enable public defenders to conduct activities essential for them to provide effective representation. Without meaningful performance measures, the Board lacks crucial information to help it track BoPD’s progress towards its goals and identify adequate strategies to address the longstanding challenges that face BoPD.



Select BoPD Quality Representation Guidelines

- Communicate with in-custody clients within 72 hours
- Address any language barriers and obtain an interpreter if necessary
- Provide the client with necessary information, make arrangements for clients to view discovery, and return calls within 24 hours
- Communicate and advise the client about plea offers

— Minnesota Board of
Public Defense (2011)

¹² American Bar Association, “Principle 9: Essential Components of Effective Representation,” *Ten Principles of a Public Defense Delivery System* (2023), 6.

¹³ Office of the Legislative Auditor, Program Evaluation Division, *Public Defender System* (2010), 23.

¹⁴ Minnesota Board of Public Defense, *Quality Representation Guidelines* (2011).

RECOMMENDATIONS:

The Board should:

- Establish performance measures related to BoPD's goals.
- Regularly monitor BoPD's progress towards its goals.

BoPD's goals are broad and provide only general direction. We recommend that the Board adopt performance measures that would help it measure and track progress against the goals. By establishing and monitoring performance measures, the Board will be better equipped to evaluate BoPD's performance and implement changes that strengthen its ability to provide effective representation. This can also help the Board communicate the extent to which existing resources enable BoPD to provide effective representation.

Financial Oversight

State law assigns the Board two financial oversight responsibilities: recommending a budget to the Legislature for the public defender system and establishing procedures for distributing state funding across the system.¹⁵ By law, the Board is also required to consider public defenders' caseloads in allocating funds to public defender districts.¹⁶

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

From fiscal years 2021 to 2025, the Board reviewed and approved each of BoPD's legislative budget requests, as required by law.¹⁷ During our review period, the Board's budget committee met six times to review BoPD's budget requests and recommend budgets to the full Board. Exhibit 4.1 shows the Board's budget requests and state funding the Legislature appropriated in recent years.

Exhibit 4.1

BoPD's Budget Requests and Appropriations, Fiscal Years 2022–2027

In thousands

Fiscal Year	Board Approved Staff Additions ^a	Budget Request	Appropriation
2022	52	\$109,583	\$106,381
2023		112,468	111,409
2024	307	149,134	154,884
2025		189,360	164,360
2026	150	191,060	167,622
2027		244,060	167,622

Note: The budget request and appropriation figures above are not adjusted for inflation in order to reflect actual funding requested and received.

^a Figures indicate the increase in the number of staff that the Board approved for hiring during each biennium.

Source: Office of the Legislative Auditor, review of BoPD budget documents and general fund appropriations in session law.

¹⁵ *Minnesota Statutes* 2025, 611.215, subd. 2(a)–(b).

¹⁶ *Minnesota Statutes* 2025, 611.27, subd. 1.

¹⁷ *Minnesota Statutes* 2025, 611.215, subd. 2(a).

In 2011, the Board adopted internally developed resource allocation procedures. The Board followed its procedures for distributing resources across the public defender districts in fiscal years 2021 to 2025. In our review of board meeting materials, we found several instances of the Board discussing fiscal risks, staffing decisions, and the long-term implications of budget decisions. For example, in Fiscal Year 2024, BoPD added staff following an increase in funding; board documents show that the Board reviewed the distribution of these staff positions and approved their addition.

While the Board followed its procedures to allocate resources across public defender districts, the procedures rely on outdated information. The Board's resource allocation procedures are largely based on BoPD's caseload standards, which—as we described in Chapter 2—are outdated and therefore ineffective at determining public defender workloads. To measure and compare workloads between public defender districts, the Board's procedures assign case units for each type of case, similar to BoPD's weighted caseload standards, which we described in Chapter 2.¹⁸ While BoPD's caseload standards do not differentiate based on regional differences, the Board's procedures award higher case units for certain case types based on their severity and location, as shown in Exhibit 4.2.

Exhibit 4.2

BoPD Caseload Standards and Internal Resource Allocation Procedures

Weighted Caseload Standards			Resource Allocation Procedures		
Case Type	Standard (Number of Cases)	Case Units	Case Type	Urban Case Units	Rural Case Units
Felony	150	2.67	Felony Levels 8–11 and Sex Offenses A–C	8.00	8.00
			Felony Levels 1–7 and Sex Offenses D–H	1.78	2.29
Gross Misdemeanor	275	1.45	Gross Misdemeanor	1.45	1.45
Misdemeanor	400	1.00	Misdemeanor	0.67	1.00
Juvenile	175	2.29	Juvenile	2.00	2.67
Child Protection	80	5.00	Child Protection	5.00	5.00
Other	275	1.45	Other	1.45	1.45

Notes: According to its resource allocation procedures, the Board's subcategories of Felony case types are based on the Minnesota Sentencing Guidelines Grid severity levels in effect in 2011.¹⁹ To compare workloads between public defender districts, the Board's procedures assign "urban" case units to cases in Anoka, Carver, Dakota, Hennepin, Olmsted, Ramsey, St. Louis, Scott, Stearns, and Washington Counties and "rural" case units to cases in the remaining counties.

Source: Office of the Legislative Auditor, review of BoPD caseload standards and resource allocation procedures.

¹⁸ As we described in Chapter 2, in BoPD's case weighting system, one case unit represents the defense services required for an average misdemeanor case. To calculate how many case units each case type represents, the misdemeanor caseload standard is divided by the standard for the type of case. For example, to calculate the case units for a felony case, divide 400 (the misdemeanor caseload standard) by 150 (the felony caseload standard) to get 2.67. Thus, while a misdemeanor requires 1 case unit, a felony requires 2.67 case units.

¹⁹ According to the 2011 Sentencing Guidelines Grid that the Board reviewed to establish its resource allocation procedures, certain levels of criminal offenses carry a presumptive sentence; this presumptive sentence is based on the severity of the offense and the defendant's criminal history. For example, Felony Levels 8–11 (including 2nd Degree Murder) and Sex Offenses A–C (including 1st Degree Criminal Sexual Conduct) carry a presumptive sentence and as such require more public defender resources.

The Board's resource allocation procedures are intended to account for geographical differences between public defender districts, which BoPD's current caseload standards do not address. In our 2010 report, we identified that the resource allocation procedures the Board used at the time were outdated.²⁰ According to the chief administrator, in 2011, chief public defenders developed the current resource allocation procedures to factor in certain geographical differences among public defender districts, such as variation in travel time, prosecutorial practices, and availability of alternative services. For instance, according to Board procedures, the availability of alternative services (such as treatment programs) in urban areas reduce the amount of time—and thereby resources—misdemeanor cases require to resolve. On the other hand, public defenders in rural locations may need to travel longer distances to meet with in-custody clients.

While the Board updated its resource allocation procedures in 2011, the procedures still rely on BoPD's outdated caseload standards. Further, several judicial districts do not meet the caseload standards.

RECOMMENDATIONS

The Board should:

- **Update its resource allocation procedures based on an updated caseload study.**
 - **Use updated procedures to determine BoPD's staffing needs and allocate resources across the public defender system.**
-

To help reduce workloads and provide adequate staffing for public defender districts, the Board should ensure its resource allocation procedures are based on updated information. As we discussed in Chapter 2, public defenders have continued to experience high workloads in recent years; we recommended the Board conduct a caseload study to ensure it can accurately determine public defenders' workloads and to update BoPD's caseload standards. As we also noted previously, BoPD has formed a workgroup to review and update BoPD's caseload standards; BoPD leadership staff told us that the workgroup planned to include the Board's resource allocation procedures in its review. Resource allocation procedures based on updated information will help the Board determine BoPD's staffing needs across the system and distribute resources appropriately to facilitate the delivery of effective public defense services across the state.

²⁰ OLA, *Public Defender System*, 30–31. At the time of our 2010 evaluation, the Board's budget and staffing allocations were based on the prior years' weighted caseloads, which were roughly adjusted for factors such as geography and differences in regional practice.

Performance Management

By law, the Board’s duties include providing oversight for the chief public defenders, chief administrator, and state public defender.²¹

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

Board procedures require the Board to review chief public defenders’ performance as part of their reappointment. The Board reviewed chief public defenders’ performance, as required, for 11 reappointment processes that occurred during fiscal years 2021 to 2025. However, the Board has neither established written procedures for, nor consistently conducted, performance reviews for the chief administrator and state public defender.

We reviewed board documents and did not find evidence that the Board conducted a formal performance review of the chief administrator from fiscal years 2021 to 2025. The current chief administrator, who by law “serves at the pleasure of the [Board],” was appointed more than two decades ago.²² However, none of the board members who responded to our survey identified a formal process for reviewing the chief administrator’s performance.²³ Four members told us that no such review occurred during their time on the Board, and one acknowledged that the chief administrator’s performance review was an area that needed attention. Instead, board members explained that their oversight of the chief administrator included observing his work at board meetings, meeting with him before board meetings, and receiving feedback from BoPD staff.

Between fiscal years 2021 and 2025, the Board conducted one review of the state public defender, but the review was inadequate. In Fiscal Year 2023, the Board reviewed the state public defender’s performance as part of his reappointment. However, the Board’s approach did not ensure an objective or thorough review of the state public defender’s performance. For example, the Board did not independently evaluate the state public defender’s performance against Board-established criteria or responsibilities in law. Instead, the Board relied on the state public defender’s self-reported accomplishments. The Board also received feedback from chief public defenders and criminal justice stakeholders, but it did not collect this feedback anonymously. Instead, the chief administrator—who, by law, the Board appoints with advice from the state public defender—compiled these statements.²⁴

²¹ *Minnesota Statutes* 2025, 611.215, subds. 1 and 2; 611.24; and 611.26, subd. 2.

²² *Minnesota Statutes* 2025, 611.215, subd. 1(a).

²³ We surveyed all board members as of March 2026. We received responses from six of the eight board members.

²⁴ *Minnesota Statutes* 2025, 611.215, subd. 1(a).

Public defense staff who responded to our survey generally expressed favorable opinions about district and appellate office leadership but were less positive about BoPD leadership staff.

As shown in Exhibit 4.3, 60 percent of survey respondents agreed or strongly agreed with the statement, “Office leadership takes necessary steps to ensure workloads are appropriate,” while only 37 percent agreed or strongly agreed with the same statement in regards to the chief administrator and state public defender.²⁵



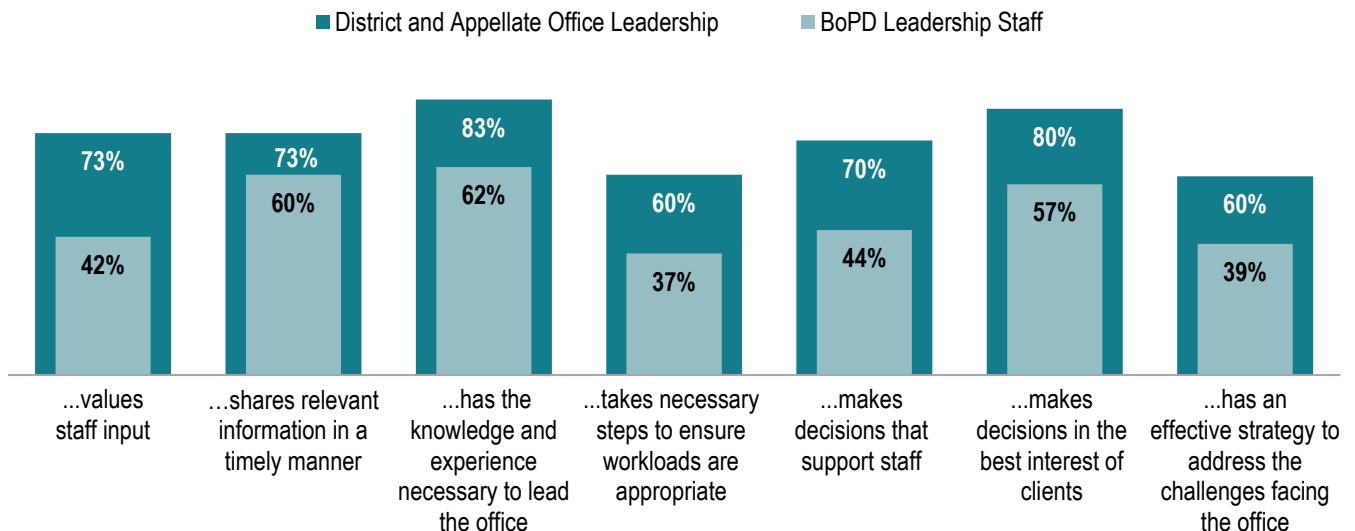
Definition

We defined “BoPD leadership staff” as the chief administrator and state public defender.

Exhibit 4.3

Public defense staff who responded to our survey expressed more positive views of district and appellate office leadership than of BoPD leadership staff.

Percentage of respondents who agreed or strongly agreed with survey statements



Notes: Responses above are from 755 to 778 public defense staff who responded to these questions. In our survey, we defined “district and appellate office leadership” as the chief public defender and first assistants, and “BoPD leadership staff” as the chief administrator and state public defender.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

²⁵ We surveyed 874 public defense staff and received responses from 793 staff, for a response rate of 91 percent.

Further, throughout interviews and in response to our survey, public defense staff shared concerns about BoPD leadership staff and workplace culture, indicating low morale and a lack of trust between public defense staff and BoPD leadership staff. For example, some public defense staff questioned whether BoPD leadership staff effectively advocated for the resources necessary for a functioning public defender system. Ongoing issues like high workloads, staffing challenges (including retention and hiring freezes), and lack of cost of living and performance-based salary increases have contributed to negative perceptions of BoPD leadership staff. Furthermore, some public defense staff comments indicated a negative dynamic between staff and BoPD leadership staff, including that BoPD leadership staff dismiss public defense staff concerns and do not treat staff with respect. Addressing these issues between BoPD leadership staff and public defense staff would help BoPD function more effectively.



There is a feeling of animosity toward the State Public Defender and Chief Administrator. They have difficult jobs, no doubt. What I view is missing is the lack of ability to lead. I have witnessed a lack of engagement and a defensiveness in their interactions and when they try to send out encouraging messages it falls on deaf ears as it appears to be disingenuous due to their lack of connection with line staff.

— Public Defender

RECOMMENDATIONS

The Board should:

- **Develop procedures to evaluate the performance of the chief administrator and state public defender (BoPD leadership staff).**
 - **Conduct annual performance evaluations for BoPD leadership staff.**
-

The chief administrator and state public defender serve important roles in ensuring a functioning statewide public defender system, including establishing standards and overseeing financial, technological, and operational services across the public defender system. They also have strong influence over organizational culture.

As we noted earlier, the chief administrator and state public defender are accountable to the Board. The Board should provide oversight to ensure these staff contribute to an effective public defender system. The Board cannot adequately ensure they are effective or hold them accountable without regular performance evaluations.

We recommend that the Board establish performance evaluation procedures for the chief administrator and state public defender and conduct formal evaluations of these staff on an annual basis. We also recommend that the Board ensure that relevant parties, such as criminal justice stakeholders and chief public defenders, have an opportunity to provide timely, candid, and anonymous feedback for the Board's consideration. The Board could also consider gathering input from public defense staff on a periodic basis. Regular performance evaluations will enable the Board to hold BoPD leadership staff accountable.

Transparency

Minnesota's Open Meeting Law requires certain governing bodies to conduct their business in meetings that are open to the public.²⁶ Since 2023, state law has required the Board's meetings to comply with the Open Meeting Law.²⁷ This law requires the Board to notify the public of meeting times and locations and to make meeting agendas and materials available to the public.²⁸ It establishes certain notification requirements based on the type of meeting, as described in Exhibit 4.4.



Open Meeting Law Purpose

- Prohibit public bodies from holding secret meetings where they may hide their decision-making process from the public
- Allow the public to be informed
- Allow the public to present its views to their public bodies

— Minnesota Supreme Court

Exhibit 4.4

Open Meeting Law Notification Requirements

Regular Meetings	Special Meetings
A public body must keep a schedule of its regular meetings on file at its primary offices. If the date, time, and/or place of a regular meeting changes, special meeting notice requirements apply.	Three days before a special meeting, a public body must: 1. Post written notice—including date, time, place, and purpose—on its principal bulletin board or usual meeting room door. 2. Deliver notice to any person who has made a written request for a personal notice of special meetings.^a

^a As an alternative to mailing or delivering the notice to requestors, the public body may publish the notice in its official newspaper or a qualified newspaper of general circulation in the area. The personal notice to requestors must include the date, time, place, and purpose of the meeting.

Source: *Minnesota Statutes* 2025, 13D.04.

According to the Board's bylaws, the Board conducts its business in regular monthly meetings. To determine the extent to which the Board has complied with the Open Meeting Law, we reviewed Board meeting materials for fiscal years 2024 and 2025 and attended several board meetings in Fiscal Year 2026.

²⁶ *Minnesota Statutes* 2025, Chapter 13D.

²⁷ *Laws of Minnesota* 2023, Regular Session, chapter 52, art 19, sec. 41, codified as *Minnesota Statutes* 2025, 611.215, subd. 1(d).

²⁸ *Minnesota Statutes* 2025, 13D.04, subd. 1; and 13D.01, subd. 6.

Board meetings did not comply with some Open Meeting Law notification requirements, making meetings difficult to access.

For meetings held during our review period, the Board followed Open Meeting Law requirements in some respects but not in others. Based on our review, the Board maintained minutes of its meetings, recorded votes in minutes, and followed most procedures for closed sessions. However, the Board's meeting notice practices did not comply with certain Open Meeting Law requirements and lacked transparency.²⁹

The Board did not meet according to the schedule specified in its bylaws nor maintain a regular schedule of its meetings. Rather than meeting monthly, as its bylaws require, the Board met only four times in Fiscal Year 2024 and seven times in Fiscal Year 2025. The Board's meeting times and locations also varied occasionally. According to the state public defender, the board chair determined whether to schedule a board meeting based on the extent to which the Board had business; meetings without business were not held. Absent consistent meeting times and locations, the Board's meetings were subject to special meeting rules, which require additional notice to ensure the public can access meetings.

The Board did not post notice of its meetings, as required by the Open Meeting Law, making them inaccessible to the public.³⁰ The chief administrator told us that BoPD posts a notice of the Board's scheduled meetings at the BoPD's central office location. However, we visited the office before one of the board meetings and could not find a notice. In addition, both BoPD's central office building and its elevators require secure badge access. We do not think it is reasonable to expect a member of the public to obtain meeting information by visiting BoPD's secured, central office. The Board also did not post meeting information on BoPD's website. Absent a principal bulletin board, public bodies may post their meeting notice on the door of their usual meeting room; however, given that the Board typically meets in hotel conference rooms, we could not confirm that the Board did so.

During our evaluation period, the chief administrator typically emailed meeting information for upcoming meetings to a list of email addresses. BoPD leadership staff told us the Board primarily provides public notice of its meetings by email. According to the chief administrator, to receive these emails, members of the public interested in attending board meetings may contact him and request notice.³¹ However, we could not find instructions to do so posted on BoPD's website.

²⁹ *Minnesota Statutes* 2025, 13D.04.

³⁰ *Minnesota Statutes* 2025, 13D.04, subd. 2(a). Because the Board does not maintain a regular schedule of meetings and did not meet according to the schedule specified in its bylaws, the Open Meeting Law requires additional notice. Further, the Open Meeting Law specifies that public bodies must post written notice of special meetings on its "principal bulletin board," or, absent a principal bulletin board, on the door of its usual meeting room.

³¹ Due to a lack of documentation, we were not able to evaluate the extent to which the Board notified members of the public who had requested notice during fiscal years 2024 to 2025.

Several public defense staff who responded to our survey described the Board as lacking transparency, as the selection of staff comments in the box shows.



I don't know who they are, when they meet, or what they do. I've never known a single board member to initiate communication or solicit input from any of us.

I have never met any of the Board members. [...] There is not a Web site that indicates when they meet, the agenda, post the meeting notes, videos of the Board meetings. Everything is very secretive. I have no idea how they feel about staff or what we think.

The Board seems purposefully opaque.

Interaction with Board members is limited. Rarely do we hear from them, and information about what they're doing is limited.

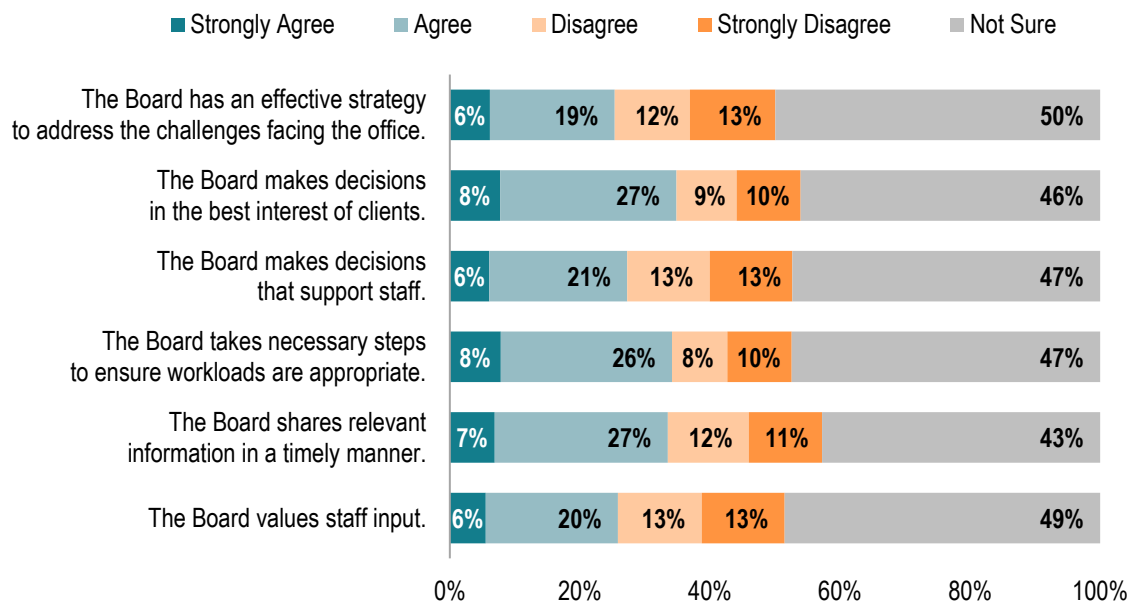
The nine-member board has no interaction with me or my office. I have no idea what they do on a daily basis. I am confident they have no idea what I do on a daily basis.

— Public Defense Staff

Further, in response to our questions about the Board's leadership, nearly one-half of public defense staff who responded to our survey indicated they were not sure, as Exhibit 4.5 shows.

Exhibit 4.5

Public Defense Staff Survey Responses Regarding the Board's Leadership



Notes: Responses above are from 770 to 777 staff who responded to these questions. Percentages may not sum to 100 due to rounding.

Source: Office of the Legislative Auditor, survey of public defense staff, 2026.

Some public defense staff who responded to our survey and with whom we spoke expressed interest in more transparency from the Board. Some commented that they would like the Board to share information about its activities. For example, one public defender wrote, “I think it would be useful for the Board to send out quarterly communications (or at least an annual roundup) of what the Board is doing..., to clarify and reinforce the Board’s mission and support for the agency as a whole.” Another said they would like board meetings to be made available for virtual attendance.

RECOMMENDATION

The Board should ensure its meetings are accessible to the public and its meeting notifications comply with state law.

The Open Meeting Law promotes transparency by allowing members of the public to observe public bodies’ decision-making. Without a regular schedule or adequate information regarding when special meetings will occur, it is difficult for members of the public and BoPD staff to monitor the Board’s activities or attend meetings. The Board should meet according to its regular meeting schedule or provide notice for special meetings, as the Open Meeting Law requires.³² We recommend the Board also post its meeting information on BoPD’s website.³³ Further, we recommend the Board include clear instructions on BoPD’s website on how to receive notice emails regarding upcoming meetings. These actions will ensure BoPD staff and the general public have the information they need to observe and engage with the Board’s activities.

³² *Minnesota Statutes* 2025, 13D.04.

³³ After we shared feedback related to the Board’s meeting notices, BoPD posted notice of the Board’s June and August 2026 meetings on its website.



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List of Recommendations

- The Minnesota Board of Public Defense (BoPD) should conduct a weighted caseload study and update its caseload standards. (p. 26)
- The state public defender and the Board should:
 - Determine the proper balance of caseloads and supervisory responsibilities for managers.
 - Ensure managers complete performance evaluations as required. (p. 35)
- The Board should:
 - Establish performance measures related to BoPD's goals.
 - Regularly monitor BoPD's progress towards its goals. (p. 40)
- The Board should:
 - Update its resource allocation procedures based on an updated caseload study.
 - Use updated procedures to determine BoPD's staffing needs and allocate resources across the public defender system. (p. 42)
- The Board should:
 - Develop procedures to evaluate the performance of the chief administrator and state public defender (BoPD leadership staff).
 - Conduct annual performance evaluations for BoPD leadership staff. (p. 45)
- The Board should ensure its meetings are accessible to the public and its meeting notifications comply with state law. (p. 49)



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Board of Public Defense

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September 30, 2026

Ms. Judy Randall
Office of the Legislative Auditor
658 Cedar St.
St. Paul, MN 55155

Dear Ms. Randall,

Thank you for the opportunity to respond to the program evaluation of the public defender system. In response we are highlighting the most significant recommendations in the report.

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.

The Board has determined the proper balance of caseloads and supervisory responsibilities for managers. As you note in the report the Board has a standard for how many employees a managing attorney should supervise and a policy stating that managing attorneys should only carry a one-half time caseload. In regard to the number of employees that managing attorneys supervise the Board can certainly review this policy. We would note that any change to that policy would require additional resources which the Board does not have. With regard to managing attorney caseloads, this policy has been communicated to the managing attorneys on numerous occasions. Given the high workloads (cited in your report) that public defenders are experiencing, managers often feel an obligation to take on more case work to assist their public defender staff.

We would agree that performance evaluations are important not only for the individual employees but for helping determine quality representation. As you noted in your report managing attorneys often find it difficult to complete this work given the competing responsibilities of case work, supervision and management. The Board will continue to evaluate more efficient ways managing attorneys can balance the challenge of time limits based upon their duties and responsibilities while not further stressing their direct report attorneys and staff time pressures for client matters. We are and will continue to emphasize the importance of this responsibility with the chief public defenders and managing attorneys.

The Board should establish performance measures related to BoPD's goals and regularly monitor BoPD's progress towards its goals.

As you no doubt found in your review of the National Public Defender Workload Study and other state systems this is a difficult task for public defender systems across the country. The Board agrees that meaningful goals and appropriate measures of progress are important components of effective

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Response

governance. The Board's role, however, is that of a policy and oversight body, rather than an operational or management body. Its primary responsibilities include establishing policy and standards, approving the budget, and appointing and evaluating the District Chiefs and State Public Defender.

The Board believes that performance measures should therefore be developed and managed by the State Public Defender and Board of Public Defense leadership, consistent with the Board's strategic priorities. The Board can provide guidance regarding the information it needs to fulfill its oversight responsibilities and should receive periodic reports on progress toward established goals.

Going forward, the Board will work with the State Public Defender to identify a limited number of meaningful measures that will allow the Board to assess progress, inform policy and budget decisions, and evaluate the District Chiefs and State Public Defender, without unnecessarily involving the Board in day-to-day operations.

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.

The Board established a Workload Study Committee made up of assistant public defenders, chief public defenders and Board members. That committee is currently working on revised standards to bring to the Board for its approval. As discussed at our meeting with Board Chair, Dan Le, the Board is already well under way in addressing an accurate methodology to ensure these critical goals are met with the actual statewide reality of the Board's attorneys and support staff employees.

The Board should develop procedures to evaluate the performance of the state public defender and chief administrator and conduct annual performance evaluations for these staff.

The Board will be reviewing this in the near future as a part of our next Strategic and Succession Planning process with the new state chief public defender who will start on November 13

Thank you again for the opportunity to comment on the Report.

Sincerely,

/s/ William Ward

/s/ Dan Le

/s/ Kevin Kajer

State Public Defender

Chair, Board of Public Defense

Chief Administrator

Forthcoming OLA Evaluations

Autism Spectrum Disorder Services in Public Schools: Student Identification and Coordination with EIDBI Services
Automatic Voter Registration
Board of Animal Health Oversight of Companion Animals
State Regulation of Nursing Home Care

Recent OLA Evaluations

Agriculture

Minnesota Agricultural Water Quality Certification Program, July 2026
Pesticide Regulation, March 2020

Criminal Justice, Public Safety, and Judiciary

Minnesota Board of Public Defense, October 2026
Guardianship of Adults, April 2025
Driver Examination Stations, March 2021
Safety in State Correctional Facilities, February 2020
Guardian ad Litem Program, March 2018

Economic Development

Department of Employment and Economic Development Grants Management, March 2025
Minnesota Investment Fund, February 2018
Minnesota Research Tax Credit, February 2017

Education (Preschool, K-12, and Postsecondary)

Minnesota Department of Education's Role in Addressing the Achievement Gap, March 2022
Collaborative Urban and Greater Minnesota Educators of Color (CUGMEC) Grant Program, March 2021
Compensatory Education Revenue, March 2020
Debt Service Equalization for School Facilities, March 2019
Early Childhood Programs, April 2018
Perpich Center for Arts Education, January 2017
Standardized Student Testing, March 2017
Minnesota State High School League, April 2017

Environment and Natural Resources

Department of Natural Resources Land Acquisition, April 2025
Aggregate Resources, January 2025
Petroleum Remediation Program, February 2022
Public Facilities Authority: Wastewater Infrastructure Programs, January 2019
Clean Water Fund Outcomes, March 2017

Financial Institutions, Insurance, and Regulated Industries

Department of Commerce's Civil Insurance Complaint Investigations, February 2022

Government Operations

Voter Registration, July 2026
Grant Award Processes, April 2024
Oversight of State-Funded Grants to Nonprofit Organizations, February 2023
Sustainable Building Guidelines, February 2023
Office of Minnesota Information Technology Services (MNIT), February 2019

Health

Assisted Living Facility Licensing, September 2026
Community Benefit Expenditures at Nonprofit Hospitals, February 2025
Minnesota Department of Health: Human Resources Complaint Management, January 2025
Emergency Ambulance Services, February 2022
Office of Health Facility Complaints, March 2018

Human Services

Office of Ombudsperson for Families, January 2026
Department of Human Services Licensing Division: Support to Counties, February 2024
Child Protection Removals and Reunifications, June 2022
DHS Oversight of Personal Care Assistance, March 2020
Home- and Community-Based Services: Financial Oversight, February 2017

Jobs, Training, and Labor

Worker Misclassification, March 2024
Unemployment Insurance Program: Efforts to Prevent and Detect the Use of Stolen Identities, March 2022

Miscellaneous

Minnesota Housing Finance Agency: Down Payment Assistance, March 2024
RentHelpMN, April 2023
State Programs That Support Minnesotans on the Basis of Racial, Ethnic, or American Indian Identity, February 2023
Board of Cosmetology Licensing, May 2021
Minnesota Department of Human Rights: Complaint Resolution Process, February 2020
Public Utilities Commission's Public Participation Processes, July 2020
Economic Development and Housing Challenge Program, February 2019
Minnesota State Arts Board Grant Administration, February 2019
Board of Animal Health's Oversight of Deer and Elk Farms, April 2018
Voter Registration, March 2018

Transportation

Metro Mobility, April 2024
Southwest Light Rail Transit Construction: Metropolitan Council Decision Making, March 2023
Southwest Light Rail Transit Construction: Metropolitan Council Oversight of Contractors, June 2023
MnDOT Workforce and Contracting Goals, May 2021
MnDOT Measures of Financial Effectiveness, March 2019

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