STATE OF MINNESOTA | DISTRICT COURT

COUNTY OF HENNEPIN | FOURTH JUDICIAL DISTRICT

In Re 2015 Reimbursement Rate
for Attorneys' Fees and Costs
Pursuant to Minn. Stat. § 611.27

STANDING ORDER

Whereas, Minn. Stat. § 611.27 requires the chief judge of each judicial district to establish a reimbursement rate for attorneys' fees and costs associated with the representation of any defendant in connection with the appeal initiated by the prosecuting attorney of any pre-trial order in a criminal proceeding, and

Whereas, the fees established shall be paid by the governmental unit responsible for the prosecution, and

Whereas, the undersigned has consulted with attorneys regarding the appropriate reimbursement rate to be paid pursuant to Minn. Stat. § 611.27, subd. 16(a) as follows:

1. The Chief Public Defender informed the undersigned that she pays contract public defenders $40.00 per hour.
2. Kevin Kajer, Chief Administrator of the State Board of Public Defense, disclosing that the current rate for contract attorneys used by the Appellate Division of the State Board of Public Defense $45.00 per hour.
3. The panel administrator for the Federal Public Defender has stated that attorneys appointed under the Criminal Justice Act are paid $126.00 per hour.
4. This issue was brought up at a recent Hennepin County Criminal Justice Task Force for comment and discussion. The Task Force is composed of representatives from the Hennepin County Department of Community Corrections and Rehabilitation, the Minneapolis City Attorney's Office, the Hennepin County Suburban Prosecutor's Association, the Hennepin County Attorney's Office, the Fourth Judicial District Public Defender's Office, the Fourth Judicial District Court, the Hennepin County Sheriff's Office and the private bar. There were no comments from the group.

Now, therefore,

IT IS ORDERED

1. The reimbursement rate in the calendar year 2015 for attorneys' fees associated with representation under Minn. Stat. § 611.27, subd. 16(a) shall be $100.00 per hour plus costs and expenses reasonably incurred. This rate is effective immediately and shall apply to all services performed from January 1, 2015, and shall be in effect until further order of the Court.

2. Reimbursement shall not exceed a total of $5,000 exclusive of costs and expenses reasonably incurred unless payment in excess of $5,000 is certified by the chief judge of the Fourth Judicial District as necessary to provide fair reimbursement for services of an unusual character or duration.

BY THE COURT

DATED: October 22, 2014

Peter A. Cahill
Chief Judge
Fourth Judicial District