

ADMINISTRATIVE ORDER #8, 2nd SERIES

State of Minnesota

District Court

Fifth Judicial District

Administrative Order No. 8, 2nd Series
Date of Implementation: March 26, 2008

**In Re: Order Establishing Guidelines for Assessing Public Defender
Reimbursement Fees**

IT IS HEREBY ORDERED:

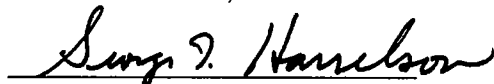
The following guidelines shall be used by Screener/Collectors in the Fifth District in determining eligibility and assessing reimbursement rates for public defender services.

1. After determining eligibility, public defenders will not be appointed to any defendant without cost, except when the defendant's sole source of income is public assistance.
2. If the defendant's income falls within the following guideline, the reimbursement fee shall be assessed at the time of the appointment of a public defender, subject to change upon verification of reported income.
3. If the screener/collector determines that the defendant has unusual circumstances, they may recommend to the appointed judge a departure from this guideline.
4. Public defender reimbursement is in addition to the \$28.00 co-pay for representation as established in 2002 Minnesota Session Laws, Chapter 220, Article 6, Section 13. The co-payment, if not waived, will be assessed upon the disposition of the case.
5. The guideline shall be used in lieu of the optional guideline contained in MS; 611.20, Subd. 6.
6. The following guidelines apply:

| <u>Size of Family Unit</u> | <u>Gross Monthly Family Income</u> | <u>Reimbursement Fee</u> |
|----------------------------|------------------------------------|--------------------------|
| 1 | Less than \$ 923 | \$ 25.00 |
| | \$ 924 - \$1,108 | \$ 50.00 |
| | \$1,109 - \$1,331 | \$ 75.00 |
| | \$1,332 - \$1,598 | \$100.00 |
| | \$1,599 - \$1,981 (maximum) | \$175.00 |

| <u>Size of Family Unit</u> | <u>Gross Monthly Family Income</u> | <u>Reimbursement Fee</u> |
|--|------------------------------------|--------------------------|
| 2 | Less than \$1,244 | \$ 25.00 |
| | \$1,245 - \$1,494 | \$ 50.00 |
| | \$1,495 - \$1,794 | \$ 75.00 |
| | \$1,795 - \$2,154 | \$100.00 |
| | \$2,155 - \$2,586 (maximum) | \$175.00 |
| 3 | Less than \$1,565 | \$ 25.00 |
| | \$1,566 - \$1,879 | \$ 50.00 |
| | \$1,880 - \$2,256 | \$ 75.00 |
| | \$2,257 - \$2,708 | \$100.00 |
| | \$2,709 - \$3,251 (maximum) | \$175.00 |
| 4 | Less than \$1,885 | \$ 25.00 |
| | \$1,885 - \$2,264 | \$ 50.00 |
| | \$2,265 - \$2,717 | \$ 75.00 |
| | \$2,718 - \$3,262 | \$100.00 |
| | \$3,263 - \$3,916 (maximum) | \$175.00 |
| 5 | Less than \$2,206 | \$ 25.00 |
| | \$2,207 - \$2,648 | \$ 50.00 |
| | \$2,649 - \$3,179 | \$ 75.00 |
| | \$3,180 - \$3,816 | \$100.00 |
| | \$3,817 - \$4,580 (maximum) | \$175.00 |
| 6 | Less than \$2,527 | \$ 25.00 |
| | \$2,528 - \$3,033 | \$ 50.00 |
| | \$3,034 - \$3,641 | \$ 75.00 |
| | \$3,642 - \$4,370 | \$100.00 |
| | \$4,371 - \$5,245 (maximum) | \$175.00 |
| For each additional family member, add \$321.00 to the monthly gross income. | | |

Date: March 26, 2008


 Judge George I. Harrelson, Chief Judge
 Fifth Judicial District

Source: This Order is adopted from Administrative Order No. 15, originally issued on June 19, 2002.