

FY2013 Public Defender Cost Reimbursements

| | County | Amount Assessed | Amount Collected | Percentage Collected | Total Criminal Caseloads | Amount Assessed per filing |
|-------------------------|---------------|--------------------|---------------------|-------------------------|-----------------------------|----------------------------------|
| 1st District | Benewah | \$11,700 | \$6,058 | 52% | 744 | \$15.73 |
| | Bonner | \$40,748 | \$21,664 | 53% | 1,757 | \$23.19 |
| | Boundary | \$8,155 | \$4,806 | 59% | 492 | \$16.58 |
| | Kootenai | \$117,019 | \$81,545 | 70% | 8,031 | \$14.57 |
| | Shoshone | \$9,026 | \$6,942 | 77% | 819 | \$11.02 |
| | Totals | \$186,648 | \$121,015 | 65% | 11,843 | \$15.76 |
| 2nd District | Clearwater | \$6,050 | \$3,856 | 64% | 575 | \$10.52 |
| | Idaho | \$0 | \$325 | ~ | 753 | \$0.00 |
| | Latah | \$3,829 | \$3,816 | 100% | 1,743 | \$2.20 |
| | Lewis | \$3,600 | \$2,378 | 66% | 226 | \$15.93 |
| | Nez Perce | \$133,660 | \$77,300 | 58% | 3,311 | \$40.37 |
| | Totals | \$147,139 | \$87,675 | 60% | 6,608 | \$22.27 |
| 3rd District | Adams | \$10,100 | \$8,549 | 85% | 307 | \$32.90 |
| | Canyon | \$546,154 | \$248,990 | 46% | 11,501 | \$47.49 |
| | Gem | \$10,600 | \$10,251 | 97% | 768 | \$13.80 |
| | Owyhee | \$18,475 | \$10,505 | 57% | 449 | \$41.15 |
| | Payette | \$46,708 | \$34,682 | 74% | 1,368 | \$34.14 |
| | Washington | \$41,039 | \$27,463 | 67% | 479 | \$85.68 |
| | Totals | \$673,076 | \$340,440 | 51% | 14,872 | \$45.26 |
| 4th District | Ada | \$193,963 | \$154,257 | 80% | 17,806 | \$10.89 |
| | Boise | \$4,400 | \$3,156 | 72% | 488 | \$9.02 |
| | Elmore | \$25,375 | \$25,875 | 102% | 902 | \$28.13 |
| | Valley | \$36,825 | \$33,764 | 92% | 828 | \$44.47 |
| | Totals | \$260,563 | \$217,052 | 83% | 20,024 | \$13.01 |
| 5th District | Blaine | \$5,969 | \$6,504 | 109% | 842 | \$7.09 |
| | Camas | \$200 | \$200 | 100% | 58 | \$3.45 |
| | Cassia | \$39,829 | \$21,850 | 55% | 1,827 | \$21.80 |
| | Gooding | \$4,000 | \$1,761 | 44% | 542 | \$7.38 |
| | Jerome | \$60,650 | \$45,867 | 76% | 2,160 | \$28.08 |
| | Lincoln | \$2,734 | \$2,102 | 77% | 336 | \$8.14 |
| | Minidoka | \$12,282 | \$12,652 | 103% | 1,021 | \$12.03 |
| | Twin Falls | \$167,750 | \$106,375 | 63% | 4,179 | \$40.14 |
| | Totals | \$293,414 | \$197,311 | 67% | 10,965 | \$26.76 |
| 6th District | Bannock | \$309,425 | \$171,956 | 56% | 6,134 | \$50.44 |
| | Bear Lake | \$8,431 | \$9,063 | 107% | 356 | \$23.68 |
| | Caribou | \$13,636 | \$12,784 | 94% | 372 | \$36.66 |
| | Franklin | \$23,875 | \$18,265 | 77% | 418 | \$57.12 |
| | Oneida | \$12,742 | \$13,061 | 103% | 324 | \$39.33 |
| | Power | \$35,725 | \$17,392 | 49% | 735 | \$48.61 |
| | Totals | \$403,834 | \$242,521 | 60% | 8,339 | \$48.43 |
| 7th District | Bingham | \$37,115 | \$33,502 | 90% | 5,160 | \$7.19 |
| | Bonneville | \$150,830 | \$147,499 | 98% | 5,423 | \$27.81 |
| | Butte | \$4,185 | \$2,284 | 55% | 128 | \$32.70 |
| | Clark | -\$19 | \$467 | ~ | 75 | -\$0.25 |
| | Custer | ~ | ~ | ~ | 173 | ~ |
| | Fremont | \$11,888 | \$10,278 | 86% | 642 | \$18.52 |
| | Jefferson | \$3,900 | \$3,139 | 80% | 899 | \$4.34 |
| | Lemhi | \$7,100 | \$6,409 | 90% | 247 | \$28.74 |
| | Madison | \$7,541 | \$4,871 | 65% | 612 | \$12.32 |
| | Teton | \$8,429 | \$9,429 | 112% | 280 | \$30.10 |
| | Totals | \$230,969 | \$217,878 | 94% | 13,639 | \$16.93 |
| Statewide Totals | | \$1,964,674 | \$1,206,014 | 61% | 86,290 | \$22.77 |



Idaho Statutes

TITLE 19 CRIMINAL PROCEDURE

CHAPTER 8 EXAMINATION OF CASE AND DISCHARGE OR COMMITMENT OF ACCUSED

19-854. DETERMINATION OF INDIGENCY -- FACTORS CONSIDERED -- PARTIAL PAYMENT BY ACCUSED -- REIMBURSEMENT. (1) The determination of whether a person covered under section 19-852, Idaho Code, is an indigent person shall be deferred until his first appearance in court or in a suit for payment or reimbursement under section 19-858, Idaho Code, whichever occurs earlier. Thereafter, the court concerned shall determine, with respect to each proceeding, whether he is an indigent person.

(2) The court concerned shall presume that the following persons are indigent persons unless such a determination is contrary to the interests of justice:

(a) Persons whose current monthly income does not exceed one hundred eighty-seven percent (187%) of the federal poverty guidelines issued annually by the federal department of health and human services;

(b) Persons who receive, or whose dependents receive, public assistance pursuant to title 56, Idaho Code, in the form of food assistance, health coverage, cash assistance or child care assistance; or

(c) Persons who are currently serving a sentence in a correctional facility or are being housed in a mental health facility.

(3) The court concerned may determine that persons other than those described in subsection (2) of this section are indigent persons. In determining whether a person is an indigent person and in determining the extent of his inability to pay, the court concerned may consider such factors as income, property owned, outstanding obligations, the number and ages of his dependents and the cost of bail.

(4) Release on bail does not necessarily prevent a person from being an indigent person.

(5) In each case, the person shall, subject to the penalties for perjury, certify in writing or by other record such material factors relating to his ability to pay as the court prescribes by rule. No information provided by a person pursuant to this subsection may be used as substantive evidence in any criminal or civil proceeding against the person except:

(a) For impeachment purposes;

(b) In a prosecution for perjury or contempt committed in providing the information; or

(c) In an attempt to enforce an obligation to reimburse the state for the cost of counsel.

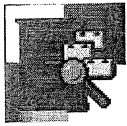
(6) To the extent that a person covered under section 19-852, Idaho Code, is able to provide for an attorney, the other necessary services and facilities of representation, and court costs, the court may order him to provide for their payment.

(7) Upon conviction, notwithstanding the form of judgment or withheld judgment, plea of guilty or finding of guilt for any crime regardless of the original crime or number of counts, an indigent person who receives the services of an attorney provided by the county may be required by the court to reimburse the county for all or a portion of the cost of those services related to the conviction, plea of guilty or finding of guilt, unless the requirement would impose a manifest hardship on the indigent person. The current inability of the indigent person to pay the reimbursement shall not, in and of itself, restrict the court from ordering reimbursement.

History:

[19-854, added 1967, ch. 181, sec. 4, p. 599; am. 2001, ch. 287, sec. 1, p. 1023; am. 2013, ch. 220, sec. 4, p. 517.]

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Idaho Statutes

TITLE 19 CRIMINAL PROCEDURE

CHAPTER 8 EXAMINATION OF CASE AND DISCHARGE OR COMMITMENT OF ACCUSED

19-858. REIMBURSEMENT TO COUNTY -- WHEN AUTHORIZED. (1) The prosecuting attorney of each county may, on behalf of the county, recover payment or reimbursement, as the case may be, from each person who has received legal assistance or another benefit under this act:

- (a) To which he was not entitled;
- (b) With respect to which he was not an indigent person when he received it; or
- (c) With respect to which he has failed to make the certification required under section 19-854, Idaho Code, and for which he refuses to pay or reimburse. Suit must be brought within five (5) years after the date on which the aid was received.

(2) The prosecuting attorney of each county may, on behalf of the county, recover payment or reimbursement, as the case may be, from each person other than a person covered under subsection (1) of this section who has received legal assistance under this act and who, on the date on which suit is brought, is financially able to pay or reimburse the county for it without manifest hardship according to the standards of ability to pay applicable under sections 19-851, 19-852 and 19-854, Idaho Code, but refuses to do so. Suit must be brought within three (3) years after the date on which the benefit was received.

(3) Amounts recovered under this section shall be paid into the county general fund.

History:

[19-858, added 1967, ch. 181, sec. 8, p. 599; am. 2013, ch. 220, sec. 8, p. 518.]

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