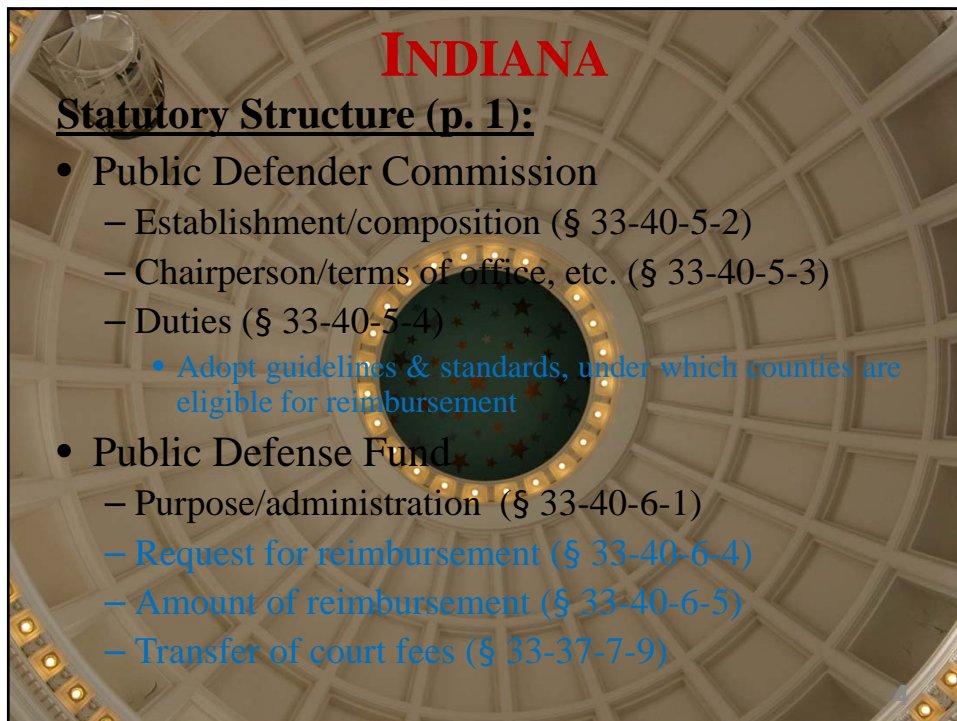


**INDIANA**

**PUBLIC DEFENSE FUND**

- Two Revenue Sources:
  - Dedicated Funds: \$7.4 Million
  - General Funds: \$14.85 Million
- Total FY 2014 Appropriation = **\$22.25 Million**  
(Section 33-40-6, Indiana Code)



**INDIANA**

**Statutory Structure (p. 1):**

- Public Defender Commission
  - Establishment/composition (§ 33-40-5-2)
  - Chairperson/terms of office, etc. (§ 33-40-5-3)
  - Duties (§ 33-40-5-4)
    - Adopt guidelines & standards, under which counties are eligible for reimbursement
- Public Defense Fund
  - Purpose/administration (§ 33-40-6-1)
  - Request for reimbursement (§ 33-40-6-4)
  - Amount of reimbursement (§ 33-40-6-5)
  - Transfer of court fees (§ 33-37-7-9)



**NEBRASKA**

- Counties provide representation in misdemeanor, JV, and most felonies
- State commission (staffed by six attorneys) provides representation in appeals, capital cases, and some serious felonies
  - Commission also promulgates PD standards, guidelines, reporting requirements, etc.
    - \* Upon certification of compliance from counties, the commission is authorized to reimburse counties for 25% of their actual expenditures due to felony representation

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**NEBRASKA**

**COMMISSION ON PUBLIC ADVOCACY  
OPERATIONS CASH FUNDS**

- 100% dedicated funds
  - Indigent Defense Fee
    - \$3.00 for each case filed in any court, including appeals

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## NEBRASKA

**Statutory Structure (p. 3):**

- **Commission on Public Advocacy**
  - Establishment (§ 29-3923)
  - Chairperson/terms of office, etc. (§ 29-3925)
  - Duties (§ 29-3927)
    - Adopt guidelines & standards regarding reimbursement to counties
- **Commission on Public Advocacy Operations Cash Fund**
  - Purpose/administration (§ 29-3921)
  - Indigent Defense Fee (§ 33-156)
  - Requests for reimbursement (§ 29-3933)

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## MICHIGAN

- **PD services are provided by the counties**
  - Counties may choose delivery method
- **Michigan Indigent Defense Commission (MIDC)**
  - Proposes minimum standards for indigent defense for approval by the Supreme Court
  - Counties submit annual compliance plans & cost analyses (which identify increased cost of compliance)
  - MIDC reviews/approves compliance plans & cost analyses
    - Dispute process
  - Allocates “grants” to cover cost of compliance
  - Investigates, audits, and reviews local PD operations for compliance with standards

## MICHIGAN

§ 780.993(7)

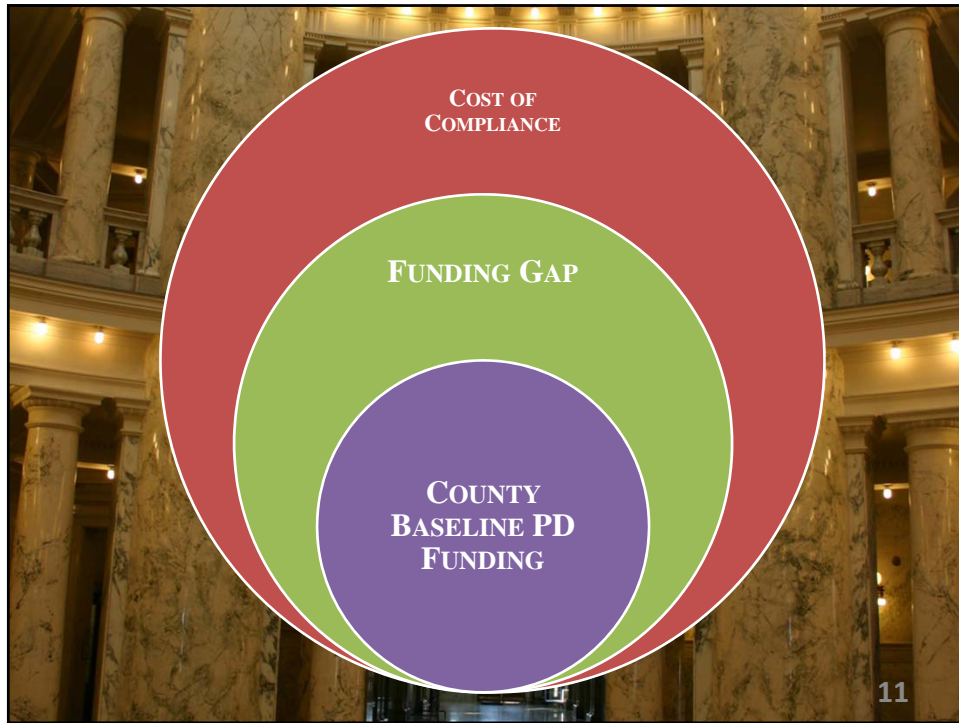
An indigent criminal defense system shall not be required to provide funds in excess of its local share. The MIDC shall provide **grants** to indigent criminal defense systems to assist in bringing the systems into compliance with minimum standards established by the MIDC.

Grants = State General Fund \$

## MICHIGAN

### Statutory Structure:

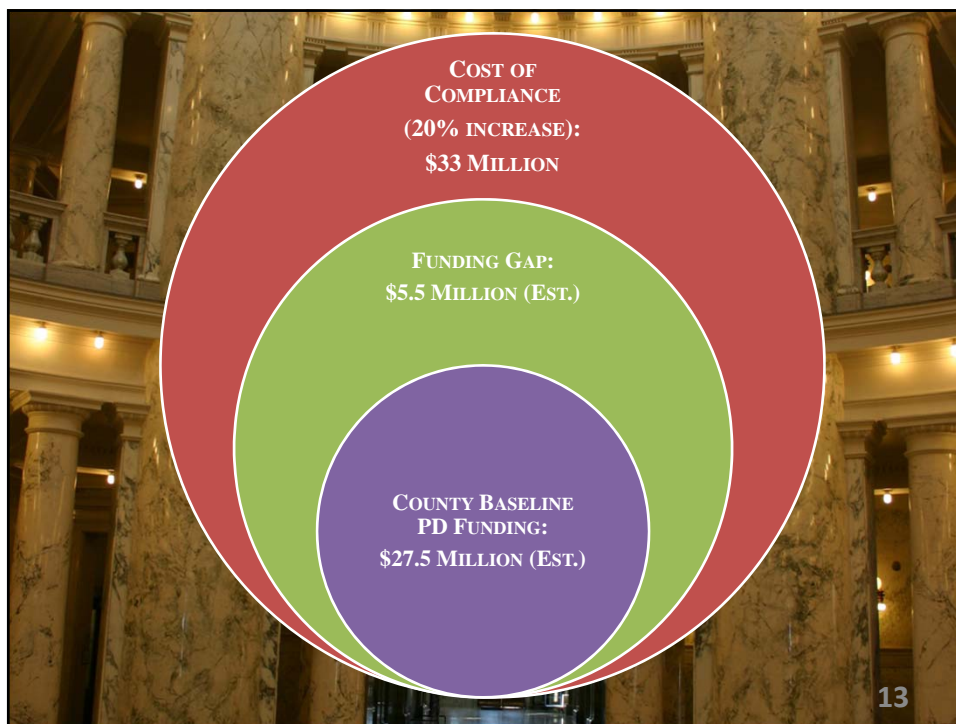
- Michigan Indigent Defense Commission
  - Creation (§ 780.985)
  - Duties (§§ 780.985, 989, & 991)
  - § 780.993
    - compliance plan submission
    - award of grants
  - Dispute process (§ 780.995)



## IDAHO

**Public Defense Costs:**

- CFY 14 expenditures = \$24.1 Million (est.)
- CFY 15 budgets = \$27.5 Million (est.)
  - 14.1% increase from CFY 14 (est.)
- **Cost of Compliance?**
  - 10 % increase = \$30.25 Million (\$2.75 Million)
  - 20 % increase = \$33 Million (\$5.5 Million)
  - 30 % increase= \$ 35.75 Million (\$8.25 Million)



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