

# Michigan Indigent Defense Commission Local Share Evaluation Interim Report

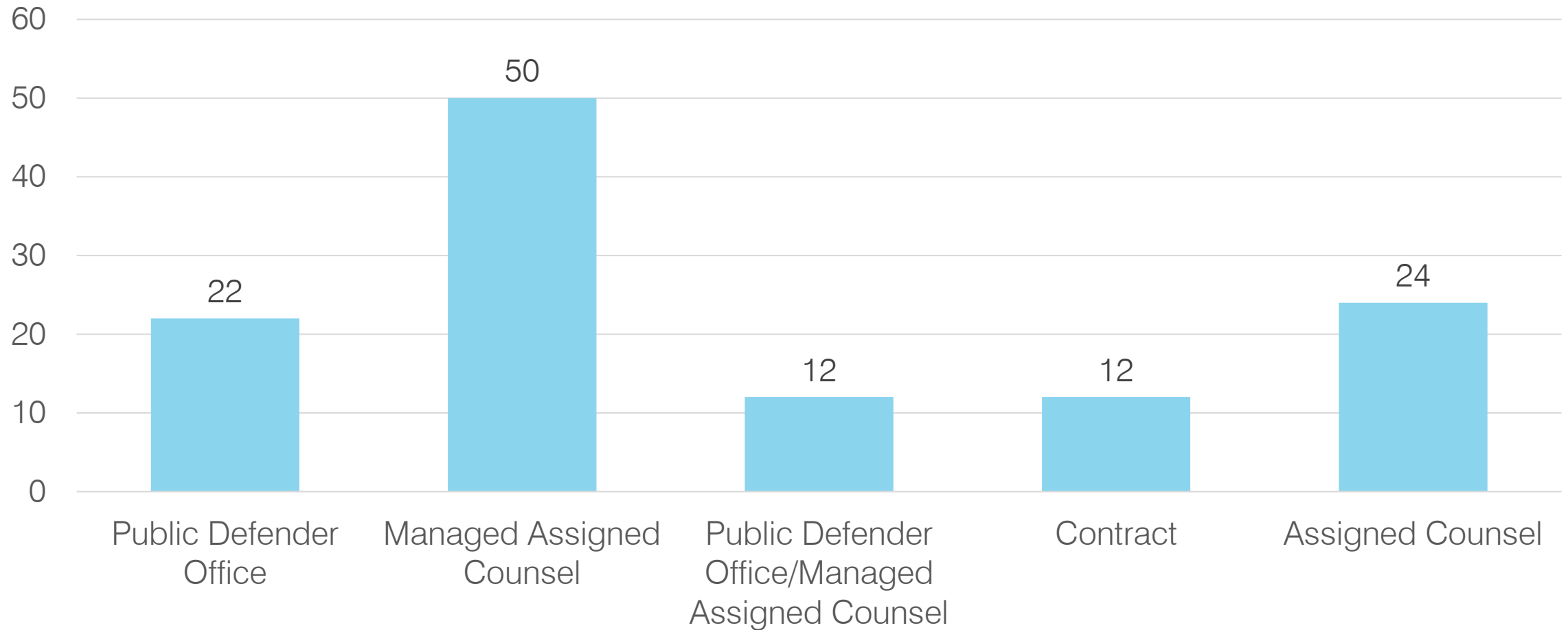
Public Sector Consultants

April 20, 2021

# Background

- Michigan Indigent Defense Commission (MIDC) hired Public Sector Consultants (PSC) to evaluate the current local share funding contributions
- The evaluation was informed by data collection on local jurisdictions' expenditures/expenses and stakeholder interviews
  - Data analysis was based on current spending data and future projections
  - PSC conducted 20 one-hour interviews with diverse stakeholders

# Types of Legal Defense Systems in Michigan



# Data Collection and Analysis

- PSC collected and analyzed data from MIDC related to state grant and local share funding by jurisdiction for fiscal years 2019, 2020, 2021, and 2022
- PSC also integrated analysis on inflation and attorney fee reimbursements
- For the final report, PSC will consider integrating demographic data to further assess equitability

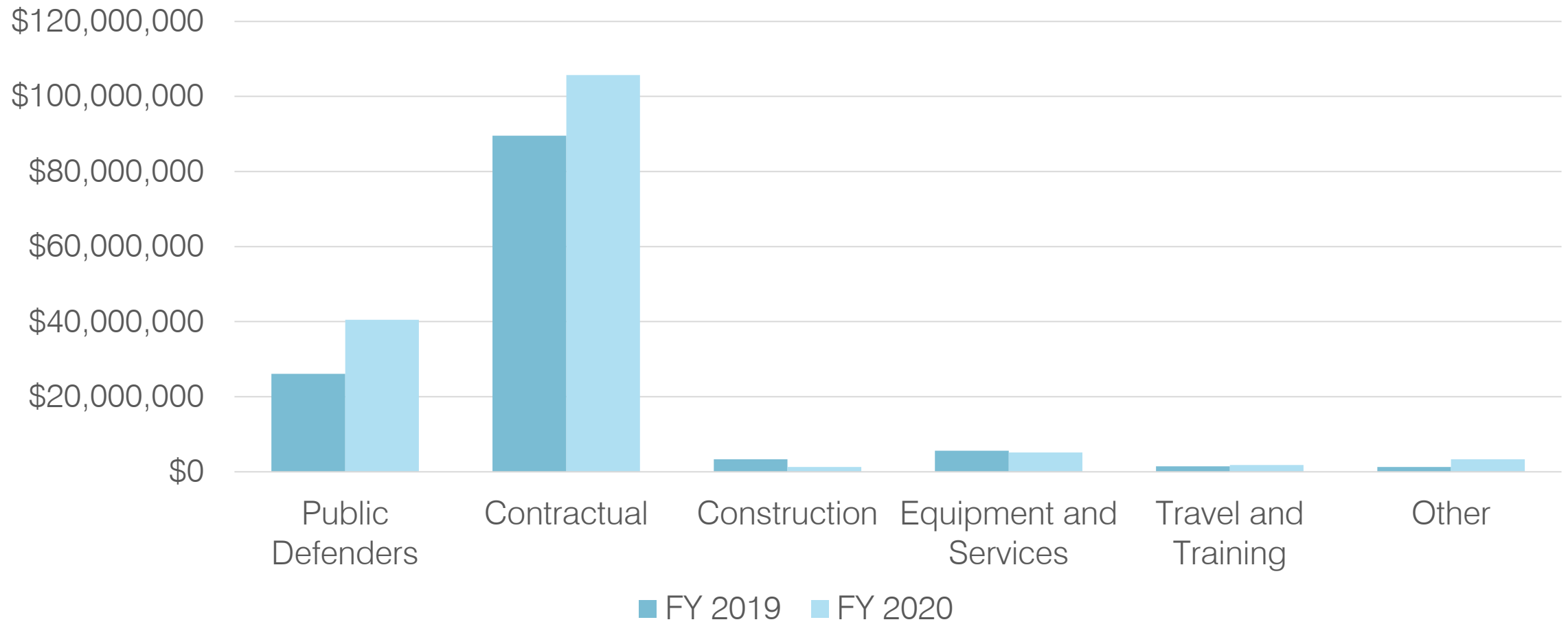
# FY 2019–2021 Budget Spending

Fiscal Year	State MIDC Grants	Local Share	Total System Costs	Total Local Share Percentage
FY 2019	\$86,759,934	\$37,925,642	\$124,685,577	30%
FY 2020	\$117,424,880	\$38,523,865	\$157,698,982	24%
FY 2021	\$134,689,367	\$38,486,189	\$173,175,556	22%
FY 2022*	\$168,789,367	\$38,684,154	\$207,473,521	19%

Source: PSC analysis of MIDC data. Note: FY 2020 Total System Costs includes \$1.7 million in other funding sources from Macomb and Oakland jurisdictions.

\*FY 2022 figures assume the \$34.1 million state budget request is approved.

# Total System Costs by Category



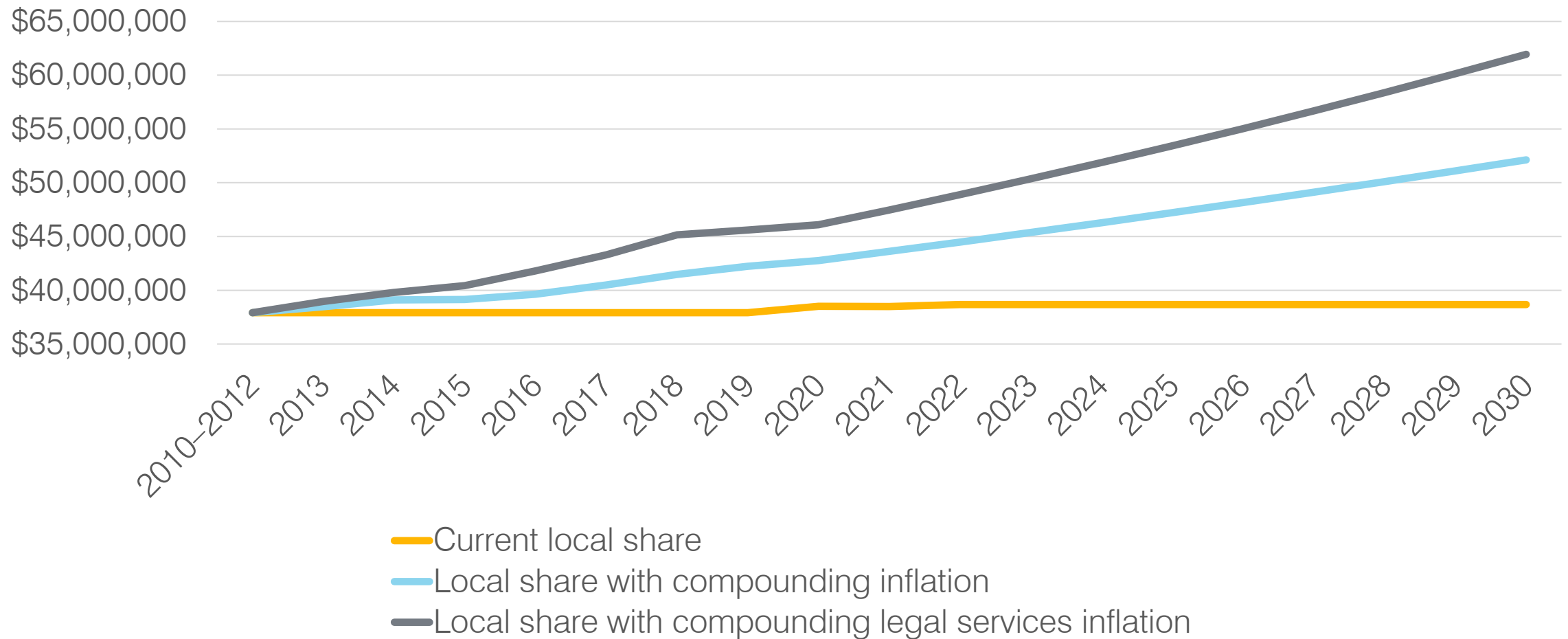
# FY 2019 and 2020 Total and Average Local Share Percentage

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<b>Fiscal Year</b>	<b>Total Local Share Percentage</b>	<b>Average Local Share Percentage</b>
FY 2019	30%	25%
FY 2020	24%	21%

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# Local Share Costs Only





# Stakeholder Interviews

## Current Program Strengths

- Statewide standardization has significantly improved indigent defense in Michigan
- Partners in all steps of the process agree on the importance of proper indigent defense

## Current Program Challenges

- Concern at the local level about continued available state funding
- Need for better resource regionalization
- Difficulty in attracting lawyers to public defense work
- Question over allowable costs during annual financial review
- Persistent inequity between jurisdictions' program implementation

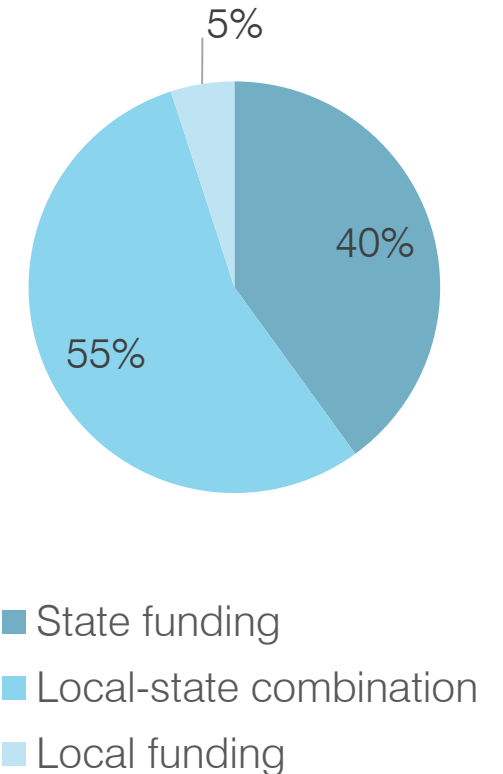
# Interviewees' Perspectives on Future Funding

## Local and State Funding

- Most interviewees agreed that local jurisdictions should continue to make decisions and have a financial stake in program administration
- Local jurisdictions are better positioned to understand challenges and address gaps in their own systems

## State Funding

- Supporters of greater or complete state funding agreed this shift is likely as program costs increase
- Implementation of standards would be too taxing on local jurisdictions
- Local decision making will change as standards are implemented



# Local Share Formula

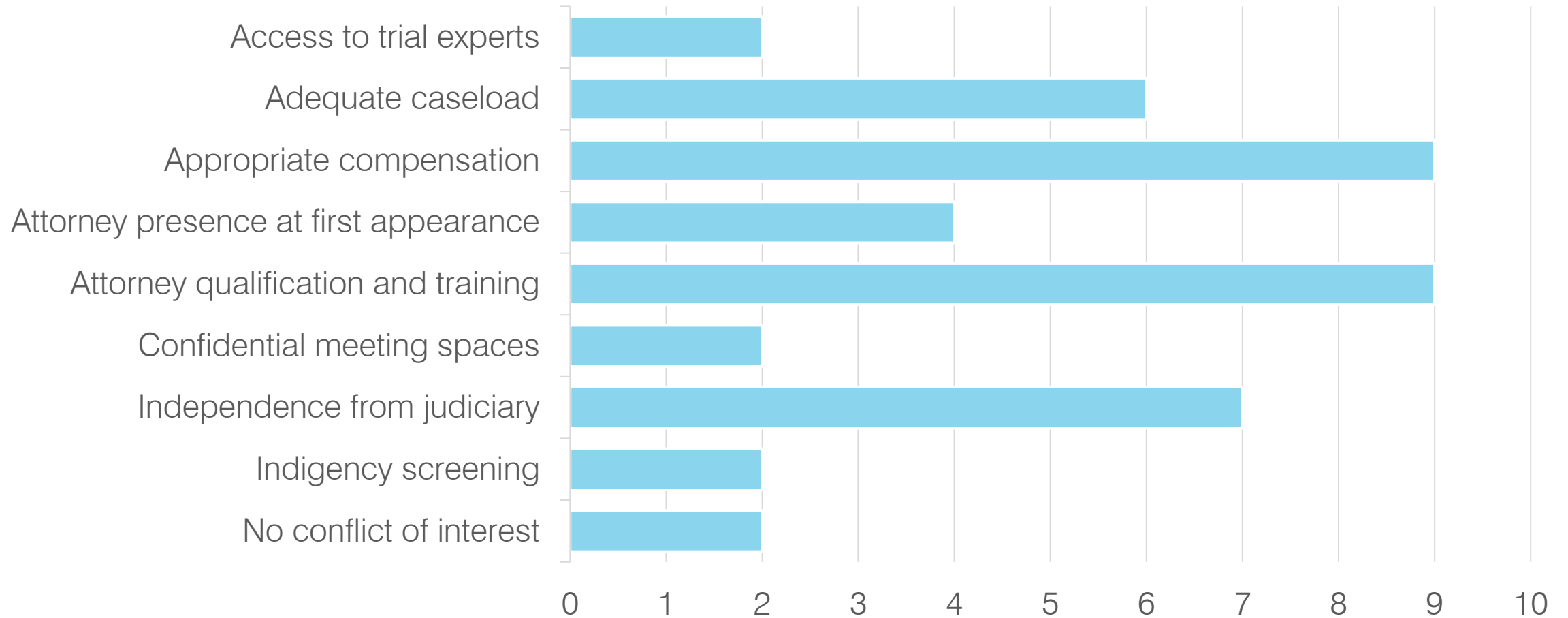
## Successes

- Bipartisan support and widespread understanding of the program
- Local delivery of state-mandated services and innovative local problem solving
- Predictability of state funding

## Setbacks

- Tension between state oversight and local control
- Uncertainty of continued state funding and potential state budget cuts
- Innovative practices potentially discouraged

# Guiding Principles in Indigent Defense



# Equitability

- Perception that equity between jurisdictions' funding contributions could improve
- Perceived inequitable apportionment of state funding based on three years of indigent defense spending
- Large range of local funding percentage creates challenges
- Discrepancies between jurisdictions in partially indigent reimbursement collections practices

# Next Steps

- Share interim report containing findings with the commission
- Convene focus groups
- Conduct an industry-wide survey
- Further explore attorney reimbursement collection
- Develop recommendations and deliver a final report to the commission



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