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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2611

03/06/2023 Authored by Frazier, Becker-Finn, Hussein, Vang, Tabke and others
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
03/22/2023 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to judiciary; increasing the membership of the State Board of Public
1.3 Defense; amending Minnesota Statutes 2022, section 611.215, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 611.215, subdivision 1, is amended to read:

1.6 Subdivision 1. Structure; membership. (a) The State Board of Public Defense is a part
1.7 of, but is not subject to the administrative control of, the judicial branch of government.
1.8 The State Board of Public Defense shall consist of seven nine members including:

1.9 (1) four attorneys admitted to the practice of law, well acquainted with the defense of
1.10 persons accused of crime, but not employed as prosecutors, appointed by the supreme court,
1.11 of which one must be a retired or former public defender within the past five years; and

1.12 (2) ~~three~~ five public members appointed by the governor.

1.13 The appointing authorities may not appoint a person who is a judge to be a member of
1.14 the State Board of Public Defense, other than as a member of the ad hoc Board of Public
1.15 Defense.

1.16 (b) All members shall demonstrate an interest in maintaining a high quality, independent
1.17 defense system for those who are unable to obtain adequate representation. Appointments
1.18 to the board shall include qualified women and members of minority groups. At least three
1.19 members of the board shall be from judicial districts other than the First, Second, Fourth,
1.20 and Tenth Judicial Districts. The terms, compensation, and removal of members shall be
1.21 as provided in section 15.0575. The chair shall be elected by the members from among the
1.22 membership for a term of two years.

2.1 (c) In addition, the State Board of Public Defense shall consist of a nine-member ad hoc
2.2 board when considering the appointment of district public defenders under section 611.26,
2.3 subdivision 2. The terms of chief district public defenders currently serving shall terminate
2.4 in accordance with the staggered term schedule set forth in section 611.26, subdivision 2.