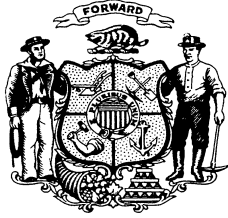


STATE OF WISCONSIN

SENATE CHAIR
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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: April 8, 2025

Re: SPD Report to JFC

Attached is a report on the private bar appropriation from the Wisconsin State Public Defender, pursuant to s. 977.085, Stats.

This report is being provided for your information only. No action by the Committee is required. Please feel free to contact us if you have any questions.

Attachments

HM:MB:jm



Wisconsin State Public Defender

17 S. Fairchild Street, Suite 500
Madison, WI 53703

Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.gov

Jennifer Bias
State Public Defender

Katie R. York
Deputy State Public
Defender

April 8, 2025

Joint Finance Committee
Received Apr 08 2025

Kathy Blumenfeld, Secretary- designee
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, Wisconsin 53703

Senator Howard Marklein, Co-Chair
Joint Committee on Finance
State Capitol, Room 316 East
Madison, Wisconsin 53702

Representative Mark Born, Co-Chair
Joint Committee on Finance
State Capitol, Room 308 East
Madison, Wisconsin 53702

Dear Secretary Blumenfeld, Senator Marklein, and Representative Born:

Pursuant to § 977.085, Stats, the Office of the State Public Defender (SPD) is submitting its third quarter report on the 2024-2025 private bar appropriation [§ 20.550(1)(a)].

Between January 1, 2025 and March 31, 2025, the SPD appointed counsel in 28,373 cases. Of the total cases assigned, 10,207 were assigned to private bar attorneys either on a rotational or contract basis. The total expended this quarter from the private bar appropriation was approximately \$12.6 million.

The chart below includes all expenditures related to private bar as well as staff.

Actual FY25 – Quarter 3	SPD Staff -Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals
Case Appointments	17,753	413	10,207	28,373
Expenditures	\$ 19,519,202.50	\$ 1,732,656.32	\$ 12,584,599.80	\$ 33,836,458.62

The chart below includes a more direct comparison between private bar and staff. The staff costs reflect expenditures for salary, experts, and travel only, which are similar to the hourly reimbursement, expert, and travel costs for the private bar.

Actual FY25 – Quarter 3	SPD Staff -Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals
Case Appointments	17,753	413	10,207	28,373
Comparable Expenses	\$ 8,684,570.23	\$ 830,716.50	\$12,584,599.80	\$ 22,099,886.53

Projected case appointments and expenditures are identified below for FY24 and FY25.

Annual Case Appointments	SPD Staff - Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals
FY24-actual	69,451	1,524	44,144	115,119
FY25-projected	68,839	1,464	40,484	110,788
Annual Expenditures	SPD Staff - Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals
FY24-actual	\$71,338,323	\$6,453,639	\$37,396,771	\$115,188,733
FY25-projected	\$70,547,992	\$6,562,323	\$44,250,921	\$121,361,236

Biennial projections for this appropriation are affected by a number of factors beyond the control of the SPD, including the number of charges filed, client eligibility rates, staff attorney vacancies, and legislative changes to criminal law.

To offset the costs of the private bar, the State Public Defender receives collections in five categories: SPD-initiated, DOA contract collections, juvenile recoupment by counties, commitment recoupment by counties, and court-ordered payments. Following is the quarterly collections received, by category, in FY2025.

Collections – July 1, 2024 through March 31, 2025:

	SPD Initiative	Court Ordered Attorney Fees	Juvenile Recoupment	DOA Contract Collections	Commitment Recoupment	Totals
Q1	\$133,936	\$786	\$32,669	\$11,897	\$2,735	\$182,023
Q2	\$129,940	\$591	\$37,645	\$8,754	\$3,656	\$180,586
Q3	\$176,685	\$1,255	\$50,558	\$2,014	\$3,442	\$233,954
Q4*						
	\$440,561	\$2,632	\$120,872	\$22,665	\$9,833	\$596,563

If we can provide any additional information, please let us know.

Sincerely,

/s/



Jennifer Bias
State Public Defender