STATE OF WISCONSIN

SENATE CHAIR Howard Marklein

316 East, State Capitol P.O. Box 7882 Madison, WI 53707-7882 Phone: (608) 266-0703



ASSEMBLY CHAIR Mark Born

308 East, State Capitol P.O. Box 8952 Madison, WI 53708-8953 Phone: (608) 237-9137

JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members

Joint Committee on Finance

From: Senator Howard Marklein

Representative Mark Born

Date: August 18, 2025

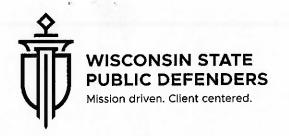
Re: SPD Report to JFC

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



Jennifer Bias State Public Defender

Katie R. York
Deputy State Public Defender

Joint Finance Committee Received Aug 18 2025

August 12, 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 fourth quarter report on the 2024–2025 private bar appropriation [§ 20.550(1)(a)].

Between April 1, 2025 and June 30, 2025, the SPD appointed counsel in 28,277 cases. Of the total cases assigned, 10,312 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 million.

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

Actual FY25 – Quarter 4	SPD Staff - Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals
Case Appointments	17,605	360	10,312	28,277
Expenditures	\$26,714,255.19	\$2,124,585.57	\$12,088,340.97	\$40,927,181.73

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 4	SPD Staff - Trial	SPD Staff - Appellate	Private Bar 20.550(1)(a)	Totals	
Case Appointments	17,605	360	10,312	28,277	
Comparable Expenses	\$11,374,709.65	1,057,878.89	\$12,088,340.97	24,520,929.51	

Actual 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	actual 69,451		44,144	115,119	
FY25-actual	69,364	1,461	40,751	111,576	
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-actual	\$79,757,858	\$7,058,663	\$45,359,710	\$132,176,231	

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. The following is the quarterly collections received, by category, in FY2025.

	SPD Initiative	Court - Ordered Attorney Fees	Juvenile Recoupment	DOA Contract Collections	Commitment Recoupment	Totals
Q1	\$156,844	\$992	\$39,606	\$11,897	\$3,455	\$212,794
Q2	\$129,940	\$591	\$37,645	\$8,754	\$3,656	\$180,586
Q3	\$176,685	\$1,255	\$50,558	\$2,015	\$3,442	\$233,955
Q4*	-\$191,680	\$1,153	\$84,900	\$10,745	\$630	-\$94,251
	\$271,789	\$3,992	\$212,710	\$33,411	\$11,183	\$533,084

^{*} Includes a transfer of \$346,403.45 to appropriation 135 for administrative costs of client collections.

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

Sincerely,

Jennifer Bias

State Public Defender