



Montana State Public Defender
Public Defender Fee Collections

Per MCA 46-8-113 - The court may impose a public defender fee for any case where the client is found guilty whether by plea or at trial in the following amounts: \$250.00 per Misdemeanor case and \$800.00 per Felony case. It is unusual, but the Court may ask OPD to file a statement of the hours spent on a case and the costs and expenses incurred and assess a higher fee. A defendant's obligation to make payments are suspended during periods of incarceration.

Changes to collections:

1. As of July 1, 2017 OPD fees are separate from other court fees and paid directly to OPD, however, this revenue source is not used to offset OPD expenses, it is reverted to the General Fund at the close of the fiscal year. Prior to this change the fees were collected by courts and forwarded to the OPD via the Department of Revenue (DOR).

2. Beginning in FY 2018 the OPD began participation in the DOR's offset collection process, this allows us to collect on accounts in arrears via an offset to any refund due to the state from the owing individual. The DOR charges a minimal commission fee to cover processing.

FY2020		July	August	September	October	November	December	January	February	March	April	May	June	Total
Non-Portal Payments - 525075	General	6,598.10	2,691.44	4,277.50	2,375.56	4,430.32	2,113.93	3,349.20	4,442.54	6,360.37	4,960.54	5,929.82	8,266.65	55,795.97
Portal Payments - 525075	General	3,131.83	3,953.00	1,250.85	2,556.22	3,703.37	2,010.75	1,441.91	2,785.33	3,331.83	4,390.05	4,894.25	7,067.10	40,516.49
MISC and DOR payments - 525010*	General	404.10	14,441.40	19,944.60	18,570.85	10,160.71	9,802.40	11,174.77	12,063.99	11,735.92	18,054.06	11,156.61	18,596.16	156,105.57
DOR Offset Collections - 2507	General	2,068.44	317.38	1,599.62	1,221.55	920.10	544.30	284.00	-	22,083.72	37,240.05	24,636.62	11,392.78	102,308.56
DOR Commission Fees - 628A4	General	(103.42)	(2.70)	(58.86)	(75.57)	(26.09)	(54.39)	(12.78)	-	-	(1,675.84)	(1,982.25)	(643.69)	(4,635.59)
Over payment Refund	General	-	-	(800.00)	-	-	-	-	(733.00)	(395.00)	-	-	-	(1,928.00)
TOTAL Collection 2020		12,099.05	21,400.52	26,213.71	24,648.61	19,188.41	14,416.99	16,237.10	18,558.86	43,116.84	62,968.86	44,635.05	44,679.00	348,163.00

FY2019		July	August	September	October	November	December	January	February	March	April	May	June	Total
Non-Portal Payments - 525075	General	2,529.16	4,537.72	5,650.66	3,204.72	5,286.99	4,283.05	4,701.55	9,829.82	6,367.22	6,442.71	3,709.05	2,942.18	59,484.83
Portal Payments - 525075	General	1,415.00	2,975.22	2,760.09	1,592.25	1,629.50	2,144.39	2,304.00	650.00	1,392.22	1,839.44	2,473.00	451.00	21,626.11
DOR Offset Collections - 2507	General	482.35	1,010.43	672.20	-	21.15	69.95	760.00	-	13,055.57	25,271.45	14,586.38	1,911.40	57,840.88
DOR Commission Fees - 628A4	General	(12.02)	(38.68)	(54.70)	(3.10)	-	(4.40)	-	-	-	(1,752.40)	(933.67)	(95.58)	(2,894.55)
Over payment Refund	General	-	-	-	-	-	(30.00)	(400.00)	-	-	(4,133.00)	(16.66)	-	(4,579.66)
County Collections DOR	State Special Revenue	26,028.42	10,377.62	12,556.39	12,761.52	9,339.55	26,017.65	12,508.89	15,029.49	16,721.28	21,764.54	17,247.36	15,443.57	195,796.28
Misc Collections	State Special Revenue	801.87	350.00	1,714.00	805.43	261.11	104.78	150.00	1,398.00	195.00	974.00	513.36	724.89	7,992.44
TOTAL Collections 2019		31,244.78	19,212.31	23,298.64	18,360.82	16,538.30	32,585.42	20,024.44	26,907.31	37,731.29	50,406.74	37,578.82	21,377.46	335,266.33

FY2018	Fund	July	August	September	October	November	December	January	February	March	April	May	June	Total
Non-Portal Payments - 525075	General Fund	-	-	62.00	1,500.00	1,515.83	2,566.00	1,857.00	3,028.44	2,242.72	3,833.13	4,469.88	1,101.72	22,176.72
Portal Payments - 525075	General Fund	-	-	-	1,085.00	1,412.50	649.60	1,193.22	374.22	1,500.22	1,756.44	2,802.00	1,132.94	11,906.14
DOR Offset Collections - 2507	General Fund	-	-	-	-	-	-	-	-	1,322.95	5,029.14	3,261.14	213.00	9,826.23
DOR Commission Fees - 628A4	General Fund	-	-	-	-	-	-	-	-	(50.57)	(277.72)	(142.87)	(20.15)	(491.31)
County Collections DOR	State Special Revenue	20,073.74	16,995.32	22,089.42	24,690.15	22,328.40	20,988.51	14,914.59	19,866.88	19,807.41	31,089.85	15,251.72	20,622.25	248,718.24
Misc Collections	State Special Revenue	-	12,841.41	288.09	1,231.18	1,538.00	1,045.51	365.84	472.53	1,732.07	499.21	658.06	1,155.85	21,827.75
TOTAL		20,073.74	29,836.73	22,439.51	28,506.33	26,794.73	25,249.62	18,330.65	23,742.07	26,554.80	41,930.05	26,299.93	24,205.61	313,963.77

* In FY 2020 the State Special Revenue fund was closed and all payments are recorded in the General fund, Misc and DOR payments - 525010 is the General fund account where these payments are now recorded