



## Local Share Calculation

*"Local share' or 'share' means an indigent criminal defense system's average annual expenditure for indigent criminal defense services in the 3 fiscal years immediately preceding the creation of the MIDC [Act on July 1, 2013]..., excluding money reimbursed to the system by individuals determined to be partially indigent." M.C.L. §780.983.*

*Note: the local share calculation does not include indirect costs to systems for indigent defense.*

### Expenditures

- Payments to criminal defense attorneys (contracts, public defenders, appointed systems, hybrid systems) for providing indigent adult criminal defense services
- Payments to experts and private investigators
- Expenses paid to defense counsel related to indigent criminal defense services provided (office supplies, postage, mileage)
- Indigent criminal defense services for adult drug court and counsel for specialty courts (as long as counsel is paid for providing indigent criminal defense services)
- Indigent criminal defense services for criminal contempt
- Indigent criminal defense services for juveniles waived into adult court
- Indigent criminal defense services for appeals from District Court to Circuit Court or interlocutory appeals to the Court of Appeals (rule of thumb: if not SADO or MAACS, it likely qualifies as an expense)

### Services Not Included as Expenditures

- Post-sentencing appeals
- Probate
- Abuse and Neglect
- Juvenile delinquency
- Civil Contempt
- Counsel at lineup (pre-charges filed)

### Reimbursements

- Fees that indigent defendants pay back to a court for indigent criminal defense services
- Michigan Department of Corrections payment for indigent criminal defense services to indigent MDOC prisoners
- Exclude any other reimbursements or fees levied upon indigent individuals other than those fees and/or costs for indigent criminal defense services

### Totals and Baseline Amount

- The sum totals of expenses and reimbursements are calculated. Reimbursements are subtracted from the expenses. The sum totals for the three fiscal years [typically, years 2010, 2011, and 2012] are divided by three (3) to determine the baseline amount.