
**In re Compensation Rate for Attorney's
Fees and Costs Pursuant to Minn. Stat.
§ 504B.268, subd. 3**

STANDING ORDER

WHEREAS, Minn. Stat. § 504B.268, subd. 1 requires that “[a] defendant in public housing subject to an eviction action under sections 504B.281 to 504B.371 alleging breach of lease under section 504B.171 or 504B.285 who is financially unable to obtain counsel has the right to counsel appointed by the court.”

WHEREAS, Minn. Stat. § 504B.268, subd. 3 requires that “[b]y January 15, 2024, and every year thereafter, the chief judge of the judicial district, after consultation with public housing attorneys, legal aid attorneys, and members of the private bar in the district, shall establish a compensation rate for attorney fees and costs associated with the representation of a defendant under subdivision 1.”

WHEREAS, the fees established shall be paid by Hennepin County

WHEREAS, the Fourth District currently utilizes Hennepin County Adult Representation Services (ARS) to provide legal assistance to housing court defendants who qualify for those services.

NOW, THEREFORE, following consultation with public housing attorneys, legal aid attorneys, and members of the private bare in the Fourth District, the Court makes the following:

ORDER

1. Attorneys with Adult Representation Services shall be appointed for defendants who are entitled to court-appointed counsel under section 504B.268, subd. 1.
2. If a defendant is entitled to counsel but does not qualify for ARS or there is a conflict with ARS, the court shall appoint an attorney for defendant who is qualified under section 504B.268, subd. 2.¹ Pursuant to section 504B.268, subd. 3, the compensation rate for these court-appointed attorneys representing defendants in Fourth District eviction actions under sections 504B.281 to 504B.371 alleging breach of lease under section 504B.171 or 504B.285 shall be \$125.00 per hour plus reimbursement for any necessary costs and expenses reasonably incurred.
3. Pursuant to section 504B.268, subd. 3, total compensation for services rendered to a defendant may not exceed \$5,000, exclusive of expenses reasonably incurred, unless

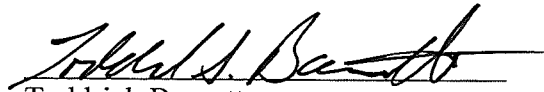
¹ The court may appoint counsel from Mid-Minnesota Legal Aid, the Volunteer Lawyers Network, or another qualified law office.

payment in excess of that limit is certified by the chief judge of the Fourth Judicial District as necessary to provide fair compensation for services of an unusual character or duration.

4. This compensation rate is effective immediately and shall remain in full force and effect until further order of this Court.

Dated: September 15, 2023

BY THE COURT:

A handwritten signature in black ink, appearing to read "Toddrick S. Barnette", written over a horizontal line.

Toddrick Barnette
Chief Judge
Fourth Judicial District Court