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C O U N T Y A T T O R N E Y S  
A S S O C I A T I O N

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INCREASE TO PROSECUTOR TRAINING GRANT TO MCAA

Since the early 1980's, MCAA received a bi-annual legislative appropriation designated for prosecutor training which has allowed MCAA to train thousands of prosecutors and provided in excess of 900 accredited classes. This grant is currently housed in the Department of Public Safety in the Office of Justice Programs and is funded at \$100,000 per year. **An increase in the grant subsidy is imperative. MCAA is requesting a grant increase of \$100,000 for a total of \$200,000 per year.**

- Typical training year – 40 classes, webinars and on-demand events. Throughout the pandemic, MCAA continued to offer high quality virtual training.
  - In 2020, MCAA delivered 4 virtual conferences, 30 webinars and 51 on-demand sessions.
  - MCAA's 2021 training consisted of 3 virtual conferences, 34 webinars and 53 on-demand sessions. We were able to return to in-person training at the end of 2021, offering 2 live conferences and 1 hybrid event.
  - MCAA's 2022 training has returned to pre-covid levels
- Trial school training is consistently our most highly requested course. The school is expensive due to the one to one ratio of faculty to students, use of "volunteers" with legal experience, travel, time out of the office, and audio-visual equipment necessary to provide instantaneous video critiquing ability (only 2 law schools in Minnesota have made the investment). It has been incredibly popular and with the pace of retirements, we need to start offering two courses per year.
- County Attorney Offices are experiencing an enormous increase in retirements and a lack of seasoned applicants. This has created a training need for New Attorney topics.
- In addition, MCAA is experiencing a reduction in the number of seasoned faculty who are available to train the next generation of prosecutors. As a result, MCAA needs to offer Train the Trainer courses to increase the availability of seasoned faculty.
- In the most recent survey conducted by the National Association of Prosecutor Coordinators, twenty-five of the forty-two respondents indicated that their states provided funding for prosecutor training with most paying for the costs to attend the training.
- MCAA membership consistently requests the organization provide as much free training as possible to help attorneys maintain their attorney license.
- New legislation, case law updates and emerging issues require prompt and tailored educational opportunities for prosecutors and law enforcement.
- MCAA is conscious of budget pressures and its charges for training are approximately one-third of that for classes offered by other continuing legal education providers.

- Because of the small number of CAs (slightly over 700), there is not a large pool of attendees to draw from to recover our costs (average class size is 40 or approximately half the counties).
- Well trained prosecutors result in more timely and fair resolutions of cases and fewer appeals.

### **I. 2023 Proposed Courses**

- Newly Elected County Attorney Training
- Juvenile Attorney Training
- Train the Trainer
- Ethics and Bias
- (2) Trial Advocacy for New Attorneys
- MCAA Board Leadership Forum
- CHIPS Conference
- MCAA/MFSRC Joint Child Support Conference
- Annual Meeting

### **II. 2022 Webinars Courses**

MCAA has been asked to focus our monthly webinars on topics for New Attorneys to create a library of topics that County Attorneys can refer new hires to reducing the need for in office training on these topics. Suggested sessions include:

- Guardianship/conservatorship – rules, roles of County Attorney, and contested hearings.
- A criminal Rule 20/commitment crossover: what are counties doing when the Rule 20 says incompetent and the commitment team is saying no basis for commitment?
- Omnibus basics, including a refresher on some of the more common search and seizure issues
- Probation revocations and Austin factors
- Delinquency 101
- Basics of civil resources like OFPs and HROs that our victims pursue
- Reviewing sheriff contracts/agreements from third parties' vendors
- Overview of tax appeals
- Mutual aid agreements between law enforcement and other state agencies regarding emergencies
- Brady-Giglio obligations
- Most common evidentiary objections during trial – (1) made by defense; how to respond to them – (2) that are helpful for the state to make or that you will likely make.
- Most common motions-in-limine
- Nuts and bolts of voir dire
- CHIPS 101

In addition to the courses above, the civil commitment committee will be designing a webinar series to cover the changes to the civil commitment statute AKA gap legislation. This will allow prosecutors to view the information on a 24/7 basis.

### III. Average Per Credit Hour CLE Rates

- MCAA
  - Webinar Member Free
  - On-demand Member Free
  - Live CLE Member \$11 - \$15
  
- Minnesota Bar Association
  - Webinar Member Free - \$20 Non-member \$45
  - On-demand Member \$30 Non-member \$65
  - Live CLE Member Free Non-member \$45
  
- MN CLE
  - Webinar Member \$65 Non-member \$65
  - On-demand Standard Price \$52 Non-member \$68
  - Live CLE Member Free \$43 Non-member \$51

### IV. Average Annual Training Costs

- Training expenses (faculty rooms, meals, travel, CLE applications fee, meeting room rental)- \$149K
- Training expenses trial school (faculty and student rooms and meals, faculty travel, CLE applications fee, meeting room rental \$30K
- Education Salary + 23% benefits = \$105K
- Admin Cost 15% (copies, supplies, rent, etc.) = \$26K
- Total Cost = \$310K

#### Average Yearly Training Cost Increase

- Training expense average increase \$10K - \$20K per year pre-covid and \$20K - \$30K post covid

### V. Emerging County Attorney Issues and Training Topic

- Use of Force
- HIPAA, Data Practices
- Grant requirements in Contracts
- Rule 20 Gap Cases
- Virtual Court, Hearings and Legal Precedent
- Voting Concerns
- Cyber Security
- Hiring, retention and training in greater Minnesota