



# Office of the Ohio Public Defender

Elizabeth R. Miller, *State Public Defender*

## **MEMORANDUM**

**DATE:** April 1, 2026  
**TO:** County Commissioners, County Public Defenders, County Auditors, Appointed Counsel, Judges, Court Administrators, County Clerks  
**FROM:** State Public Defender Elizabeth Miller  
**RE:** Updates related to indigent defense reimbursement

I write today to share updates regarding the Office of the Ohio Public Defender's (OPD) Standards and Guidelines for Appointed Counsel Reimbursement and the projected reimbursement rate for Fiscal Year (FY) 2027.

### **Reimbursement Standards & Guidelines**

The OPD is pleased to share that we have updated the Standards and Guidelines for Appointed Counsel Reimbursement (Standards and Guidelines), available on [OPD's website](#). Below is a summary of the major changes, but please refer to the Standards and Guidelines for the full text.

- The Standards and Guidelines previously limited reimbursement for attorney's in-transit time and expenses for mileage and parking to instances where an attorney traveled to a county outside of the county in which they reside or maintain an office. The updated Standards and Guidelines have expanded when reimbursement is permitted and allow for these types of expenses when approved by the Court.
- The Standards and Guidelines previously limited the amount subject to reimbursement for transcripts to \$6.00 per page for the original. The updated Standards and Guidelines now permit reimbursement for the original transcript based on the maximum amount set by the county (see ORC 2301.24). The amount subject to reimbursement for paper copies remains \$0.10 per page.
- The updated version of the Standards and Guidelines reflect the use of the Court Appointed Billing System (CABS) – both where bills are entered and submitted in CABS electronically (in counties where the court and auditor have been onboarded to CABS) and where bills are entered into CABS and the bill printed as a PDF (which in turn may be submitted to the court and auditor). Of note, time entered in CABS is in tenth-of-an-hour (six-minute) increments.

The OPD respectfully requests all counties comply with the updated Standards and Guidelines beginning with their July 2026 reimbursement submissions.



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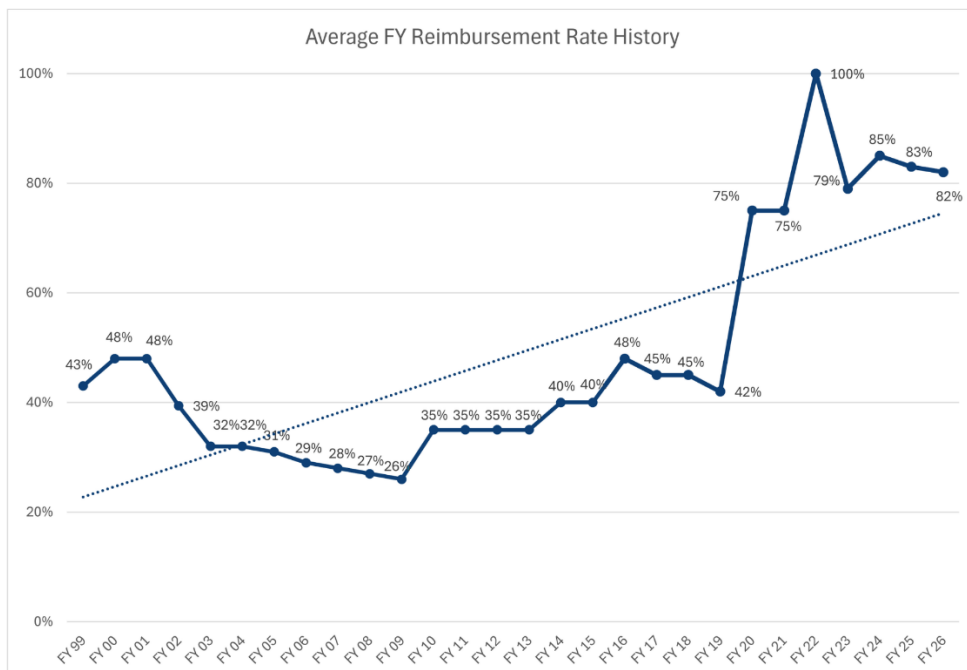
## **Projected Reimbursement Rate – Fiscal Year (FY) 27**

As shared in the [July 18, 2025, memo](#), we are grateful to Governor DeWine and the General Assembly for their continued investment in indigent defense as our FY 26-FY 27 biennium represents the highest level of funding for indigent defense in Ohio’s history.

The exact rates of reimbursement through F Y27 will depend upon the total costs submitted by Ohio’s 88 counties, each of which sets its own respective budget. The chart below gives information on the amount appropriated in HB96 for the FY 26-FY 27 biennium and the reimbursement rates that can be supported depending upon the level of county reimbursement submissions. **Based on the amount appropriated and the spending levels from the past three fiscal years, the OPD is setting the initial reimbursement rate for FY 27 at 80%.**

| Reimbursement Budget     | FY26 = \$197 mil                          | FY27 = \$202 mil                          |
|--------------------------|---|---|
| Submission/Rate Scenario | \$234 mil total = 84%<br>(\$18.5 mil/mo.) | \$247 mil total = 82%<br>(\$19.5 mil/mo.) |
| Submission/Rate Scenario | \$240 mil total = 82%<br>(\$19 mil/mo.)   | \$253 mil total = 80%<br>(\$20 mil/mo.)   |
| Submission/Rate Scenario | \$246 mil total = 80%<br>(\$19.5 mil/mo.) | \$259 mil total = 78%<br>(\$20.5 mil/mo.) |

The OPD will continue to closely monitor submitted indigent defense costs and will advise on whether any adjustments are necessary at any time throughout the fiscal year. Should the FY 27 reimbursement rate remain at 80%, it would mark the fifth-highest reimbursement rate in Ohio’s history. For context, below is a chart that details the FY99-FY26 county reimbursement submissions.



Unfortunately, the current structure of Ohio's indigent defense system does not provide the OPD with the ability to guarantee an exact reimbursement rate for a full fiscal year. The primary reason for this is Ohio has charged the respective 88 counties with making all spending decisions and paying for indigent defense costs up front and then submitting those costs to the state for reimbursement. County spending takes place first, and then once all the bills from all 88 counties are submitted to the OPD (approximately three months later), a comparison is made between the amount spent and the amount available to provide reimbursement — this alone determines the reimbursement rate.

Should you have any questions or need assistance with indigent defense reimbursement, please contact OPD's Reimbursement & Analytics Division via email ([outreach@opd.ohio.gov](mailto:outreach@opd.ohio.gov)) or phone (614-466-5394). Thank you.



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