

TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY MICHIGAN, Your County Administration Committee respectfully recommends the adoption of the following:

RESOLUTION

WHEREAS, the Michigan Indigent Defense Commission (“MIDC”) was created by Public Act 93 of 2013; and

WHEREAS, on October 13, 2016, Resolution C1610291 was approved by the Berrien County Board of Commissioners creating the Berrien County Public Defender’s Office and establishing the staffing levels in response to the MIDC’s task of standardizing the provision of legal representation to indigent individuals charged with a crime; and

WHEREAS, a Compliance Plan (“Plan”), was approved by the Board of Commissioners via Resolution A1911335 on November 21, 2019, and Berrien County was awarded \$3,128,804 with a local share of \$575,096.85 for the period October 1, 2019 to September 30, 2020; and

WHEREAS, in order to continue to improve the legal representation provided to indigent individuals charged with a crime, it has been determined that the amount requested for the period October 1, 2020 to September 30, 2021 should be adjusted to replace one vacant Legal Secretary position with a Social Worker, reduce anticipated capital costs, and to reduce the Expert Witness budget to more properly reflect actual historical costs; and

WHEREAS, the total cost analysis of the Plan was for \$3,095,791 of which approximately \$586,600 will be the County’s local share based on the average of Berrien County’s indigent defense expenditures for the years 2010, 2011, and 2012 (adjusted for inflation pursuant to MCL 780.983(i)), resulting in the MIDC grant reimbursement for the period October 1, 2020 to September 30, 2021 to be \$2,509,191.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners authorizes and directs the Chief Public Defender to submit the request for funding in the amount of \$3,095,791 for the period October 1, 2020 to September 30, 2021 which includes the County’s local share contribution.

BE IT FURTHER RESOLVED that should this request not be fully funded, modifications may be made and resubmitted by the County Administrator but formal acceptance of any grant remains with the Board of Commissioners.

BE IT FINALLY RESOLVED that any employee position added in accordance with this funding may be eliminated by the Board of Commissioners should the grant be no longer sufficient to cover the cost of same.

**RESPECTFULLY SUBMITTED,
BERRIEN COUNTY ADMINISTRATION COMMITTEE**

Jim Curran, Chairman

Michael J. Majerek, Vice Chair

Chris Heugel

Don Meeks

RESOLUTION APPROVED AS TO FORM	
Administrator _____ <i>w</i>	Date <i>6/3/20</i>
Comments Attached _____	
Corporate Counsel _____	Date _____
Comments Attached _____	