

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 established 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, an original Compliance Plan (“Plan”), approved by the Board of Commissioners via Resolution A1711318, on November 9, 2017 and the MIDC, awarded Berrien County \$1,516,275 with a local share of \$562,717 for the period of October 1, 2018 to September 30, 2019; and

WHEREAS, to continue to improve the legal representation provided to indigent individuals charged with a crime, it was determined that the amount requested for FY2020, October 1, 2019 to September 30, 2020, should be increased to what is now the current staffing level in order to reduce the County’s reliance on contractual attorneys; and

WHEREAS, the Board of Commissioners authorized applying for FY2021 grant funding via resolution A2006266 on June 4, 2020, maintaining current staffing levels with reclassification of one existing position to a social worker, with a total cost analysis of the Plan of \$3,095,791, with the local share to be determined by MIDC; and

WHEREAS, the local share is 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); and

WHEREAS, the MIDC has approved Berrien County’s request as described above and has provided a grant agreement for FY2021 to reflect a grant reimbursement for the period of October 1, 2020 to September 30, 2021 to be \$2,521,256.87, with a Berrien County local share of \$574,534.13; and

WHEREAS, the MIDC Grant Agreement has been reviewed and approved by Corporate Counsel.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners approves Grant Number 2021-107 between Berrien County and the MIDC, and authorizes the Chairman of the Board of Commissioners to execute said agreement.

**RESPECTFULLY SUBMITTED
BERRIEN COUNTY ADMINISTRATION COMMITTEE**

Jim Curran, Chairperson

Michael J. Majerek, Vice Chairperson

Don Meeks

Chris Heugel

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| RESOLUTION APPROVED AS TO FORM | |
| Administrative _____ | Date _____ |
| Comments Attached _____ | |
| Corporate Counsel _____ | Date _____ |
| Comments Attached _____ | |