



# MARIPOSA COUNTY

County Counsel • (209) 966-3222



## **RESOLUTION - ACTION REQUESTED 2015-153**

MEETING: April 7, 2015

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Resolution Approving Agreement for Small Claims Legal Advisor

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve the Extension of a Small Claims Legal Advisor Agreement for the Remainder of This Fiscal Year and Fiscal Year 2015/2016, and Authorize the Board of Supervisors Chair to Sign the Agreement.

Approval of this Agreement will enable members of the local Bar Association to provide individual advisory assistance services required by Code of Civil Procedure § 116.940 to small claims court litigants and potential litigants.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

In February 1982, the Board adopted Resolution No. 82-18 to provide small claims court litigants and potential litigants with individual advisory assistance. A renewal Resolution has been adopted each fiscal year thereafter to comply with State law.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve Agreement. The County would not be in compliance with State law.

### **FINANCIAL IMPACT:**

**None. Paid from a small claims filing fee account bi-annually.**

### **ATTACHMENTS:**

**SmClaims Advisor (DOC)**

### **CAO RECOMMENDATION**

Requested Action Recommended

*Mary Hodson*

Mary Hodson, CAO

4/2/2015

**RESULT:** ADOPTED BY CONSENT VOTE [UNANIMOUS]  
**MOVER:** Marshall Long, District III Supervisor  
**SECONDER:** Rosemarie Smallcombe, District I Supervisor  
**AYES:** Smallcombe, Jones, Long, Cann, Carrier

**EXTENSION OF AGREEMENT FOR SMALL CLAIMS LEGAL ADVISORS**

WHEREAS, pursuant to Resolution No. 82-18, the Board of Supervisors of Mariposa County entered into an Agreement with members of the Mariposa County Bar Association, at their option, to provide the individual advisory assistance services required by Code of Civil Procedure § 116.940 to small claims court litigants and potential litigants, and

WHEREAS, each fiscal year, the Agreement is renewed to identify individuals willing to serve in the capacity of Small Claims Legal Advisors;


NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that the attached "NOTICE OF ACCEPTANCE" shall extend the current Agreement through the 2015/2016 fiscal year.

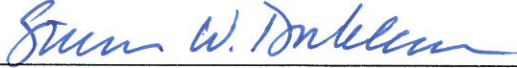
BE IT FURTHER RESOLVED that the Auditor shall pay those individuals participating in this program on a bi-annual basis, **upon the submission of an invoice by each participant to the Superior Court**, with the first payment during the regular billing period in July 2015 for services rendered from April through June 2015, the next payment being January 2016 for services rendered from July through December 2015, and the final payment during the regular billing period in July 2016 for services rendered from January through June 2016.

  
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MERLIN JONES, Chair  
Mariposa County Board of Supervisors

ATTEST :

APPROVED AS TO FORM :

  
\_\_\_\_\_  
RENE LAROCHE  
Clerk of the Board

  
\_\_\_\_\_  
STEVEN W. DAHLEM  
County Counsel

NOTICE OF ACCEPTANCE

I, the undersigned, agree to serving on the Small Claims Legal Advisor Program of Mariposa County for the remainder of fiscal year 2015, April 1, 2015 through June 30, 2015 and continue service for the fiscal year July 1, 2015 through June 30, 2016.

David D. Haycraft

Date: 3/31/2015

David D. Haycraft  
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