

DEPARTMENT: HUMAN SERVICES

BY: TOM ARCHER

PHONE: 966-2131

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

That the Board direct the Chair to sign the attached resolution, prepared by County Counsel, exempting Mariposa County from paying representation fees for indigent persons applying for Supplemental Social Security.

BACKGROUND AND HISTORY OF BOARD ACTIONS: Under Welfare and Institution Code section 17403.1 counties may be required to pay the representation fees for persons who have hired an attorney to represent them in connection with acquiring or maintaining Supplementary Social Security income benefits. The above cited section permits counties to pass a resolution declaring exempt status from paying these fees. It is the recommendation of the Human Services Director that the Mariposa County Board of Supervisors pass such a resolution so that Mariposa County will no longer have the obligation of paying representation fees in such cases as stated above.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Mariposa County will continue to be obligated to pay the above mentioned representation fees.

COSTS: (X) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required Add'l funding \$ _____
D. Source: _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:
Res. No.: 92-325
Ord. No.: _____
Vote - Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
Approved () Denied
() Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: _____
Deputy

Comment: _____

A.O. Initials: [Signature]

RESOLUTION NO. 92-375

**A RESOLUTION EXEMPTING MARIPOSA COUNTY FROM
PAYING REPRESENTATION FEES**

WHEREAS, Welfare and Institution Code section 17403.1 requires under certain circumstances that the County of Mariposa pay a representation fee when indigents are represented by an attorney at law or other authorized representatives in connection with a denial of or termination of Supplementary Social Security income benefits, and

WHEREAS, Mariposa County has no control over the services rendered or the amount of fees incurred, and

WHEREAS, section 17403.1 permits the County Board of Supervisors to exempt the County from the mandatory obligation to pay representation fees, and

WHEREAS, it is in the best interest of the County of Mariposa to not be obligated to pay representation fees unless the County deems the fees to be appropriate and reasonable;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that the County of Mariposa, pursuant to Welfare and Institution Code section 17403.1, elects to be exempted from the mandatory obligation to pay representation fees. Mariposa County shall retain the authority to pay representation fees in such instances as the County may deem appropriate.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 7th day of July 1992, by the following vote:

AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



SALLY S. PUNTE, Chairperson
Mariposa County Board of Supervisors

ATTEST:

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel