

DEPARTMENT: Administration

BY: Rick Benson
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Approve budget action reducing General Contingency to fund extraordinary expenses in the Indigent Defense budget for Fiscal Year 2009-10 (\$60,313). Because of a homicide trial and several other unusual cases that took place this fiscal year, expenditures for several line items within the Indigent Defense budget have exceeded budgeted amounts. The County is required to provide indigent defense services under the Penal Code 987.2. These expenses are beyond the control of the County and are ordered by the Superior Court Judges. The County contracts with three attorneys for indigent defense services, but the contract does not cover homicide cases and at times the Superior Court Judge will order a different attorney due to a conflict with the contracted attorneys.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board must approve budget actions that affect General Contingency.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the budget action. Staff at Superior Court will be unable to submit invoices to the Auditor for payment because of insufficient funds in the Indigent Defense budget.

Financial Impact? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Partially Funded		
Amount in Budget: <u>\$442,924</u>		List Attachments, number pages consecutively
Additional Funding Needed: <u>\$60,313</u>		<u>Budget Action Form</u>
Source:		
Internal Transfer _____		
Unanticipated Revenue _____	4/5's vote	
Transfer Between Funds _____	4/5's vote	
Contingency <u>X</u> _____	4/5's vote	
<input checked="" type="checkbox"/> General <input type="checkbox"/> Other _____		

CLERK'S USE ONLY:

Res. No.: 10-327 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

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

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: [Signature]

