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? (X) Yes ( ) No
Current FY Cost: $

Budgeted In Current FY? (X) Yes ( ) No (X) Partially Funded
Amount in Budget: $442,924
Additional Funding Needed: $60,313

Source:
Internal Transfer
Unanticipated Revenue 4/5's vote
Transfer Between Funds 4/5's vote
Contingency (X) General ( ) Other 4/5's vote

List Attachments, number pages consecutively

CLERK’S USE ONLY:
Res. No. 10-327
Ord. No. __________

Vote – Ayes: ____________  Noes: ____________

Absent: ____________  (X) Minute Order Attached ( ) No Action Necessary

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

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
No Opinion
Comments:

Revised Dec. 2002
## BUDGET ACTION FORM

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0414</td>
<td>Medical Evaluations</td>
<td></td>
<td>$10,904</td>
<td></td>
</tr>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0418</td>
<td>Court Appointed Counsel</td>
<td></td>
<td></td>
<td>$26,880</td>
</tr>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0419</td>
<td>Conflict Counsel</td>
<td></td>
<td></td>
<td>$59,168</td>
</tr>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0420</td>
<td>Conflict Investigation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0435</td>
<td>Investigations</td>
<td></td>
<td></td>
<td>$23,970</td>
</tr>
<tr>
<td>001</td>
<td>0206-461</td>
<td>0436</td>
<td>Child Defense</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| 001  | 0104-414 | 1090    | GENERAL CONTINGENCY  |         |          | $60,313  |

**TOTAL** $94,042 $94,042

### TRANSFER BETWEEN FUNDS

**TOTALS** $0 $0

**ACTION REQUESTED:**

- [X] Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

- [ ] Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**JUSTIFICATION:** To pay for expenses that exceeded budgeted projections due to a homicide trial.

---

**DEPT HEAD SIGNATURE:**

[Signature]

**DATE:** 6-28-10

**APPROVED BY RES NO.**

10-320

**CLERK**

[Signature]

**DATE:** 7-13-10

**INDIGENT DEFENSE**

**AUDITOR'S USE ONLY**

**BA #**

---

Budget Revision Form Revised 11/95