

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: 1/14/97
AGENDA ITEM NO.: 12

97-20

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

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

Pass and adopt the attached Resolution amending the staffing structure of the Municipal Court as proposed and request that the Legislature validate the proposal. The Legislature has control over the compensation and positions of each municipal court in the State.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

It is required that the staffing structure of municipal courts be officially amended as proposed for housekeeping reasons; it is not required of superior courts at the present time.

COSTS: (X) Not Applicable	
A. Budgeted current FY	\$ _____
B. Total anticipated costs	\$ _____
C. Required additional funding	\$ _____
D. Internal transfers	\$ _____
SOURCE: () 4/5ths Vote Required	
A. Unanticipated revenues	\$ _____
B. Reserve for contingencies	\$ _____
C. Source description:	_____
Balance in Reserve for Contingencies,	_____
if approved: \$	_____

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

CLERK'S USE ONLY:
Res. No.: 97-20 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
() Approved () Denied
() Minute Order Attached () No Action Necessary

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
County of Mariposa, State of California
By: Deputy _____

Comment: _____
A.O. Initials: [Signature]

MARIPOSA COUNTY RESOLUTION No. 97-20

RESOLUTION AMENDING THE STAFFING STRUCTURE
OF THE MARIPOSA COUNTY MUNICIPAL COURT

WHEREAS, the Board of Supervisors desires to amend the staffing structure of the Municipal Court, and

WHEREAS, it is the Board's desire to request that the State Legislature authorize the proposed staffing structure as the Legislature is the governing body that prescribes the number and compensation of staff in each municipal court in the State, and

WHEREAS, the Board acknowledges that because this is a local request as defined by Government Code § 17556(a), the County is precluded from obtaining reimbursement from the State under Section 6 of Article XIIB of the California Constitution for costs that the County may incur as a result of enactment of the statute;

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 amends the Municipal Court staffing structure as follows :

1. **Applicability of article.**

This article applies to the municipal court established in a judicial district embracing the County of Mariposa. This court shall be known as the Mariposa County Municipal Court.

2. **Judges.**

There shall be one judge.

3. **Facilities; sessions; jurors.**

Facilities for the court shall be maintained at the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors.

Jurors shall be drawn from the entire county.

4. **Clerk; deputies, compensation.**

There shall be one municipal court clerk who shall receive the salary specified in the Mariposa County schedule of salary ranges. The municipal court judge may, in accordance with the Mariposa County employee allocation schedule, appoint the following at the salary specified in the Mariposa County schedule of salary ranges:

Three court clerks II who shall be deputy clerks.

One part-time office assistant I.

One part-time court clerk I.

5. **Marshal; deputy marshals.**

The sheriff shall be ex officio marshal and shall act as such without additional compensation. The sheriff's designated deputies shall be ex officio deputy marshals of the court.

6. **Salary resolution; adjustments.**

Whenever a reference is made to the Mariposa County schedule of salary ranges, that schedule, as it was in effect on October 1, 1996, shall apply.

In the event the board of supervisors of the County of Mariposa amends the schedule of salary ranges or adopts a new schedule which provides a change in compensation, such changes shall be effective for the municipal court employees under this article on the effective date of the action of the board of supervisors and shall remain effective only until January 1 of the second year following the year in which such change is made.

7. Employee benefits.

The officers and attachés of the municipal court shall be entitled to the same vacation, sick leave, and similar benefits and privileges as are granted to other employees of similar classifications of the County of Mariposa under ordinances and resolutions of the board of supervisors.

8. Additional attachés and employees; appointment; compensation.


If an increase in the business of the court or any other emergency requires a greater number of attachés or employees for prompt and faithful discharge of the business of the court other than the number expressly provided in this article or requires the performance of duties of positions in a class not expressly provided in this article, with the approval of the presiding judge of the court and the board of supervisors, the municipal judge may appoint in accordance with the Mariposa County employee allocation schedule as many additional attachés or employees as are needed. The additional attachés or employees shall be selected and appointed in the same manner as those for whom express provision is made, and they shall receive salary and compensation as prescribed in this article or as prescribed by ordinance or resolution of the board of supervisors for classes not expressly provided in this article.

9. Law governing employment of officers and attachés.

All matters affecting the employment of such municipal court officers and attachés which are not specifically determined by this article or other provisions of state law shall be governed and regulated by the then current ordinances and resolutions of the board of supervisors of the County of Mariposa.

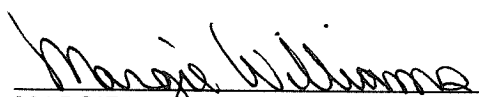
PASSED AND ADOPTED this 14th day of January, 1997, by the Board of Supervisors of Mariposa County by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, and Pickard
 NOES: None
 ABSENT: None
 ABSTAINED: None


 ROBERT C. STEWART, Chairman
 Board of Supervisors

ATTEST:

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY:


 MARGIE WILLIAMS
 Clerk of the Board


 JEFFREY G. GREEN
 County Counsel