

93-22

DEPARTMENT: Superior Court BY: Judge McMechan PHONE: 966-2005

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ NoX)

Board approve appropriation of \$50,000 from trial court funding for court appointed counsel services. Attorneys have estimated that additional \$20,000 will be needed for services not covered by court appointed counsel budget. Additional \$60,000 will be necessary to cover present court appointed counsel contract obligation. Appropriation for additional \$30,000 will be requested at a later date. Attorney bills for cases started prior to July 1, 1992, have exceeded estimates by approximately \$60,000.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

July 1, 1992, the county entered into a contract for court appointed counsel services. Attorneys were allowed to bill separately for cases started prior to July 1, 1992. Fund of \$20,000 was set up for conflicts counsel and to pay bills for services prior to July 1, 1992. As of December 1992 bills amounting to approximately \$80,000 for pre-contract attorney services and investigation fees have been paid.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Approve appropriation of \$50,000 from trial court funding. Indigent criminal defendants have the right to be represented by counsel and we are required to provide attorneys for this purpose. No alternatives

COSTS: (X) Not Applicable	
A. Budgeted current FY	\$ _____
B. Total anticipated costs	\$ _____
C. Required additional funding	\$ <u>80,000</u>
D. Internal transfers	\$ _____
SOURCE: (X) 4/5ths Vote Required	
A. Unanticipated revenues	\$ _____
B. Reserve for contingencies	\$ _____
C. Source description: <u>trial court funding</u>	
Balance in Reserve for Contingencies, if approved: \$ _____	

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

CLERK'S USE ONLY:

Res. No.: 93-22 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

Comment: _____

A.O. Initials: _____

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 OF
MARIPOSA

BUDGET ACTION FORM

DEPT/DIV: Superior Court

CONTACT: Hon. Richard L. McMechan

DATE: January 5, 1993

PHONE: 966-2005

ACTION REQUESTED: (Check All That Apply)

- 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;
- Transfer by Administrator: Moving existing appropriations within a single budget category between line items (i.e. services and supplies, etc.)
- Transfer by Auditor: Moving salaries between line items to accommodate variances internal to salaries; OR transfers within the County budget under \$50.00 to accommodate minor variations from the budget.

FUND/DEPT/ACCT NO.	LINE ITEM DESCRIPTION	AMOUNT (FROM)/TO
001-800-5-349	Trial Court Funding	(\$50,000)
001-103-6-000	Contingency	\$50,000
001-103-6-000	Contingency	(\$50,000)
001-250-2-185	Court Appointed Counsel	\$50,000

Justification: Court appointed counsel fees for pre-contract services exceeded funds budgeted. Additional funds of \$50,000 needed to pay for contract and pre-contract attorney services

Department Head Signature: _____ Date: 12/ /92

Approved By: Res. No. 93-22 Clerk: hms Date: 1-5-93
 Administrator: _____ Date: _____
 Auditor: _____ Date: _____

AUDITOR'S USE ONLY:

Description: _____ Transfer No.: _____
 _____ B.R. No.: _____