

RESOLUTION 2013-26

COMPREHENSIVE STUDY OF PUBLIC DEFENSE DELIVERY SYSTEM AND EXPIRATION OF TERM OF PUBLIC DEFENDER

WHEREAS, the Kootenai County Board of Commissioners (Board) has the duty mandated by Idaho Code § 19-859 to provide for the legal representation of needy persons in criminal matters; and

WHEREAS, the Board is required pursuant to Idaho Code § 19-859 to provide this representation by: (1) establishing and maintaining an office of public defender; (2) arranging with the courts of criminal jurisdiction in the County to assign attorneys on an equitable basis through a systematic, coordinated plan; or (3) adopting a combination of these alternatives; and

WHEREAS, this representation is currently provided by the Kootenai County Office of Public Defender, which has been in existence since 1988; and

WHEREAS, the Board has determined as a matter of planning and policy that an up-to-date and comprehensive study of the public defense delivery system in Kootenai County should be performed to allow the Board to most effectively provide for the representation of needy persons through one or more of the alternatives provided by Idaho Code § 19-859; and

WHEREAS, the term of office for a public defender appointed by the Board has a minimum of two years and the current public defender has served in that appointed capacity for in excess of 16 years; and

WHEREAS, the Board intends to implement any decisions made upon recommendations from the planned comprehensive study by October 1, 2013, which will include one or more of the alternatives provided by Idaho Code § 19-859; and

WHEREAS, the Board has determined that the term of office for the current public defender should expire at the end of the current budget year on September 30, 2013;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board shall undertake a comprehensive study of the public defense delivery system for Kootenai County to most effectively provide for the representation of needy persons and which shall include one or more of the alternatives provided by Idaho Code § 19-859, with a planned implementation date of October 1, 2013;

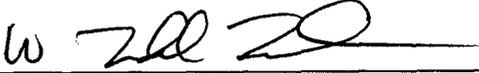
BE IT FURTHER RESOLVED that the term of the current Kootenai County Public Defender shall expire on September 30, 2013, consistent with the policy goals of the Board to complete the study of the public defense delivery system in Kootenai County and implement any decision on the recommendations from that study consistent with the obligations of the Board set forth in Idaho Code § 19-859, et seq.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Green, and seconded by Commissioner Nelson, the following vote was recorded:

Commissioner Nelson: Aye
Commissioner Green: Aye
Chairman Tondee: Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 19th day of March, 2013.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS



W. Todd Tondee, Chairman

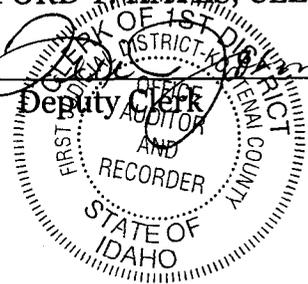


Daniel H. Green, Commissioner



Jai Nelson, Commissioner

ATTEST:
CLIFFORD T. HAYES, CLERK

By: 

The seal is circular with the text: "COUNTY CLERK OF 1ST DISTRICT KOOTENAI COUNTY AND RECORDER STATE OF IDAHO".