

**Resolution 2013-51
Public Defense System**

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 previously determined as a matter of planning and policy that an up-to-date and comprehensive study of the public defense 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* §19-849; and

WHEREAS, on April 2, 2013, the Board adopted Resolution 2013-29 to allow for a comprehensive study of the public defense delivery system; and

WHEREAS, the Board has since contacted the Sixth Amendment Center to conduct a management evaluation of the Kootenai County Public Defender Office; and

WHEREAS, The Sixth Amendment Center has advised the Board that statewide reform may make any potential changes moot, specifically, three bills passed in the Idaho legislature that represent the initial steps to reforming indigent defense in Idaho, including HB 147, HB 149 and HB 149; and

WHEREAS, a commission will soon be appointed to review the Idaho Criminal Justice Commission findings to allow for a reform package to be considered by the legislature in 2014; and

WHEREAS, it is in the best financial interest of Kootenai County to postpone from pursuing a contract with the Sixth Amendment Center to conduct a management evaluation of the Kootenai County Public Defender Office;

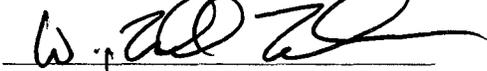
NOW THEREFORE, BE IT HEREBY RESOLVED THAT Resolution 2013-29 is hereby rescinded, and that Kootenai County will wait to consider the recommendation of the commission convened by the state of Idaho on how to best provide for indigent defense in Kootenai County.

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:

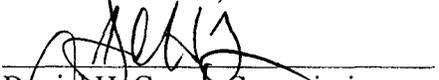
Commissioner Nelson: **Aye**
Commissioner Green: **Aye**
Chairman Tondee: **Aye**

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 2nd day of July, 2013.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS



W. Todd Tondee, Chairman



Daniel H. Green, Commissioner



Jai, Nelson, Commissioner

ATTEST:
CLIFFORD T. HAYES, CLERK

By: 

