

TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN: Your County Administration Committee respectfully recommends the adoption of the following

RESOLUTION

WHEREAS, the Michigan Indigent Defense Commission (“MIDC”) was created by Public Act 93 of 2013; and

WHEREAS, on October 13, 2016, Resolution C1610291 was approved by the Berrien County Board of Commissioners creating the Berrien County Public Defender’s Office and established the staffing levels in response to the MIDC’s task of standardizing the provision of legal representation to indigent individuals charged with a crime; and

WHEREAS, an original Compliance Plan (“Plan”), approved by the Board of Commissioners via Resolution A1711318, on November 9, 2017 and the MIDC, awarded Berrien County \$1,516,275 with a local share of \$562,717 for the period of October 1, 2018 to September 30, 2019; and

WHEREAS, in order to continue to improve the legal representation provided to indigent individuals charged with a crime, it has been determined that the amount requested for the period of October 1, 2019 to September 30, 2020 should be increased to reflect additional staff in order to reduce the County’s reliance on contractual attorneys; and

WHEREAS, the Board of Commissioners authorized applying for FY2020 grant funding via resolution A1904224 with a total cost analysis of the Plan – including additional new positions - at \$3,128,804 of which \$575,096.85 is the County’s local share; and

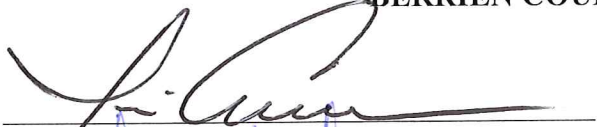
WHEREAS, the local share is based on the average of Berrien County’s indigent defense expenditures for the years 2010, 2011, and 2012, adjusted for inflation pursuant to MCL 780.983(i); and

WHEREAS, the MIDC has approved Berrien County’s request as described above and has provided a grant agreement for FY2020 to reflect a grant reimbursement for the period of October 1, 2019 to September 30, 2020 to be \$2,543,951; and

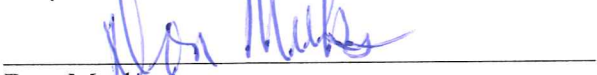
WHEREAS, the MIDC Grant Agreement has been reviewed and approved by Corporate Counsel.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners approves Grant Number 2020-107 between Berrien County and the MIDC, and authorizes the Chairman of the Board of Commissioners to execute said agreement.

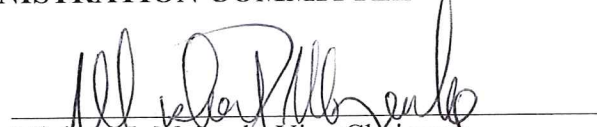
**RESPECTFULLY SUBMITTED
BERRIEN COUNTY ADMINISTRATION COMMITTEE**



Jim Curran, Chairman



Don Meeks



Michael J. Majerek, Vice Chairman



Chris Heugel

RESOLUTION APPROVED AS TO FORM
Adopted by _____ Date 11/19/19
Corporate Counsel _____ Date _____
Comments Attached _____