

COUNTY OF CLAYTON

STATE OF GEORGIA

RESOLUTION NO. 2011- 144

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL FOR FY 2012 PROVIDING FOR THE DELIVERY OF INDIGENT DEFENSE SERVICES UNDER THE GEORGIA INDIGENT DEFENSE ACT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING AND TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners is vested with substantial powers, rights and authorities, which among certain endeavors allows for the general funding of a legal defense delivery system for qualified indigent individuals accused of crimes in Clayton County; and

WHEREAS, it is the policy of Clayton County and the State of Georgia to provide the constitutional guarantees of the right to legal counsel and equal access to the courts to all citizens in criminal cases; and

WHEREAS, the County and the Public Defender's Office wish to enter into a Memorandum of Understanding to effectuate the most efficient and cost-effective manner of delivering quality indigent defense services, and for the County to participate in an opt-in circuit with the Georgia Public Defenders Council; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Clayton County Board of Commissioners hereby authorizes the County to enter into a Memorandum of Understanding with the Georgia Public Defenders Standards Council for FY 2012 providing for the delivery of indigent services.

Section 2. The Board of Commissioners further authorizes the Chairman to execute a Memorandum of Understanding and to perform all other acts necessary to accomplish the intent of this

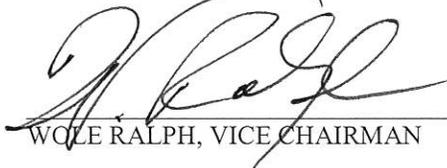
Resolution. Additionally, the Board also authorizes the Chief Staff Attorney (or in his absence, a Staff Attorney) to execute the Memorandum of Understanding. Further, the Board of Commissioners hereby authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the Memorandum of Understanding. The Memorandum of Understanding shall be in substantially the form attached hereto.

Section 3. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED this 6th day of September, 2011.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK