

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008- 153

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO AN AGREEMENT WITH LISTER & HOLT, LLC PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH INDIGENT DEFENSE SERVICES WILL BE RENDERED TO CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE AGREEMENT; 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 crime in Clayton County; and

WHEREAS, it is 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, to accomplish its stated purpose, the Georgia Legislature enacted an article known and cited as "The Georgia Indigent Defense Act," and created a Georgia Indigent Defense Council to carry out certain responsibilities under the Act; and

WHEREAS, the Board of Commissioners desires to continue delivering a fair, efficient, and expeditious administration of justice and otherwise providing the constitutional guarantees of the right to legal counsel and equal access to the Clayton County courts including the State Court of Clayton County ("State Court") to all citizens in criminal cases.

WHEREAS, Lister & Holt, LLC is eminently qualified to provide the above-referenced services to the County; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into the Agreement with Lister & Holt, LLC for the stated purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into an Agreement with Lister & Holt, LLC providing for the terms and conditions under which indigent defense services will be rendered to Clayton County in the State Court. The Board of Commissioners hereby authorizes the Chairman to execute the Agreement and to perform all other acts necessary to accomplish the intent of this Resolution. 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 Agreement. The Agreement shall be in substantially the form attached hereto as Exhibit "A."

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

{SIGNATURES ON NEXT PAGE}

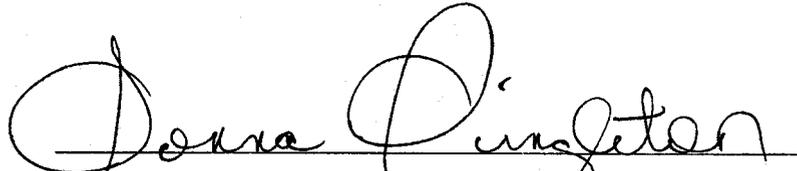
SO RESOLVED, this the 16th day of September, 2008.

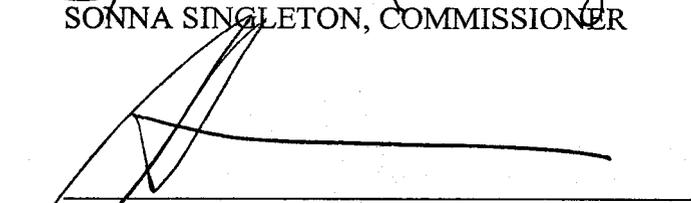
CLAYTON COUNTY BOARD OF COMMISSIONERS


EDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN

(Absent)
VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK