



RESOLUTION NO. 203-2009

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**RESOLUTION ELECTING TO ESTABLISH AN INDIGENT DEFENSE
REGISTRATION FEE**

WHEREAS courts are obligated by law to appoint legal counsel to defend indigents charged with a crime who are unable to afford to pay the cost of a legal defense themselves, and

WHEREAS under Penal Code §987 the cost of that court-appointed legal defense is an expense to the county general fund, and

WHEREAS under Penal Code §987.5, a county may elect to establish a registration fee for every defendant who requests representation by court-appointed counsel in order to offset the costs of administering the indigent defense system,

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Board of Supervisors elects to establish a registration fee pursuant to Penal Code §987.5 in the amount of twenty-five dollars (\$25.00).
2. The registration fee shall be collected in a manner in accord with the procedures set forth in the Penal Code for such fees, and in accord with any procedures that may be adopted by the El Dorado County Revenue & Recovery Division from time to time and approved by the Board of Supervisors, in order to assure as full and complete collection as reasonably possible in order to maximize the recovery of the costs of operating and administering the indigent defense system. Accounting measures shall be in accord with normal county practices.
3. The registration fees collected shall be distributed first to the Revenue and Recovery Division to offset its costs incurred in the collection of the fee and the operation and administration of the indigent defense system. Any excess shall next be distributed to the other county departments which incur costs or expenses in proportion to the ratio of their costs and

expenses to the total cost of the operation and administration of the county indigent defense system.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 15 day of September, 2009, by the following vote of said Board:

Ayes: Knight, Santiago, Briggs, Nutting

ATTEST
SUZANNE ALLEN DE SANCHEZ
Clerk of the Board of Supervisors

By Marcie McFarland
Deputy Clerk

Noes: None
Absent: Sweeney

Ron Briggs
Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____
ATTEST: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk