

# TOWN COUNCIL



## STAFF REPORT Municipal Court Department

<b>MEETING DATE:</b>	June 9, 2026
<b>PROJECT:</b>	Consideration of a Resolution Authorizing the Renewal of a Three-Party Intergovernmental Agreement for Indigent Defense Representation at the Town of Bluffton Municipal Court with the Law Office of Carol A. Miller and City of Beaufort.
<b>PROJECT MANAGER:</b>	Lisa Cunningham, Clerk of Court

**RECOMMENDATION:** Staff requests Town Council approve a Resolution authorizing the Town Manager to sign the renewal of a Three-Party Intergovernmental Agreement for Indigent Defense Representation at the Town of Bluffton Municipal Court with the Law Office of Carol A. Miller and City of Beaufort

### BACKGROUND:

In the 2015 the General Assembly passed a proviso mandating that municipalities fund their own attorney for indigent defense.

Municipalities were given two options; one was to enter into an agreement with the Circuit Public defender's office or contract with a private attorney to provide indigent defense services.

December 17, 2019, the Town of Bluffton, City of Beaufort and Town of Port Royal entered into a four-party intergovernmental agreement with the 14<sup>th</sup> Circuit Public Defenders Office.

The Town of Bluffton, City of Beaufort and Town of Port Royal received a letter requesting another budget increase.

The Request for Proposal (RFP) was posted on January 3, 2025 and closed on February 26, 2026.

Only one bid was received from The Law Office of Carol A Miller.

Staff negotiated to include a three-party intergovernmental agreement with the City of Beaufort for a total cost of \$140,000.00 that would be divided equally among both municipalities.

The fiscal impact to the Town of Bluffton would be \$70,000.00.

On June 10, 2025, Town Council approved a resolution authorizing the Town Manager to execute a three-party intergovernmental agreement with the Law Office of Carol A. Miller and the City of Beaufort for indigent defense representation at the Town of Bluffton Municipal Court. The agreement was approved for a one-year term with an option to renew and is scheduled to expire on June 30, 2026.

**NEXT STEPS:**

Upon Town Council's review and approval of this request, the Town Manager will renew the intergovernmental agreement with the Law Office of Carol Miller and the City of Beaufort. The renewed contract term will begin on July 1, 2026.

**ATTACHMENTS:**

1. Agreement
2. Resolution
3. Motion

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

AMENDMENT # 1  
FOR  
AGREEMENT FOR INDIGENT DEFENSE

**WITNESSETH:**

**WHEREAS**, the Agreement for Indigent Defense, was made and entered into the 17<sup>th</sup> day of June 2025 between the Town of Bluffton (hereinafter called "Bluffton"), the City of Beaufort (hereinafter called "Beaufort"), both municipal corporations organized and existing under the laws of the State of South Carolina (collectively referred to as "the Municipalities"), and the Law Office of Carol Miller (hereinafter "Attorney"); and

**WHEREAS**, Bluffton and Beaufort agreed to enter into a multi-party agreement with Attorney to provide independent contractor services for legal defense of indigent clients in the Municipalities' respective Municipal Courts; and

**WHEREAS**, the total cost of these services was agreed to be a flat rate of Seventy Thousand (\$70,000) Dollars for work performed for Bluffton and Seventy Thousand (\$70,000) for work performed for Beaufort for an annual total of One Hundred and Forty Thousand Dollars (\$140,000) invoiced and processed by the Town of Bluffton in equal monthly increments; and

**WHEREAS**, Section 1 of that Agreement contemplated a one-year initial term from 7/1/2025 through 6/30/2026 with the option to renew for four (4) additional one-year terms; and

**WHEREAS**, the Municipalities and Attorney agree to amend the Agreement as described herein.

**NOW, THEREFORE**, in exchange for the mutual promises written herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Town and the Contractor agree as follows:

1. Municipalities and Attorney agree to renew for the one-year renewal term for the period from 7/1/2026 to 6/30/2027.
2. The rates indicated above shall remain the same.
3. All other terms and conditions of the Agreement shall remain in full force and effect and remain unchanged except as stated herein.

*[Remainder of Page Intentionally Omitted. Signature Page to Follow.]*

IN WITNESS WHEREOF, the parties hereto have caused the within Amendment # 1 to be executed this day of \_\_\_\_\_, 2026.

THE LAW OFFICE OF CAROL MILLER

TOWN OF BLUFFTON

Date: 4/28/26

Date: \_\_\_\_\_

By: Carol A Miller

By: \_\_\_\_\_

Print Name: Carol A Miller

Print Name: \_\_\_\_\_

Position: Attorney

Position: \_\_\_\_\_

Witness: [Signature]

Witness: \_\_\_\_\_

CITY OF BEAUFORT

Date: 4/28/26

By: Scott M. Marshall

Print Name: SCOTT M. MARSHALL

Position: CITY MANAGER

Witness: [Signature]

Attachments: none

**A RESOLUTION**

RELATING TO THE TOWN OF BLUFFTON, SOUTH CAROLINA, SUPPORT OF A THREE-PARTY INTERGOVERNMENTAL AGREEMENT FOR A INDIGENT DEFENSE REPRESENTATION AT THE TOWN OF BLUFFTON AND CITY OF BEAUFORT.

**WHEREAS:** Contract was entered into the 1<sup>st</sup>, day of July 2026 between the Town of Bluffton, City of Beaufort and Carol A. Miller for Indigent Defense Services.

**NOW, THEREFORE, BE IT RESOLVED,** by the Town Council (the "Council"), as the governing body of the Town of Bluffton, as follows:

1. The Council hereby declares that this Resolution shall constitute its consent to a Three-Party Intergovernmental Agreement for Indigent Defense Representation at the Town of Bluffton Municipal Court with the Law Office of Carol A. Miller and City of Beaufort.

Approved this 9<sup>th</sup> day of June 2026.

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Larry Toomer, Mayor

Town of Bluffton, South Carolina

ATTEST:

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Marcia Hunter, Town Clerk

SEAL

Recommended Motion

Consideration to Approve a Resolution for Execution of a Three-Party Intergovernmental Agreement for Indigent Defense Representation at the Town of Bluffton Municipal Court with the Law Office of Carol A. Miller and City of Beaufort.

"I move to **Approve** the Resolution authorizing the Town Manager to sign the renewal of the Three-Party Intergovernmental Agreement for Indigent Defense Representation at the Town of Bluffton Municipal Court with the Law Office of Carol A. Miller and City of Beaufort".