

## Staff Report

**Subject:** Georgia Indigent Defense Services Agreement for FY23

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**Department:**

**Meeting Date:** August 16, 2022

**Item Description:** Approval of Georgia Indigent Defense Services Agreement for FY23

**Summary Recommendation:** Staff recommends approval of the Georgia Indigent Defense Services Agreement for FY23. The Ogeechee Public Defenders Office has been providing indigent defense services to Effingham County for several years. The County is required to provide indigent defense services and the Ogeechee Public Defender's Office was established for the purpose of providing these services.

### Executive Summary/Background:

- O.C.G.A § 17-12-23 (d) states "A city or county may contract with the circuit public defender office for the provision of criminal defense for indigent persons accused of violating city or county ordinances or state laws. If a city or county does not contract with the circuit public defender office, the city or county shall be subject to all applicable standards adopted by the council for representation of indigent persons in this state".
- Under this agreement the County shall provide, in conjunction and cooperation with the other counties in the judicial circuit and in a pro rata share according to the population of each county, appropriate offices, utilities, telephone expenses, materials, and supplies as may be necessary to equip, maintain, and furnish the office or offices of the circuit public defender in an orderly and efficient manner.
- The complete cost for the agreement is \$761,619.72 in salary and administrative costs and \$116,408.00 for annual office maintenance.
- Effingham County's share (32%) of this year's annual agreement for personnel expenditures is \$243,718.31 paid in monthly installments of \$20,309.86.
- Effingham County share (32%) of this year's annual agreement for operating expenses is \$37,250.56 paid in monthly installments of \$3,104.22.
- This agreement can be terminated due to non-availability of funds, for cause (after a 30-day cure period) or convenience (60 days).
- This agreement begins on July 1, 2022 and expires June 30, 2023 and has been reviewed and approved by the County Attorney.

### Alternatives for Commission to Consider

1. Board approval and execution of the contract for Public Defender Services for FY23.
2. Do not approve and execute the contract for Public Defender Services for FY23.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** County Manager, Purchase, Finance

**Funding Source:** FY23 Budget

**Attachments:** Georgia Indigent Defense Services Agreement for FY23