

RESOLUTION NO. 1039

**A RESOLUTION OF THE CITY OF LYNDEN
ESTABLISHING A SLIDING FEE SCHEDULE FOR INDIGENT DEFENDANTS
UNDER ELECTRONIC HOME DETENTION AND MONITORING**

WHEREAS, the City of Lynden has entered a contract (“**Contract**”) with Friendship Diversion Services for the provision of electronic home detention and monitoring services for certain defendants whose participation is ordered by the Lynden Municipal Court; and

WHEREAS, the Contract requires the City of Lynden to provide a sliding fee schedule establishing rates for indigent participating defendants, defined in the Contract as those earning less than 150% of Federal Poverty Guidelines; and

WHEREAS, The Federal Poverty Guidelines are updated annually, and the below household income thresholds reflect current data for 2021;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lynden, as follows:

Section 1: That the following sliding fee schedule for indigent defendants participating the Lynden Municipal Court home detention and monitoring program be adopted:

NET INCOME	PERCENTAGE PAID BY DEFENDANT	ENROLLMENT	DAILY	COMBO
INDIVIDUAL				
< \$6,314	DEFENDANT PAYS NO FEES	\$0	\$0	\$0
\$6,315 - \$12,884	DEFENDANT PAYS NOMINAL FEES	\$5	\$2	\$4
\$12,885 - \$16,144	DEFENDANT PAYS 25%	\$12.50	\$3.75	\$6.25
\$16,145 - \$19,319	DEFENDANT PAYS 50%	\$25	\$7.25	\$12.50
>\$19,320	DEFENDANT PAYS FULL AMOUNT	\$50	\$14.50	\$25.00
2 HOUSEHOLD MEMBERS				
< \$8,514	DEFENDANT PAYS NO FEES	\$0	\$0	\$0
\$8,515 - \$17,489	DEFENDANT PAYS NOMINAL FEES	\$5	\$2	\$4
\$17,490 - \$20,949	DEFENDANT PAYS 25%	\$12.50	\$3.75	\$6.25
\$20,950 - \$26,129	DEFENDANT PAYS 50%	\$25	\$7.25	\$12.50
> \$26,130	DEFENDANT PAYS FULL AMOUNT	\$50	\$14.50	\$25.00

3 HOUSEHOLD MEMBERS				
<\$10,704	DEFENDANT PAYS NO FEES	\$0	\$0	\$0
\$10,705 - \$21,979	DEFENDANT PAYS NOMINAL FEES	\$5	\$2	\$4
\$21,980 - \$27,414	DEFENDANT PAYS 25%	\$12.50	\$3.75	\$6.25
\$27,415 - \$32,939	DEFENDANT PAYS 50%	\$25	\$7.25	\$12.50
> \$32,940	DEFENDANT PAYS FULL AMOUNT	\$50	\$14.50	\$25.00
4 HOUSEHOLD MEMBERS				
<\$12,914	DEFENDANT PAYS NO FEES	\$0	\$0	\$0
\$12,915 - \$26,534	DEFENDANT PAYS NOMINAL FEES	\$5	\$2	\$4
\$26,535 - \$33,094	DEFENDANT PAYS 25%	\$12.50	\$3.75	\$6.25
\$33,095 - \$39,749	DEFENDANT PAYS 50%	\$25	\$7.25	\$12.50
>\$39,750	DEFENDANT PAYS FULL AMOUNT	\$50	\$14.50	\$25.00

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect on June ____, 2021.

**PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, ____ IN FAVOR
 ____ AGAINST, AND SIGNED BY THE MAYOR THIS ____ DAY OF JUNE, 2021.**

 MAYOR

ATTEST:

 CITY CLERK

APPROVED AS TO FORM:

 CITY ATTORNEY