

RESOLUTION 22-61

**SETTING CRIMINAL INDIGENT DEFENSE COUNSEL RATE OF PAY FOR
ST. CLAIR COUNTY PUBLIC DEFENDER**

WHEREAS, Persons arrested and arraigned on a criminal warrant are given the opportunity to apply for a Public Defender at their initial court appearance. The Office of the County Public Defender appoints qualified private practice attorneys to represent individuals accused of crimes who cannot afford to hire their own lawyer if: (1) The offense charged is punishable by more than 92 days in jail; or (2) The offense charged requires on conviction a minimum term in jail; or (3) The court determines that it might sentence the defendant to jail; and

WHEREAS, as part of the Michigan Indigent Defense Commission (hereinafter MIDC) budget review for FY 2023, the St. Clair County Board of Commissioners and the Administrator/Controller found it necessary to consider hourly rate changes for roster/conflict attorneys in criminal cases; and

WHEREAS, after extensive discussion and negotiation with the MIDC to increase the budget to accommodate a rate increase for said private roster attorneys, a grant proposal was developed, submitted and approved for inclusion in the FY 2023 MIDC budget at \$100.00 per hour for misdemeanors and \$110.00 per hour for non-life offense felonies for the St. Clair County Public Defender's Office.

NOW THEREFORE, BE IT RESOLVED, the St. Clair County Board of Commissioners, in conjunction with the Public Defender's Office, does hereby set the hourly rate for roster/conflict counsel in criminal cases at \$100.00 per hour for misdemeanors and \$110.00 per hour for felonies for all cases appointed henceforth.

Dated: December 8, 2022

Reviewed and Approved by:

Board of Commissioners:



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