

**EATON COUNTY BOARD OF COMMISSIONERS****March 21, 2018****RESOLUTION TO OPPOSE THE STATE BUDGET OFFICE'S PROPOSED  
AMENDMENTS TO THE MICHIGAN INDIGENT DEFENSE ACT****Introduced by the Ways and Means Committee**

Commissioner Eakin moved for the approval of the following resolution. Seconded by Commissioner Augustine.

**WHEREAS**, the Michigan Indigent Defense Commission (MIDC) Act requires local funding units (counties, cities, villages and townships) to take over the delivery of indigent defense systems; and

**WHEREAS**, Eaton County is required to spend funds to provide defense counsel to indigent defendants in compliance with the MIDC approved minimum standards at the level of its "local share"; and

**WHEREAS**, "local share" is defined as the local funding unit's average annual expenditures for indigent criminal defense services in the three fiscal years immediately preceding the creation of the MIDC under the MIDC Act [2010, 2011, 2012], excluding money reimbursed to the system by individuals determined to be partially indigent; and

**WHEREAS**, the MIDC Act expressly provides that Eaton County "shall not be required to provide funds in excess of its local share."; and

**WHEREAS**, the State Budget Office (SBO) is seeking an amendment to the MIDC Act which would redefine local share by requiring a "minimum local share of indigent defense system of \$7.25 per capita, and provide for an annual adjustment of a system's local share by the Consumer Price Index or 3 percent, whichever is less, to maintain the local share of support"; and

**WHEREAS**, the SBO reimbursement remittance amendment will create a local disincentive for collections of those reimbursements; and

**WHEREAS**, Eaton County remain committed to fully complying with the provisions of the MIDC Act as currently enacted.

**NOW, THEREFORE BE IT RESOLVED**, that the Eaton County Board of Commissioners hereby opposes the passage of the SBO proposed amendments to the MIDC Act.

**BE IT FURTHER RESOLVED** that the Eaton County Clerk is requested to forward copies of this adopted resolution to the Governor, the Lieutenant Governor, the State Budget Office, the Eaton County members of the Michigan legislature delegation, the Michigan Association of Counties, and the Chief Judge of the Eaton County Trial Courts. Carried.