ORDINANCE NO. D-CC-24-1

PERRY COUNTY COUNCIL

ORDINANCE TO ESTABLISH PUBLIC DEFENDER REIMBURSEMENT RESTRICTED FUND

WHEREAS, Perry County receives partial State reimbursement for their indigent defense costs for non-misdemeanor criminal cases, pursuant to Indiana Code Section 35-36-6-9(b) & (c), as determined by the Indiana Public Defender Commission in exchange for meeting standards set by the IPDC for attorneys that will provide such representation to indigent defendants with criminal charges in the County.

WHEREAS, the Perry County Council wishes to establish in the County an accounting structure; a restricted fund to be entitled the "Public Defender Reimbursement Restricted Fund" for the maintenance, tracking and expenditure of such funds to ensure that such funds are available and strictly used in payment for additional future pauper attorney fees and/or fees to assist in covering the costs for juvenile detention.

NOW, THEREFORE, be it ordained by the Perry County Council of Indiana, as follows, that:

Section One: There is hereby established in the County's accounting structure a restricted fund to be entitled the "Public Defender Reimbursement Restricted Fund".

Section Two: The aforesaid Fund shall be established solely for the deposit of reimbursement proceeds received as partial reimbursement of Perry County Public Defender fees and costs through the Indiana Public Defender Commission and to be applied by the County Council for payment of future pauper attorney's fees and costs and/or payment of fees to assist in covering the costs of juvenile detention.

Section Three: This account shall be deemed established on March 1, 2024, and shall continue in perpetuity for all proceeds received in reimbursement for fees and costs generated in the legal representation of indigent criminal defendants by pauper counsel in Perry County.

Section Four: Any provisions of prior ordinances which may be in conflict with this ordinance are hereby repealed.

PASSED AND ADOPTED by the Perry Council of Indiana, on this 22nd day of FEBRUARY, 2024.

COUNTY COUNCIL OF PERRY COUNTY, INDIANA

By: _____
Kelli Harding Member

By: _____
Stan Goffinet Member

By: _____
Keth Huck Member

By: _____
David Etienne -Pres. Member

By; _____
Earla Williams Member

By: _____
Gale Garner Member

By: _____
Paul Malone Member

ATTEST:

_____
Kristinia L. Hammack, Auditor