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CITY OF CLEMSON
AGENDA ITEM REQUEST FORM

Requested by: Mayor J.C. Cook, III

Date Submitted: September 2, 2015

Council Meeting Date: September 8, 2015

Type of Request: (check only one)

- [x] **Report/Discussion**
- [ ] **Policy/Action**
- [ ] **Executive Session**

Agenda Item Summary: (brief for public information and posted agenda)

Receive information regarding new State law that requires municipalities to pay a fee to the Office of Public Defense for representation in the Municipal Court.

Agenda Item Detail: (expand as necessary for clarification)

During the adoption of the State budget, the General Assembly inserted a budget proviso into the adopted budget that requires municipalities to begin paying a fee to the Office of Public Defense for representation in the City's Municipal Court. Last week, Mayor Cook attended a meeting with other municipalities of Pickens County to discuss this new fee. Presently, the Municipal Court already collects fees and surcharges that are forwarded to the State, and 10.56% of a fine is transmitted to the Office of Indigent Defense for this purpose. In fiscal year 2014/2015, the Municipal Court forwarded $26,029 of fees to the State (in Court fees that are added to the imposed fine).

The Thirteenth Circuit Court Defender has requested that the Pickens County municipalities pay a total of $40,000 annually for the costs of paying for a public defender in the municipal courts. This fee would be in addition to the fees that are already imposed in the surcharges that are collected by the Municipal Court. Attached to this agenda page is a power point information package that was provided at the meeting last week. Representatives of municipalities within Pickens County will be meeting to discuss a formula for allocating the respective cost share of the $40,000 request of the Defender's Office. No action is required by City Council at this time, and this information is provided to City Council so that you are apprised of this new situation.