



RESOLUTION No. 18-012

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO ADOPT A REVISED FEE SCHEDULE FOR THE PUBLIC DEFENDER'S OFFICE

WHEREAS, the Public Defender's Office has the statutory and Constitutional obligation to defend indigent persons accused of committing criminal offenses; and

WHEREAS, Penal Code Section 987.4, 987.5, 987.8 and Welfare and Institutions Code Sections 659, 903.1, 903.15, 903.45 permit the court to order the reimbursement to the County for the costs of the appointment of the Public Defender's Office; and

WHEREAS, Senate Bill 190 (effective January 1, 2018) amended Sections 659, 903.1, and 903.45, repealed Section 903.15 of the Welfare and Institutions Code; and

WHEREAS, the changes enacted by Senate Bill 190 repeals county authority to charge fees for legal representation of juveniles; and

WHEREAS, in order to comply with state law as amended in Senate Bill 190, the County of Nevada desires to remove the fees related to juvenile indigent defense from the Public Defender Fee Schedule; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that the Public Defender's Office fees as set forth in Exhibit "A" attached hereto are hereby adopted.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of January, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

Exhibit A

Proposed Public Defender Flat Rate Fee Schedule			
Amount	Description	Breakdown	Reference
\$250*	Misdemeanor Flat Rate	\$220 Indigent Defense Fee \$ 30 Collections Fee**	Penal Code §§ 987.5, 987.8, 1463.007; BOS Resolution 10-408 BOS Resolution 17-244
\$450*	Felony Flat Rate	\$420 Indigent Defense Fee \$ 30 Collections Fee**	Penal Code 987.5, 987.8, 1463.007; BOS Resolution 10-408 BOS Resolution 17-244
<p>*includes \$50 Registration Fee [Penal Code 987.5(a)¹ and BOS Resolution 10-040] **or \$35 if turns to installment account [Penal Code 1205(d) and BOS Resolution 96-460]</p>			

¹Penal Code 987.5(a): “Every defendant shall be assessed a registration fee not to exceed fifty dollars (\$50) when represented by appointed counsel. Notwithstanding this subdivision, no fee shall be required of any defendant that is financially unable to pay the fee.”