

Council Resolution 03-05

Georgia Public Defender Standards Council

Whereas, the Georgia Public Defender Standards Council is authorized by O.C.G.A. §17-12-36 to permit a judicial circuit composed of a single county to continue in effect an alternative delivery system to the one set forth in Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated; and

Whereas, O.C.G.A. § 17-12-36 (a) (2) authorizes the Standards Council to permit a judicial circuit composed of a single county to continue in effect an alternative delivery system if the Council determines, by a majority vote of the entire council, that the alternative delivery system meets or exceeds its standards; and

Whereas, the Clayton County Board of Commissioners has passed a Resolution stating the intent to provide an alternative delivery system; and

Whereas, the Georgia Public Defender Standards Council has reviewed the Opt Out Application and Questionnaire submitted by the Clayton County Board of Commissioners; and

Whereas the Georgia Public Defender Standards Council and the Clayton County Board of Commissioners have agreed that a “hybrid” delivery system is an effective alternative delivery system; and

Whereas the Georgia Public Defender Standards Council and the Clayton County Board of Commissioners have agreed to a Memorandum of Understanding Concerning the Provision of Indigent Defense in Clayton County;

It is hereby Resolved by the Standards Council that the hybrid delivery system as defined in the Memorandum of Understanding between the Georgia Public Defender Standards Council and the Clayton County Board of Commissioners is approved as an alternative delivery system, subject to the condition that the Clayton County Board of Commissioners approve and sign the Memorandum of Understanding at its December 20, 2005 meeting.

This 9 day of December, 2005.

Attested:

Emmet J. Bondurant
Chairman

David J. Dunn, Jr.
Secretary