

RESOLUTION NO. 24-175

**A RESOLUTION OF THE CANYON COUNTY BOARD OF COUNTY COMMISSIONERS TERMINATING PUBLIC DEFENSE EXPENSES AND CONTRACTS**

The following resolution and Order is considered and adopted by the Canyon County, Idaho Board of County Commissioner ("Board") on this 26<sup>th</sup> day of September, 2024

Upon the motion of Commissioner Brooks and the second by Commissioner VanBroek, the Board resolved as follows:

**WHEREAS**, Idaho Code § 31-801 grants general powers and duties, subject to the restrictions of law, to the Board in their respective counties; and

**WHEREAS**, Idaho Code § 31-828 grants the Board authority "to do and perform all other acts...which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and

**WHEREAS**, Idaho Code § 19-859 currently delegates the provisions for constitutional public defense services to the boards of county commissioners; and

**WHEREAS**, Idaho Code § 19-860 authorizes the boards of county commissioners to elect and comply with such mandate by establishing and maintaining an office of public defender, prescribing the qualifications of such and providing the process by which a public defender is appointed; and

**WHEREAS**, Pursuant to Idaho Code § 19-860, Canyon County established a Public Defender's Office and funded said office as well as entered into contracts to provide support for the Canyon County Public Defender's Office, including contracts for conflict counsel representation when necessary to support the Public Defender's Office and indigent clients; and

**WHEREAS**: Pursuant to Idaho Code §§ 19-6008(1)(a) and 19-6008(b), beginning October 1, 2024, all counties are released from financial and legal obligation to provide indigent public defense, including personnel, office essentials, software and technology, and any other expense necessary for indigent defense services; and

**WHEREAS**, with the release of financial and legal obligation to provide indigent public defense all public defense contracts for conflict attorneys and other providers as listed in Exhibit "A" will not renew as scheduled in their current agreements and all contractors will be notified of the non-renewal;

**NOW THEREFORE**, in accordance with the terms of this Resolution, **THE BOARD DOES HEREBY RESOLVE AND CONCLUDE**, that all contractors listed in Exhibit "A" will be notified that their agreements will not renew on October 1, 2024. All contractors must submit final invoices for final billing through September 30, 2024 for approval and payment as outlined

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AND EXPENSES

in their contracts. Any billing or expenses incurred after September 30, 2024 are not the legal or financial responsibility of Canyon County.

20<sup>th</sup> **IT IS FURTHER RESOLVED BY THE BOARD**, that is resolution be effective this day of September, 2024.

- ☒ Motion Carried Unanimously  
☐ Motion Carried/Split Vote Below  
☐ Motion Defeated/Split Vote Below

Brad Holton  
Commissioner Brad Holton

Yes  
X

No  
\_\_\_\_\_

Did Not Vote  
\_\_\_\_\_

[Signature]  
Commissioner Leslie Van Beek

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\_\_\_\_\_

Zach Brooks  
Commissioner Zach Brooks

X

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ATTEST: RICK HOGABOAM, CLERK

By: J Ross  
Deputy Clerk

EXHIBIT A

1. Rondee Blessing
2. Joshua Taylor
3. Jay Kiiha
4. Alexa (Ali) Perkins
5. Bethany Harder (Haase)
6. Jolene Malone
7. Paul Taber
8. Krista Howard
9. Andrew Jenkins
10. Jeffrey Nielson
11. Abigail Morehouse