

Contract / Leases / Agreements / Grants Form

This is	New		Renewal	<input checked="" type="checkbox"/>	Filling this out on a computer? Please type an X into the appropriate box.
This is a Grant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	If you marked YES this needs to go through Grant Review.
This is an	Agreement <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Lease <input type="checkbox"/> Other _____:				
Name of Entity who Contract / Lease / Agreement / Grant is with	MIDC - Michigan Indigent Defence Counsel				
Project Name	FY23 Cost Revision- Contract Update				
Attorney Review	All Contracts / Leases / Agreements / Grants must have Attorney Review and approval through the Commissioner's Office.				
Insurance Review	All Contracts / Leases / Agreements / Grants must have appropriate insurance coverage per the attached list. It is the Department Heads responsibility to make sure that all requirements are met and listed on the insurance certificate.				
Total Amount	\$941,015.46				
Organization Match	\$779,252.65				
County Match	\$161,762.81 (same as previous Agreement - no amendment to County match)				

I have reviewed and approved this Contract / Lease / Agreement / Grant and attached appropriate insurance:

MIDC/Apex PD Office	1/31/23
The Department Head Requesting	Date Signed

GRANT REVIEW COMMITTEE APPROVAL:

County Clerk: <i>[Signature]</i>	Date Signed: 1/31/23	I am requesting a meeting	
County Treasurer: <i>[Signature]</i>	Date Signed: 2-21-23	I am requesting a meeting	
Finance Chairman: <i>[Signature]</i>	Date Signed: 1/31/23	I am requesting a meeting	
County Administrator: <i>[Signature]</i>	Date Signed: 1/31/23	I am requesting a meeting	

Please do NOT mark below this line

INTEROFFICE USE ONLY

Date Received: 1/27/23	Date Sent for Attorney Review: n/a
Attorney Approval Received: n/a	Insurance Received: on file

- Cost Analysis Revision Request (action item)

Alpena County

FY22 approved total system cost: \$ 675,423.47

FY23 APPROVED total system cost: \$ 775,167.98

FY23 revised request: \$941,015.46

Approved 2022: Non-profit PD vendor system with contract attorney overflow/conflict panel. Panel handles arraignments.

Request for increase to cost analysis: (Total requested increase +\$153,101.48) This system, which has previously budgeted for two capital cases per year, added 3 more capital cases to the budget in anticipation of the filing of charges in a 3-defendant double homicide. The budget included \$ 36,000 increase in capital attorney fees to cover these cases. It also included expert and investigator fees of \$20,000 which represented an increase of \$7,500 for these cases. None of the additional funds have been spent yet.

After nearly 2 years of investigation, the AG filed murder charges charging 3 defendants in two homicides. It is anticipated that there will likely be 3 trials. The discovery at present is nearly 20,000 pages, and over 150 hours of recorded witness interviews. Multiple experts will be needed (cell phone, pathology, ballistics), as well as court transcripts, transcripts of the recorded interviews, and a coordinating discovery attorney to assist in managing and organizing the discovery.

Due to conflicts, it became necessary to obtain a attorney from Wexford County for the primary defendant. This will add both travel time and lodging expenses to the budget for this trial.

In addition, a younger attorney needing capital experience has agreed to do second chair work for the primary defendant. This is primarily training for him to qualify for capital cases. .

To date, the contract attorney has been paid \$4,682.91 in attorney fees. he has also incurred expenses of \$9,920.30. This leaves \$45,396.79 left in the amount budgeted for these cases.

Defense counsel have submitted a joint budget for the case expenses through the end of FY23. There will be substantially more expenses in FY 24, since the trials will occur in FY 24. The funds needed for these cases in FY 23 is \$204,577.60. therefore, an additional \$159,200.81 is needed.

These funds include:

Attorney fees (including possible interlocutory		
appeals		\$60,840
Second chair attorney		\$6,840
Experts and discovery services		\$108,550
Investigators and researchers		\$17,60
Miscellaneous (mileage, transcripts,		
Lodging, etc)		\$12,167.85
Subtotal	\$205,997,85	
Unspent attorney fees		\$45,396.79
Unspent expert and investigator fees		\$7,500
Added case funds needed:	<u>\$153,101.48</u>	

The PD office has had a reallocation of their attorney assignments as a result of this case. A very experienced attorney had hired in to handle misdemeanors and was paid at a reduced rate. This case has required him to do second chair duties as well as other felony assignments. It is only fair to pay him now at the same rate as the other staff attorney who handles a mixture of felonies and misdemeanors. This will require an additional amount of **\$12,746** in salary and fringes for the remainder of FY 23.

The total amount requested to be added to the Alpena budget for FY 23 is **\$165,847.48**.