

No. 2022-____

RESOLUTION

***A Resolution of County Council for the County of Luzerne
Approving the Transfer of Funds Between Line Items in 2022 Fiscal Year Budget***

WHEREAS, criminal defendants charged with misdemeanor crimes who economically qualify are entitled to representation through the Public Defender's Office; and

WHEREAS, due to low staffing levels within the Public Defender's Office, the Chief Public Defender has elected to not have his office represent criminal defendants charged with misdemeanor crimes; and

WHEREAS, the Luzerne County Court of Common Pleas has agreed to independently contract with licensed attorneys in order to provide representation to criminal defendants charged with misdemeanor crimes; and

WHEREAS, the Public Defender's Office has agreed to transfer unused salary funds in the amount of \$42,000.00 from its budget to the Court of Common Pleas to assist in funding additional staff positions within that division to represent criminal defendants charged with misdemeanor crimes; and

WHEREAS, pursuant to Section 5.07 of the Home Rule Charter of Luzerne County, County Council adopted the 2022 Fiscal Year Budget which accounted for anticipated revenue and expenses; and

WHEREAS, Section 5.10.E. of the Home Rule Charter states at any time during the fiscal year, County Council may, by resolution adopted by an affirmative vote of at least a majority of its current members, make transfers of part or all of any unencumbered balance from any division, elective office, the Judiciary, Office of Court Administration, or other administrative unit or budgetary function to any other division, elective office, the Judiciary, Office of Court Administration, or other administrative unit or budgetary function; and

WHEREAS, Luzerne County Council desires to transfer unused salary funds from the Public Defender's Office to Court of Common Pleas to fund the representation of criminal defendants charged with misdemeanor crimes.

NOW, THEREFORE, be it RESOLVED, by the Luzerne County Council:

SECTION ONE. Incorporation of Preamble.

The provisions set forth in the preamble to this Resolution are incorporated herein by reference in their entirety.

SECTION TWO. Transfer of Funds Between Budget Line Items.

County Council hereby approves the transfer of funds between the following line items in the 2022 fiscal year budget from the Public Defender’s Office to the Luzerne County Court of Common Pleas at the following line item numbers:

- Add funds to line item 100.13.4184.560.17 in the amount of \$42,000.00.
- Subtract funds from line item of 100.80.4152.510.20 in the amount of \$42,000.00.

SECTION THREE. Remainder of Budget.

All other line items in the 2022 Fiscal Year Luzerne County Budget shall remain unchanged.

SECTION FOUR. Effective Date.

This Resolution shall become effective immediately.

Adopted by County Council, this _____ day of _____, 2022.

LUZERNE COUNTY COUNCIL

AYES:
NAYS:

Attest:

Kendra Radle, Chair

Sharon Lawrence, Clerk of County Council

Randy Robertson, County Manager