

RESOLUTION #20-88

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

12 NOW, THEREFORE, BE IT RESOLVED that the Marshall County Board, in regular session, this day of NOV, 2020 does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney, prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act, and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that if the Office of the State's Attorneys Appellate Prosecutor is duly appointed to act as a Special Prosecutor in this County by a court having jurisdiction, this County will provide reasonable and necessary clerical and administrative support and victim-witness coordination on an as-needed basis and will also cover all reasonable and necessary case expenses such as expert witness fees, transcripts, evidence presentation, documents, lodgings, and all other expenses directly related to the prosecution of the case.

BE IT FURTHER RESOLVED that the Marshall County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor, commencing December 1, 2020 and ending November 30, 2021, by hereby appropriating the sum of \$5,500.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the stated twelve month period.

12 Passed and adopted by the County Board of Marshall County, Illinois, this day of NOV, 2020.

ATTEST:

County Clerk

Chairman

Gary Kroschke



STATE'S ATTORNEYS APPELLATE PROSECUTOR

Administrative Office • 725 South Second Street • Springfield, IL 62704 • 217-782-1628 • Fax 217-782-6305

PATRICK J. DELFINO
DIRECTOR

DAVID J. ROBINSON
CHIEF DEPUTY DIRECTOR

DEPUTY DIRECTORS

EDWARD R. PSENICKA
SECOND DISTRICT

THOMAS D. ARADO
THIRD DISTRICT

DAVID J. ROBINSON
FOURTH DISTRICT

PATRICK D. DALY
FIFTH DISTRICT

BOARD OF GOVERNORS

FIRST DISTRICT:
KIMBERLY M. FOX
STATE'S ATTORNEY
COOK COUNTY

SECOND DISTRICT:
ROBERT BERLIN
STATE'S ATTORNEY
DuPAGE COUNTY

ERIC WEIS
STATE'S ATTORNEY
KENDALL COUNTY

THIRD DISTRICT:
COLBY HATHAWAY
STATE'S ATTORNEY
HENDERSON COUNTY

STEWART J. UMHOLTZ
STATE'S ATTORNEY
TAZEWELL COUNTY

FOURTH DISTRICT:
BEN GOETTEN
STATE'S ATTORNEY
JERSEY COUNTY

GRAY H. NOLL
STATE'S ATTORNEY
MORGAN COUNTY

FIFTH DISTRICT:
DENTON AUD
STATE'S ATTORNEY
WHITE COUNTY

MICHAEL M. HAVERA
STATE'S ATTORNEY
CHRISTIAN COUNTY

BRANDON J. ZANOTTI
STATE'S ATTORNEY
WILLIAMSON COUNTY

www.ilsaap.org

BEN GOETTEN
CHAIRMAN

October 29, 2020

Honorable Paul E. Bauer
Marshall County State's Attorney
122 North Prairie Street
P.O. Box 328
Lacon, Illinois 61540

Dear State's Attorney Bauer:

I am enclosing an Invoice Statement for Marshall County in the amount authorized by our Board together with the requisite county resolution form. Also, I am pleased to inform you that your County's contribution will remain the same as last year as will the terms of the resolution.

The resolution serves as the official contract between your county and our Agency. Because of audit requirements, we must have a signed copy of the resolution without any changes being made. Unless you send the signed resolution, we are unable to provide any legal services to your county. When the resolution is approved, kindly return a fully executed copy to our Agency.

As always, thank you for your active support.

Looking forward to working with you in the upcoming year.

Very Truly Yours,



Patrick J. Delfino
Director



STATE'S ATTORNEYS APPELLATE PROSECUTOR

Administrative Office • 725 South Second Street • Springfield, IL 62704 • 217-782-1628 • Fax 217-782-6305

PATRICK J. DELFINO
DIRECTOR

BEN GOETTEN
CHAIRMAN

October 29, 2020

Honorable Paul E. Bauer
Marshall County State's Attorney
122 North Prairie Street
P.O. Box 328
Lacon, Illinois 61540

COLLECTION OF COUNTY MATCHING FUNDS December 1, 2020 - November 30, 2021

County contribution for participation in the State's Attorneys Appellate Prosecutor's Program.

AMOUNT DUE: \$5,500.00

Make check payable to **State's Attorneys Appellate Prosecutor's County Fund** and remit to:

Gloria Mundy
Chief Fiscal Officer
State's Attorneys Appellate Prosecutor
725 South Second Street
Springfield, Illinois 62704

For questions please contact Gloria Mundy at 217-782-1632 or gmundy@ilsaap.org.

PLEASE NOTE: A signed resolution must be returned to the Agency as soon as possible. The resolution serves as your contract with the Agency and must be kept by the Agency for auditing purposes.

PLEASE SUBMIT PAYMENT TO THE AGENCY FOR YOUR COUNTY CONTRIBUTIONS ONLY
... do not include payment for any other billing statement such as for special prosecution charges, cannabis fines, etc.