

TUESDAY, DECEMBER 10, 2015

**APPROVED MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING HELD**

**STATE OF MINNESOTA)
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2015-23 C.O.W.

The Dodge County Commissioners met in Committee of the Whole December 10, 2015, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:00 a.m. CDT. Chair John Allen opened the meeting at 9:00 a.m. CDT.

Meeting Convened

The Chair acknowledged those present:

Those Present

Members present:	John Allen	District #1
	Tim Tjosaas	District #2
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5
Members absent:	None	
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy Clerk
	Lea Hall	Court Administrator

Court Administrator Lea Hall met with the Board to discuss Court Appointed Attorney fees.

Court Appointed
Attorney Fees
Discussion

County Administrator Jim Elmquist met with Judge Jodi Williamson and the Court Administrator last week regarding the county's Court Appointed Attorney issue arising from a recent conversation at a Board meeting. The following information was shared with Mr. Elmquist during the meeting with Judge Williamson and Ms. Hall: in 2014, overall, the county had 14 CHIPS cases – to date in 2015, there were 23 (as of November 24, 2015). These cases drive the Court Administration budget cost due to the magnitude of time spent along with the potential for the number of individuals needing representation in a specific case. As a note, the rise in number of these cases along with cost seems to be a trending as a state-wide issue. Also, the state requires certain training for Attorneys in handling these cases and at this time, and since 2013, Dodge County has no one with this training.

Included in the Board packet was the county's Court Appointed Attorney roster for the Board's review.

It was noted that relative to other types of commitments, there were two mental health/chemical dependency commitments in 2014 and seven in 2015. These commitments tend to move quickly, within 72 hours, so not a lot of Attorney time is billed back to the county. And while there are some conservator/guardianship appointments, it's very few over the course of a year.

The cost for Court Appointed Attorney fees is capped at \$100/hour and in some cases; mileage can be an eligible expense.

Ms. Hall discussed with the Board cases that have rolled over from one year to another and the impact this has on their budget.

Court Appointed
Attorney Fees
Discussion -
Continued

Commissioner Erickson questioned why there would be a rollover of cases.

The Court Administrator reported unification with the parents is their primary goal. Unification of the parents is not a quick process and sometimes results in a rollover of a case from one year to the next.

CHIPS training for Attorneys was briefly discussed.

Discussion took place on the hourly cost of Court Appointed Attorneys. It was reiterated this cost is capped at \$100/hour.

Commissioner Peterson commented he prefers to use Dodge County Attorneys.

Ms. Hall reminded the Board that with CHIPS cases they cannot use Dodge County Attorney's; they aren't trained to work on CHIPS cases. The Court Administrator noted they do try to use Dodge County Attorneys on other cases.

Commissioner Gray wanted to know if the increase in Court Appointed Attorney's was a trend that Ms. Hall sees subsiding in the future.

Ms. Hall was unsure whether or not this trend would subside in the future. The Court Administrator stated Court Appointed Attorney usage has imploded in the last year.

Commissioner Erickson wanted to know if the need for Court Appointed Attorneys is somehow related to the difference in Judges.

Ms. Hall discussed with the Board several of factors that have an impact on determining whether or not a Court Appointed Attorney is needed.

Commissioner Gray asked Ms. Hall to share with them what the acronym CHIPS stands for.

Ms. Hall indicated CHIPS stands for child in need of protective services.

Commissioner Allen commented it's an unfortunate situation the county is in but there isn't much we can do about it.

Commissioner Gray wanted to know if the Court Administrator had any recommendation to address this issue in the future.

Ms. Hall stated she could see if county Attorneys are interested in becoming CHIPs Attorneys. The Court Administrator noted the cost is \$100/hour regardless and the fee includes mileage.

It was Commissioner Gray's opinion that using someone local may help reduce some of the extra Court Appointed Attorney fees.

Commissioner Peterson reported we have created a mess for Court Administration with the courthouse remodeling projects and wanted to know how things are going for them in their temporary location here at the Government Services Building.

Court Appointed
Attorney Fees
Discussion -
Continued

Ms. Hall informed the Board they are very happy with how things are going here and noted it's been a real nice alternative during the remodeling of the courthouse.

Commissioner Allen thanked Ms. Hall for the information.

The Chair adjourned the meeting at 9:29 a.m. CDT.

Meeting Adjourned

ATTEST:

**JOHN ALLEN
CHAIR, COUNTY BOARD**

**BECKY LUBAHN
DEPUTY CLERK**

DATED: