

RESOLUTION NO. R-90-112

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROPRIATE SUFFICIENT FUNDS FOR INDIGENT CRIMINAL APPELLATE REPRESENTATION.

WHEREAS, Florida Statute Section 27.51(4) (1989) requires the Public Defender for the Tenth Judicial Circuit to process all indigent felony appeals arising out of the Circuit Court in and for Manatee County; and

WHEREAS, the Supreme Court of Florida recently issued an opinion in the case of In re: Order on Prosecution of Criminal Appeals by the Tenth Judicial Circuit Public Defender, Nos. 74,574, 74,580, 74,629, 74,630, 74,631 (Fla. May 3, 1990), in which Manatee County was a party Petitioner; and

WHEREAS, the Supreme Court of Florida urged the Florida Legislature to appropriate sufficient funds in order for private counsel to handle the Tenth Circuit Public Defender's backlog of pending appeals; and

WHEREAS, absent such appropriation, convicted felons may be released from custody pending appeal, and the counties will bear the primary responsibility of compensating court-appointed private counsel for indigent appellants; and

WHEREAS, the statutory scheme governing indigent appellate representation was developed and enacted by the Florida Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, as follows:

1. The Board of County Commissioners of Manatee County, Florida, urges the Florida Legislature, via the state legislative delegation of Manatee County, to:

a. Adequately fund the statutory scheme created by the legislature for legal representation of indigent criminal appellants;

b. Appropriate sufficient funds in order to alleviate the Tenth Circuit Public Defender's backlog of delinquent

3. This Resolution shall take effect immediately upon its adoption.

ADOPTED, with a quorum present and voting this 22nd day of MAY, 1990.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Parvinder Ploss*
Chairman

ATTEST: R. B. SHORE
Clerk of Circuit Court

[Signature]

Resolution R-90-112

criminal appeals, and compensate private counsel that may be appointed pursuant to the opinion in In re: Order on Prosecution of Criminal Appeals by the Tenth Circuit Public Defender; and

c. Appropriate sufficient funds for the Tenth Circuit Public Defender to fulfill his statutory obligation to process all present and future indigent appeals originating in the Circuit Court in and for Manatee County without the appointment of special appellate counsel.

2. The Board Records Division of the Clerk of Circuit Court for Manatee County is hereby directed to mail a certified copy hereof to:

Hon. Bob Martinez
Governor
The Capitol
Tallahassee, FL 32399-0250

Hon. Bob Crawford
President of the Senate
Suite 409
The Capitol
Tallahassee, FL 32399-1100

Hon. Marlene Woodson-Howard
State Senator
216 Senate Office Building
Tallahassee, FL 32399-1100

Hon. Tom Gustason
Speaker of the House of Representatives
Room 420, House Office Building
Tallahassee, FL 32399

Hon. Toby Holland
State Representative
Room 418, House Office Building
Tallahassee, FL 32399-1300

Hon. Peggy Simone
State Representative
Room 30, House Office Building
Tallahassee, FL 32399

Hon. Robert A. Butterworth
Attorney General
The Capitol
Tallahassee, FL 32399-1050

Hon. J. Marion Moorman
Tenth Judicial Circuit Public Defender
255 N. Broadway
P.O. Box 9000
Drawer PD
Bartow, FL 33830