



MARIPOSA COUNTY

County Counsel • (209) 966-3222



RESOLUTION - ACTION REQUESTED 2016-190

MEETING: April 26, 2016

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Resolution Approving Agreement for Small Claims Legal Advisor

RECOMMENDATION AND JUSTIFICATION:

Approve the Extension of a Small Claims Legal Advisor Agreement for Fiscal Year 2016/2017; and Authorize the Board of Supervisors Chair to Sign the Agreement.

Approval of this Agreement will enable members of the local Bar Association to provide individual advisory assistance services required by Code of Civil Procedure § 116.940 to small claims court litigants and potential litigants.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In February 1982, the Board adopted Resolution No. 82-18 to provide small claims court litigants and potential litigants with individual advisory assistance. A renewal Resolution has been adopted each fiscal year thereafter to comply with State law.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve Agreement. The County would not be in compliance with State law.

FINANCIAL IMPACT:

None. Paid from a small claims filing fee account bi-annually.

ATTACHMENTS:

SmClaims Advisor (DOC)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodsol

Mary Hodsol, CAO

4/20/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier

EXTENSION OF AGREEMENT FOR SMALL CLAIMS LEGAL ADVISORS

WHEREAS, pursuant to Resolution No. 82-18, the Board of Supervisors of Mariposa County entered into an Agreement with members of the Mariposa County Bar Association, at their option, to provide the individual advisory assistance services required by Code of Civil Procedure § 116.940 to small claims court litigants and potential litigants, and

WHEREAS, each fiscal year, the Agreement is renewed to identify individuals willing to serve in the capacity of Small Claims Legal Advisors;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that the attached "NOTICE OF ACCEPTANCE" shall extend the current Agreement through the 2016/2017 fiscal year.

BE IT FURTHER RESOLVED that the Auditor shall pay those individuals participating in this program on a bi-annual basis, **upon the submission of an invoice by each participant to the Superior Court**, with the first payment during the regular billing period in July 2016 for services rendered from April through June 2016, the next payment being January 2017 for services rendered from July through December 2015, and the final payment during the regular billing period in July 2017 for services rendered from January through June 2017.



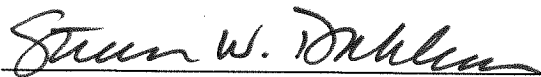
JOHN CARRIER, Chair
Mariposa County Board of Supervisors

ATTEST :

APPROVED AS TO FORM :



RENE LAROCHE
Clerk of the Board



STEVEN W. DAHLEM
County Counsel

NOTICE OF ACCEPTANCE

I, the undersigned, agree to serving on the Small Claims Legal Advisor Program of Mariposa County for fiscal year July 1, 2016 through June 30, 2017.

David D. Haycraft
David D. Haycraft
849 W. 20th Street
Merced, CA 95349
(209) 626-9349

Date: 4/05/2016

NEW ADDRESS:
806 W. 19th ST,
MERCEN, CA 95340