

RESOLUTION

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE OFFICE OF THE ILLINOIS STATE'S ATTORNEY APPELLATE PROSECUTOR FOR FISCAL YEAR 2025

WHEREAS, the Office of the State's Attorney Appellate Prosecutor was created to provide service to state's Attorney's in counties containing less than 3,000,000 inhabitants; and

WHEREAS, the power and duties of the State's Attorney Appellate Prosecutor defined and enumerated in the State's Attorney 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 Attorney Appellate Prosecutor, one third from the State's Attorney Appellate Prosecutor's County Fund and two-thirds from the State's 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 Attorney 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

NOW THEREFORE BE IT RESOLVED, that the McHenry County Board, hereby supports the continued operation of the Office of the State's Attorney Appellate Prosecutor; and

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

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

BE IT FUTHER RESOLVED, that if the Office of the State's Attorney 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, lodging, and all other expenses directly related to the prosecution of the case; and

BE IT FURTHER RESOLVED, that the McHenry County Board agrees to participate in the service program of the Office of the State’s Attorney Appellate Prosecutor, commencing December 1, 2024, and ending November 31, 2025, by hereby appropriating the sum of \$47,000.00 (Main Account 437200, Division 4500, Fund 100) 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 Attorney Prosecutor and agrees to deliver the same to the Office on request during the stated twelve month period; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the State’s Attorney, County Auditor, County Treasurer, Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this _____ day of _____, A.D., 2024

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk