

ORDINANCE NO. 2023- -CM

**AMENDING SECTION 31.207 OF THE TIPPECANOE COUNTY CODE
CONCERNING THE TIPPECANOE COUNTY PUBLIC DEFENDER BOARD**

WHEREAS, County Code 31.207 sets forth requirements pertaining to membership and appointment of the Tippecanoe County Public Defender Board; and

WHEREAS, the process for board member appointment was amended by the Indiana General Assembly pursuant to P.L. 69-2019, SEC 4; and

WHEREAS, the Board of Commissioners wishes to amend County Code Section 31.207 to reflect the proper statutory requirements; and

WHEREAS, the County Code contains certain provisions related to staggered terms for initial appointments to the board which became obsolete on or before January 1, 2007, and which should be removed;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Tippecanoe County, Indiana, that section 31.207 of the Tippecanoe County Code be amended to read as follows:

§ 31.207 BOARD MEMBERSHIP AND APPOINTMENT.

(A) The Board shall consist of three members appointed in a manner consistent with IC 33-40-7-3: one member appointed by the County Commissioners; one member appointed by majority vote of the judges who exercise felony or juvenile jurisdiction; and one member appointed by the Indiana public defender commission who must be a resident of the county or region managing the public defender's office.

(B) After the initial term of each member, appointment shall be for three-year terms. Members of the Board shall serve until their successor is appointed. An appointment to fill a vacancy shall be made by the authority appointing the member vacating the position and shall be for the remainder of the unexpired term.

(C) The following persons shall be ineligible to serve as members of the Board: a city, town or county attorney; a law enforcement officer; a judge; a court employee; an attorney who provides representation to indigent persons in the county or region managed by the public defender board; an employee of the department of child services; or an employee of any of the individuals described in this subsection.

(D) Board members shall serve without pay but may receive reimbursement for expenses incurred in connection with the member's duties if approved by the Board.

(E) Two members of the Board shall constitute a quorum for the purpose of conducting the business of the Board. Decisions of the Board shall be approved by a majority of the members present.

(F) The Board shall meet at least quarterly or upon call of its chairperson or any two members of the Board.

(G) The Board shall elect its chairperson by a majority of the Board.

This Ordinance shall be in full force and effect immediately upon its passage and signing.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this _____ day of _____, 2023, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor of Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on second reading this _____ day of _____, 2023, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor of Tippecanoe County