

RESOLUTION 18-___

**A RESOLUTION OF THE COCHISE COUNTY BOARD OF SUPERVISORS
ESTABLISHING A DEFERRED PROSECUTION FEE SCHEDULE**

WHEREAS, the Cochise County Attorney maintains a Deferred Prosecution Program pursuant to A.R.S. § 11-361 et. seq.; and

WHEREAS, pursuant to A.R.S. § 11-363, the County maintains a Deferred Prosecution Fund that consists of County general fund monies, federal monies, and grants, gifts, devises, or donations from any public or private source that is used at the discretion of the County Attorney for the administration of the Deferred Prosecution Program; and

WHEREAS, pursuant to A.R.S. § 11-251.08, the County may adopt fee schedules for products and services it provides to the public as part of the Deferred Prosecution Program. Any such fee or charge must be attributable and defray or cover the expense of the products or services provided. The fee or charge shall not exceed the actual cost of the product or service; and

WHEREAS, the Board of Supervisors wishes to adopt a schedule of fees pursuant to A.R.S. § 11-251.08, to be deposited into the Deferred Prosecution Fund to offset the costs of the Cochise County Attorney's deferred prosecution program; and

WHEREAS, public notice with at least 15 days' published notice was provided before the public hearing to adopt a schedule of fees pursuant to A.R.S. § 11-251.08.

NOW, THEREFOR, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA THAT:

- A.** The schedule of deferred prosecution fees attached hereto as "Exhibit A" is authorized and approved pursuant to A.R.S. § 11-251.08.

RESOLUTION 18-

A Resolution of the Cochise County Board of Supervisors Establishing a Deferred Prosecution Fee Schedule

Page | 2

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA THIS _____ DAY OF _____, 2018.

Peggy Judd, Chairman

ATTEST:

APPROVED AS TO FORM:

Arlethe G. Rios, Clerk of the Board

Elda E. Orduño, Deputy County Attorney

EXHIBIT A

COCHISE COUNTY ATTORNEY'S OFFICE ADULT DIVERSION PROGRAM FEES SCHEDULE

Felony Cases:

Program Fee of \$70 per month

Misdemeanor Cases:

Traditional six-month program, \$70 per month

Conditional plea program, one-time program fee of \$500