

RESOLUTION 2021 - 72

REQUEST FOR PROSECUTORIAL ASSISTANCE

WHEREAS, the County Attorney has requested prosecutorial assistance in the case of *State v. Mitchell Scott Patterson, DDC 2021-112* a prosecution pending in the Lewis and Clark County First District Court and about to move to the Montana First Judicial District Court, Lewis and Clark County, and;

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of the aforementioned case, and

WHEREAS, the Montana Department of Labor has undertaken the prosecution of the case because it involves allegations the defendant committed the theft of unemployment insurance benefits;

WHEREAS, the Montana Department of Labor has indicated to the County Attorney Office it anticipates attorney Dan Baris will join in the prosecution of the case and requests his appointment to act as special counsel with the approval of the board of county commissioners, and

IT IS HEREBY RESOLVED:

That the attorneys assigned to the Montana Department of Labor including Dan Baris are hereby appointed as special deputy county attorneys for Lewis and Clark County for the purpose of assisting in the prosecution of the aforementioned case and that any of said deputies can fulfill the functions set out in Mont. Code Ann. § 44-4-103.

IT IS FURTHER RESOLVED:

That under the terms of this agreement, no fee will be charged for attorney time provided by the Montana Department of Labor. Witness fees and expenses, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

Dated this 19 day of August 2021.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair

