

**COUNTY OF UNION,  
ILLINOIS**

**RESOLUTION SUPPORTING CONTINUED OPERATION OF THE STATE'S  
ATTORNEYS APPELLATE PROSECUTOR FOR FISCAL YEAR 2017**

**WHEREAS**, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and

**WHEREAS**, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the State's Attorneys Appellate Prosecutor's Act, 725 ILCS 210/1 *et seq.*; and

**WHEREAS**, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the 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 Attorneys 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.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, ILLINOIS, AS FOLLOWS:**

**Section 1:** The Board of Commissioners of the County of Union, Illinois does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

**Section 2:** That the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

**Section 3:** That the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorney and Assistant State's Attorneys.

**Section 4:** That the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

**Section 5:** That the Board of Commissioners of the County of Union, Illinois hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2017, commencing December 1, 2016, and ending November 30, 2017, by hereby appropriating the sum of seven thousand dollars (\$7000) 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 Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2017.

**Section 6:** This resolution shall be effective upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** at a special meeting of the Board of Commissioners of the County of Union, Illinois this 5<sup>th</sup> day of December, 2016.

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*Bobby Toler Jr.*, Chairman

ATTEST:

*Terry Bartruff*  
\_\_\_\_\_  
Terry Bartruff  
Union County Clerk

Commissioners voting aye: Russell, Miller, Foster, Toler, Hartline

Commissioners voting nay: \_\_\_\_\_

Abstention(s): \_\_\_\_\_

Absent: \_\_\_\_\_