



## COUNTY ATTORNEY MEETING COMMUNITY ROOM

This meeting may be closed to the public.

**November 7, 2022 @ 1:45 PM**

- **Discussion re:** Seasonal Road Closure.
- **Discussion and Decision re:** Resolution Appointing Special Deputy County Attorney.

RESOLUTION No. 2022-151

**A RESOLUTION APPOINTING SPECIAL DEPUTY COUNTY ATTORNEY**

This Resolution was introduced by \_\_\_\_\_; moved by Commissioner \_\_\_\_\_; and seconded by Commissioner \_\_\_\_\_. The Resolution was adopted \_\_\_\_\_.

Whereas, the Gallatin County Attorney has requested prosecutorial assistance in the case of *State v. Sean Patrick McCormack* 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, Mont. Code Ann. § 44-4-111 authorizes and contemplates that the training coordinator for county attorneys and the bureau chief of the Division of Criminal Investigation (together with the deputies within said Division) act as special counsel on request of the county attorney and upon the approval of the board of county commissioners, and

Whereas, Mont. Code Ann. § 2-15-501(6) authorizes the Attorney General to provide assistance to county attorneys in the discharge of his or her duties.

IT IS HEREBY RESOLVED:

That the attorneys assigned to the Division of Criminal Investigation of the Department of Justice are hereby appointed as special deputy county attorneys for Gallatin 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 DCI. Assistance in such cases is provided without an hourly fee. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
CLERK AND RECORDER