

# RENO EVENING GAZETTE

## PROOF OF PUBLICATION

STATE OF NEVADA }  
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE RENO EVENING GAZETTE, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice ..... BILL 231 .....

.....  
of which a copy is hereto attached, was first published in said newspaper in its issue dated the .17th. day of ..... June....., 1969... and ..... June 24....., the full period of . 2 ... days, the last publication thereof being in the issue dated the... 21th day of ..... June....., 19.. 69..

Signed *Dorothy Yocom*.....

Subscribed and sworn to before me this

..... 24th day of ..... June....., 1969..

*Richard J. Taylor*  
Notary Public  
RICHARD J. TAYLOR  
Notary Public — State of Nevada  
Washoe County  
My Commission Expires Jan. 22, 1971

NOTICE OF COUNTY ORDINANCE  
Notice is hereby given that Bill No. 231, Ordinance No. 170, entitled "An Ordinance creating and establishing the office of Public Defender; provides for appointment and removal, qualifications and compensation; establishes duties, provides limitations upon criminal and civil practice of the Public Defender and his deputies; provides for appointment of a staff, annual reports; and provides other matters properly relating thereto," was adopted on June 16, 1969 by emergency measure by Commissioners Cunningham, Sauer, McKissick, McKenzie and Coppa, all voting aye.  
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.  
H. K. BROWN, COUNTY CLERK  
334908 June 17-69

SUMMARY: Creates and establishes the office of the Washoe County Public Defender.

BILL NO. 231

ORDINANCE NO. 170

AN ORDINANCE CREATING AND ESTABLISHING THE OFFICE OF PUBLIC DEFENDER; PROVIDES FOR APPOINTMENT AND REMOVAL, QUALIFICATIONS AND COMPENSATION; ESTABLISHES DUTIES, PROVIDES LIMITATIONS UPON CRIMINAL AND CIVIL PRACTICE OF THE PUBLIC DEFENDER AND HIS DEPUTIES; PROVIDES FOR APPOINTMENT OF A STAFF, ANNUAL REPORTS; AND PROVIDES OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES ORDAIN:

SECTION 1. Office created.

There is hereby created and established in Washoe County, pursuant to NRS Chapter 260, the office of Public Defender.

SECTION 2. Appointment and removal by County Commissioners. The office of Public Defender shall be filled by appointment by the Board of County Commissioners and shall serve at the pleasure of the Board of County Commissioners.

SECTION 3. Qualifications: Representation of indigent persons charged with gross misdemeanors, felonies.

1. The Public Defender shall be a qualified attorney licensed to practice law in the State of Nevada and a resident of the County of Washoe.
2. The Public Defender shall, when designated by the appropriate judge of the district court, represent, without charge, each indigent person who is under arrest and held for a crime which constitutes a felony or gross misdemeanor.

SECTION 4. Assistants or deputy public defenders.

1. Subject to the prior approval of the Board of County Commissioners, the Public Defender may appoint such deputies or assistant attorneys, clerks, investigators, stenographers, and other employees as are necessary to enable him to carry out his responsibilities.
2. The compensation of persons appointed shall be fixed by the Board of County Commissioners.

SECTION 5. Compensation.

1. The compensation of the Public Defender shall be fixed by the Board of County Commissioners and he and his assistants or deputies shall be permitted to engage in private civil practice, subject to the following limitations:
  - (a) The Public Defender and his assistants or deputy public defenders shall be prohibited

from engaging in private criminal practice of law.

- (b) The Public Defender and his assistants or deputy public defenders shall not represent a person or persons in his private capacity wherein the State of Nevada, or any County of Washoe political subdivision shall be a party, or in matters which are not consistent with the proper and satisfactory discharge of official duties and responsibilities of employment with the office of the Public Defender.
  - (c) The public defender shall not maintain any other office other than where designated by the Board of County Commissioners, nor shall he or his assistants or deputy public defenders form a partnership or association with any other person or persons outside of said office.
2. The Board of County Commissioners shall provide office space, furniture, equipment and supplies for the use of the Public Defender suitable for the conduct of the business of his office. Each such item shall be a charge against the county. In any case, funds for all such charges, costs, or cash-allowance must first have been authorized by budgetary provision, or otherwise been authorized and made available therefor, by the Board of County Commissioners.

SECTION 6. Duties of the Public Defender.

- 1. When representing an indigent person, the Public Defender shall:
  - (a) Counsel and defend him, if he is held in custody and charged with a public offense amounting to a felony or gross misdemeanor, or in insanity or incompetency proceedings, or in any other proper case, at every state of the proceedings following such designation by the appropriate judge of the district court.
  - (b) Prosecute any appeals or other remedies before or after conviction or commitment that he considers to be in the interests of justice.

SECTION 7. Cost, salaries and office expense. Any and all costs, salaries and expenses entailed in the operation of the office of the Public Defender shall be borne, and provided for, by Washoe County, subject to the prior approval of the Board of County Commissioners.

SECTION 8. Annual reports.

- 1. The Public Defender shall make an annual report to the Board of County Commissioners covering all cases handled by his office during the preceding year.
- 2. Such report shall at least contain the following information and be submitted in a form having the prior

approval of the Board of County Commissioners:

- (a) Number of cases pending at beginning of report period; and
- (b) Number of new cases received, less number of cases disposed of; and
- (c) Number of cases pending at end of report period; and
- (d) Number of cases received during report period consisting of:
  - 1. Felonies
  - 2. Violation of probation
  - 3. Modifications of probation
  - 4. Miscellaneous proceedings
  - 5. Juvenile proceedings
  - 6. Insanity hearings
  - 7. Appeals pending
  - 8. Appeals concluded

(e) Detailed Summary

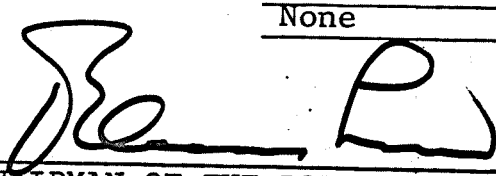
- 1. Case number and nature of the criminal charge
- 2. The name of each indigent person represented alphabetically listed
- 3. Court disposition or status of the case, whether pending or closed
- 4. Financial expenditure with relevant itemization as to costs, disbursements or expenses
- 5. Number of counts
- 6. Number of priors
- 7. Number of Court appearances

SECTION 9. This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS 244.100.

Proposed on the 16th day of June, 1969  
 Proposed by Commissioner McKissick  
 Passed on the 16th day of June, 1969  
 as an emergency measure.

VOTE:

Ayes:	Commissioners: <u>Cunningham, Sauer, McKissick, McKenzie &amp; Coppa.</u>
Nayes:	Commissioners: <u>None</u>
Absent:	<u>None</u>

  
 CHAIRMAN OF THE BOARD

ATTEST:  
  
 COUNTY CLERK

This Ordinance shall be in force and effect from and after the 24th day of June, 1969.

ORDINANCE NO. 170

Amended by Ordinanc No. 486, Bill No. 657, effective March 4, 1981 (Item 81-215)