

RESOLUTION NO. _____ - 2020

AUTHORIZING CONTRACT WITH OUTSIDE LEGAL COUNSEL FOR WIS. STAT. CH. 51, WIS. STAT. CH. 54, AND WIS. STAT. CH 55 CASES

Background:

Sauk County (the "County") is statutorily obligated to provide legal representation for certain cases pursuant to the Wisconsin Statutes, including, but not limited, to cases originating in Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55. Since approximately January 1, 2020, the Sauk County Corporation Counsel has not directly provided this representation but rather contracted this work out to outside legal counsel. Since von Briesen & Roper s.c. joined the County as Interim Corporation Counsel ("Corporation Counsel"), various County staff and leadership voiced concerns with the existing outside counsel providing certain legal services. The agreement with current outside counsel will terminate on August 14, 2020. It is imperative that the County coordinate transitional and ongoing legal representation in the Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55 cases.

Corporation Counsel engaged Cross Jenks Mercer & Maffai, LLP ("Cross Jenks") in discussions for legal representation in the Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55 cases. Corporation Counsel, the County Department of Human Services Director and other County officials met with attorneys for Cross Jenks to discuss Cross Jenks providing outside legal counsel in the Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55 cases, and to determine whether Cross Jenks was the best fit to provide these services for the County. After these discussions and then discussion of contract terms, Cross Jenks and Corporation Counsel have agreed to a nine (9) month term contract for representation in Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55 cases at the rate of \$180.00 per hour.

Fiscal Impact: [] None [X] Budgeted Expenditure [] Not Budgeted

WHEREAS, Sauk County (the "County") is obligated to provide legal representation for certain cases pursuant to the Wisconsin Statutes, including, but not limited to, cases originating in Wis. Stat. Ch. 51, Wis. Stat. Ch. 54 and Wis. Stat. Ch. 55;

WHEREAS, the County desires to provide this legal representation by using outside legal counsel, namely Cross Jenks Mercer & Maffai, LLP ("Cross Jenks") to provide specific legal services (the "Legal Services") for a term of nine (9) months at the rate of \$180.00 per hour;

WHEREAS, the County Executive and Legislative Committee met on August 14, 2020, to discuss the contract with Cross Jenks to provide the Legal Services and to permit the County's Interim Corporation Counsel, on behalf of the County, to enter into a contract with Cross Jenks for the Legal Services;

WHEREAS, the County Executive and Legislative Committee voted to recommend approval of the proposed contract with Cross Jenks to the County Board for adoption at its meeting on August 18, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session on August 18, 2020 and voted to direct the Interim Corporation Counsel to finalize a contract for Legal Services with Cross Jenks for a term of nine (9) months and at a rate of \$180.00 per hour, and as more fully addressed in said contract.

For consideration by the Sauk County Board of Supervisors on August 18, 2020.

Respectfully submitted,

EXECUTIVE & LEGISLATIVE COMMITTEE

TIM MCCUMBER, Chair

WALLY CZUPRYNKO

MARTY KRUEGER

BRANDON LOHR, Vice Chair

VALERIE MCAULIFFE

Fiscal Note: No fiscal impact.

MIS Note: No information systems impact.