

**RESOLUTION 2020-24
REQUEST FOR PROSECUTORIAL ASSISTANCE**

Whereas, the Lewis & Clark County Attorney has requested prosecutorial assistance in representing the County and State in the case of the *State of Montana vs Byron Henry Tenas*.

Whereas, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the investigation and 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 Prosecution Services Bureau (together with the deputies within this Bureau) 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:

Attorneys assigned to the Prosecution Services Bureau of the Department of Justice including, but not limited to Madison Mattioli, 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 Bureau based upon the fact that pursuant to the internal operational policies adopted by the Attorney General September 1, 1999, 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 2 day of June 2020.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

ATTEST:



Paulette DeHart, Clerk of the Board

