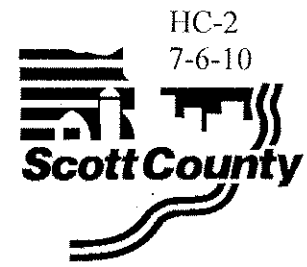


Community Services Department
600 W. 4th St.
Davenport, Iowa 52801



(563) 326-8723 Fax (563) 326-8730

June 28, 2010

TO: Dee F. Bruemmer

FROM: Lori A. Elam

RE: 28E Agreement Renewal for Mental Health Referee Services

I am enclosing for consideration a continuation of the 28E Agreement currently in effect between Scott County and the Judicial Branch of the State of Iowa. It allows Scott County to reimburse for Judicial Mental Health Referee services at the current rate of \$50.00 per hour.

In FY01 during the state's budget crisis, the Mental Health Judicial Referee positions were eliminated. District Court Judges were assuming the duties previously handled by the mental Health Referees. The Judges were hearing 229 commitment hearings at the hospital on a rotating basis. In FY02 Scott County entered into a 28E Agreement funding the costs of the Mental Health Referees as the Referee had been very an integral part of the mental health system.

Although we have been hopeful in past years that the state's financial position would be more positive and that the state would re-assume funding of this position, it is not expected in the near future. I am, therefore, requesting that the Agreement be approved for another two-year period (July 1, 2010 through June 30, 2012).

The proposed Agreement for the period July 1, 2010 to June 30, 2012 is attached. The cost of funding these positions is \$25,000 per year. It is again difficult to predict the number of commitment hearings and the total costs each year. Other than the dates of the agreement, there are no other substantive changes.

**28E AGREEMENT
FOR REIMBURSEMENT OF
JUDICIAL MENTAL HEALTH REFEREE**

This Agreement is made pursuant to chapter 28E.12 of the Code of Iowa, by and between Scott County, Iowa (hereinafter "County") and the State of Iowa, Judicial Branch (hereinafter "State"), the parties agree as follows:

1. The County shall reimburse the State for payments made to the Judicial Mental Health Referee for services performed during the period of July 1, 2010, to June 30, 2012, in Scott County.
2. The rate of pay shall be \$50.00 per hour and shall not exceed \$25,000 per year for the services covered by this Agreement. A statement of the services paid by the State shall be submitted on a monthly basis to the County.
3. Monthly statements shall be submitted to the Scott County Department of Community Services, 600 W. 4th St., Davenport, IA. 52801. The County shall reimburse the State within 30 days of receipt of the statement.
4. This agreement may be signed by counterparts. The persons signing this agreement represent that they are authorized by the State and the County to sign this agreement.
5. The County's responsibility under this Agreement is solely to fund the Judicial Referee mental health services paid by the State. The county shall have no supervision, responsibility or authority over the Judicial Referee and any such supervision, responsibility or authority remains expressly with the State.
6. This agreement shall be for the period July 1, 2010 to June 30, 2012.

Chris Gallin, Chair
Scott County Board of Supervisors

Howard Thomas, Administrator,
7th Judicial District

David K. Boyd
State Court Administrator

Bobbi Alpers, Chief Judge
7th Judicial District

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

JULY 8, 2010

APPROVING A 28E AGREEMENT FOR REIMBURSEMENT OF JUDICIAL MENTAL HEALTH REFEREE

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the 28E Agreement for Reimbursement of Judicial Mental Health Referee between Scott County and the State of Iowa, Judicial Branch is approved.
- Section 2. That the period of this Agreement shall be from July 1, 2010 to June 30, 2012 and shall provide for reimbursement by Scott County to the State of Iowa, Judicial Branch for expenses of the Judicial Mental Health Referee in an amount not to exceed \$25,000 per year.
- Section 3. The Chairman is authorized to sign the Agreement.
- Section 4. This resolution shall take effect July 1, 2010.