

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 12-329

Authorizing the term of the Monterey County)
Civil Grand Jury to be on a fiscal year basis)
commencing July 1, 2013.....)

WHEREAS, the terms of civil grand juries in California are on a fiscal year basis unless a county board of supervisors authorizes the term to be on a calendar year basis; and

WHEREAS, in about 1984 the Monterey County Board of Supervisors authorized the Monterey County Civil Grand Jury to serve on a calendar year basis, approved a request for the 1984 -85 Civil Grand Jury to serve a transition term of 18 months, and requested urgency state legislation to implement those actions; and,

WHEREAS, since that time the Monterey County Civil Grand Jury has served on a calendar year basis; and

WHEREAS, the 2012 Monterey County Civil Grand Jury requested the County to consider changing the term of the grand jury from a calendar year to a fiscal year basis, and to extend the current Grand Jury’s term for an additional six-months in order to transition to a fiscal year term; and

WHEREAS, the County, in consultation with the Superior Court for the County of Monterey, has determined that it is more effective for the recruitment and service of grand jurors; more efficient for the proper support of the Civil Grand Jury by the County; and more conducive to a proper discharge of the grand jury’s duties, for the Monterey County Civil Grand Jury to serve on a fiscal year basis; and

WHEREAS, an appropriate transition must be considered by the County to change the term of the Civil Grand Jury from a calendar year to fiscal year basis; and

WHEREAS, the 2012 Civil Grand Jury has informed the County and Superior Court that it anticipates that an insufficient number of current jurors will be able to hold over and serve an extended six-month transition period; and

WHEREAS, the Superior Court, whose responsibility it is to recruit for and impanel the Civil Grand Jury, has informed the County that it has been unable to recruit additional grand jurors to serve for a six-month transition period; and

WHEREAS, an extension of the current Grand Jury’s term is necessary and appropriate in order for the Grand Jury to complete its final report; NOW, THEREFORE,

BE IT RESOLVED, by the Board of Supervisors of the County of Monterey as follows:

1. The term of the Monterey County Civil Grand Jury is hereby changed from a calendar year basis to a fiscal year basis effective at the discharge of the 2012 Civil Grand Jury, and the County requests the Superior Court to recruit for and impanel a new Civil Grand Jury for a term beginning July 1, 2013 and ending June 30, 2014.

2. Due to the anticipated lack of current Civil Grand Jurors to hold over for a six-month transition term, and the inability of the Superior Court to recruit and impanel additional jurors for such transition term, the term of the current Civil Grand Jury cannot be extended to June 30, 2013; however, the term will be extended as a transition for one month, to January 31, 2013, to permit the current Grand Jury to complete its final report, and the Superior Court is hereby requested to discharge the 2012 Civil Grand Jury no earlier than February 1, 2013.

3. The County Counsel is authorized and directed to provide a copy of this resolution to the appropriate authorities.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Calcagno, and carried this 23rd day of October 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker

NOES: None

ABSENT: Supervisor Potter

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on October 23, 2012

Dated: October 23, 2012
File Number: 12-948

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy