

W. S. A.

Memorandum Date: July 6, 2004  
Order Date: July 21, 2004

**TO:** Board of County Commissioners

**DEPARTMENT:** District Attorney's Office

**PRESENTED BY:** Alex R. Gardner, District Attorney  
Greta Utecht, Human Resources Manager

**AGENDA ITEM TITLE:** ORDER/IN THE MATTER OF APPROVING THE ADDITION OF A 1.0FTE LIMITED DURATION DEPUTY DISTRICT ATTORNEY 1 (DDA1) POSITION IN THE DISTRICT ATTORNEY'S OFFICE AUGUST 1, 2004 THROUGH JUNE 30, 2005.

**I. PROPOSED MOTION**

MOVE TO APPROVE THE ADDITION OF A 1.0FTE LIMITED DURATION DEPUTY DISTRICT ATTORNEY 1 (DDA1) POSITION IN THE DISTRICT ATTORNEY'S OFFICE AUGUST 1, 2004 THROUGH JUNE 30, 2005.

**II. ISSUE OR PROBLEM**

Should Lane County add a 1.0FTE limited duration Deputy District Attorney 1 (DDA1) position in the District Attorney's Office? (If approved, the position should terminate after June 30, 2005.)

**III. DISCUSSION**

**A. Background**

Former Assistant District Attorney Alex R. Gardner was appointed to fill out the term of District Attorney F. Douglass Harclerod. Mr. Harclerod was re-elected and has announced his intention to take office when the new term begins in January, 2005. It is anticipated that Mr. Gardner will resume his role as an Assistant District Attorney when Mr. Harclerod assumes office next year. His position needs to be held open so that he can return to his Lane County employment at that time.

Mr. Gardner's appointment as District Attorney leaves the office short another attorney.

The FY04-05 budget includes an appropriation to fund Mr. Gardner's Assistant District Attorney position. Because he will not be filling that position, \$62,644 will lapse and is available for other uses in the office. The District Attorney's Office could hire a beginning-level lawyer August 1, 2004 through June 30, 2005 at a cost of \$65,191. Additionally, Mr. Gardner has reduced a portion of the extra-help budget, saving an additional \$2,747.

The bottom line is this: Mr. Gardner has identified funds with which to pay an entry-level deputy. This will assist the office in the prosecution of crimes during the next year.

**B. Analysis**

There is no cost to Lane County to adopt the proposal, as long as the position created is of limited duration, terminating June 30, 2005.

**C. Alternatives/Options**

1. Adopt the Order.
2. Reject the Order.

**D. Recommendation**

The District Attorney recommends alternative one.

**E. Timing and Implementation**

There is no specific information regarding timing and implementation.

**IV. ATTACHMENTS**

Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

O R D E R

NO.

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) IN THE MATTER OF APPROVING THE ADDITION  
) OF A 1.0FTE LIMITED DURATION DEPUTY  
) DISTRICT ATTORNEY 1 (DDA1) POSITION  
) IN THE DISTRICT ATTORNEY'S OFFICE  
) AUGUST 1, 2004 THROUGH JUNE 30, 2005.

WHEREAS, the Lane County District Attorney's Office has identified savings within the FY04-05 District Attorney's Office budget to fund a 1.0 FTE limited duration Deputy District Attorney 1 position; and

WHEREAS, there is no adverse impact to the general fund of Lane County; and

WHEREAS, the Board of Commissioners supports the District Attorney in his efforts to prosecute crime committed in Lane County.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Board of County Commissioners approves the addition of a limited duration 1.0FTE Deputy District Attorney position August 1, 2004 through June 30, 2005.

APPROVED this 21st day of July, 2004.

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Bobby Green, Sr.  
Chair, Lane Board of County Commissioners

APPROVED AS TO FORM  
Date 7/13/04 lane county  
Jessie J. Miller  
OFFICE OF LEGAL COUNSEL

In the Matter of APPROVING THE ADDITION OF A 1.0FTE LIMITED DURATION DEPUTY DISTRICT ATTORNEY 1 (DDA1) POSITION IN THE DISTRICT ATTORNEY'S OFFICE AUGUST 1, 2004 THROUGH JUNE 30, 2005.