



Legislation Text

File #: 2005-0029, **Version:** 2

Clerk 01/24/2005

A MOTION related to legal representation pursuant to RCW 4.96.041(3) in connection with recall proceedings, granting approval of the payment of necessary expenses as provided by statute in cases where the office of the prosecuting attorney has granted such approval.

WHEREAS, state law, RCW 4.96.041(3), provides that the necessary expenses of defending an elective officer of a local governmental entity in a judicial hearing to determine the sufficiency of a recall charge and any appeal of the superior court decision on sufficiency shall be paid by the local government entity if requested by the elective officer and if approved by the legislative authority and the attorney representing the local government entity, and

WHEREAS, the process set forth by state law for judicial consideration of a recall petition requires the superior court to consider the matter within thirty days of filing a petition, thereby requiring a highly expedited determination for such requests by the legislative authority pursuant to the statute;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The council hereby authorizes payment of the necessary expenses of defending any councilmember in a judicial hearing to determine the sufficiency of a recall charge and any appeal of the superior court decision on sufficiency where there has been a request by the councilmember, approval by the prosecuting attorney and written approval by any three councilmembers, consistent with RCW 4.96.041(3).