

RESOLUTION 13-18

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE VILLAGE OF JOHNSTOWN, OHIO

WHEREAS, in circumstances where an indigent individual is charged with a violation of ordinances of the Village of Johnstown, and that person requests appointed counsel, the Municipal Court will appoint an attorney to provide for the individual's defense; and

WHEREAS, THE COUNTY PROVIDES LEGAL REPRESENTATION FOR INDIGENT ADULTS THROUGH AN APPOINTED COUNSEL SYSTEM ADOPTED IN ACCORDANCE WITH Ohio Revised Code Section 120.33; and

WHEREAS, the County may contract with a municipal corporation to provide legal representation for indigent persons charged with a violation of an ordinance of a municipal corporation for which the penalty or any possible adjudication includes the loss of liberty; and

WHEREAS, if there is no existing agreement between the Village of Johnstown and the Licking County Board of Commissioners regarding reimbursement of the legal counsel appointed for the defendant, Licking County is unable to reimburse such attorney.

NOW, THEREFORE, be it resolved by the Council of the Village of Johnstown, Licking County, Ohio as follows:

Section 1. The Village Manager is hereby authorized to enter into a contract with Licking County Board of Commissioners for legal representation of indigent persons in Licking County Municipal Court who are charged with a violation of any ordinance of the Village for which the penalty or any possible adjudication includes potential loss of liberty.

Section 2. Pursuant to Section 5 of the Contract for Legal Representation of Indigent Person, adopted on August 7, 2007 by Resolution 07-04, the term of contract shall be extended for the period of January 1, 2013 and ending December 31, 2013, upon mutual consent of the parties, and proper appropriations of funding.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that the meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the Village of Johnstown

Date of Introduction: April 16, 2013

By: Joyce Evans

Date Passed: 4-16-2013

MS
Mayor Sean Stanart



ATTESTED TO:
Teresa Monroe
Teresa Monroe
Clerk of Council

APPROVED AS TO FORM:
David Wigginton
David Wigginton
Law Director