

RESOLUTION 2017-40

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, LICKING COUNTY, 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 has adopted a program for this Municipality, whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and have been charged with a municipal code violation; and

WHEREAS, the County Commissioners pursuant to ORC 120.33, may enter into a contract with a municipal corporation under which the municipal corporation shall reimburse the County for counsel appointed to represent indigent persons charged with a violation of an ordinance of the municipal corporation; and

WHEREAS, these contracts must contain terms in conformance with Ohio Administrative Code 120-1-09 and the parties must follow the Ohio Public Defender Commission standards and guidelines and the limits of the County Maximum Fee Schedule for Appointed Counsel in order for the COUNTY to obtain reimbursement for indigent defense costs pursuant to ORC 120.33 and 120.35, and pay the VILLAGE its appropriate share; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, LICKING COUNTY, OHIO, AS FOLLOWS:

Section 1. The Village Manager previously entered into a contract with the 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. The term of this agreement shall be for one (1) year, **January 1, 2018 to December 31, 2018** with the option for renewal for additional one year terms upon proper resolution of each entity agreeing to the one year extension and proper appropriation of funding for the new year; and

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

Introduction/Public Hearing/Passage: December 5, 2017

By: Staneart



Mayor Sean Staneart




ATTESTED TO:

APPROVED AS TO FORM:



Teresa Monroe
Clerk of Council



Yazan Ashrawi
Law Director