



Introduced: 1/3/2023

CITY OF PATASKALA

RESOLUTION 2023-001

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS IN 2023**

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

*WHEREAS*, Licking County provides legal representation for indigent adults through an appointed counsel system adopted in accordance with R.C. 120.33; and

*WHEREAS*, Licking 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 City of Pataskala and the Licking County Board of Commissioners regarding reimbursement of counsel appointed for the defendant, Licking County is unable to reimburse such attorney.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

Section 1: The City Administrator is hereby authorized and directed to execute 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(s) of the City 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 Persons, adopted on August 20, 2007 by Resolution 2007-3797 and as re-enacted by Resolutions in subsequent years, including Resolution No. 2021-061 (for the 2022 calendar year), the terms of contract shall be extended for the period beginning on January 1, 2023 and ending December 31, 2023 upon mutual consent of the parties, and proper appropriation of funding.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 4: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

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Kathy M. Hoskinson, Clerk of Council

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Michael W. Compton, Mayor

APPROVED AS TO FORM:

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Brian M. Zets, Law Director