

December 1, 2022

**SERVICE COMMITTEE**

December 5, 2022

*Committee and Council Meetings can be viewed by accessing YouTube or Facebook*

Council Chambers

Following Finance Committee

**AGENDA**

1. Consider **Resolution No. 22-110** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2023 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY
2. Other items at the discretion of the chair

RESOLUTION 22-110

BY \_\_\_\_\_

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2023 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, in circumstances where an indigent individual is charged with a violation of ordinances of the City of Newark, and that person requests appointed counsel because the defendant is indigent, the Licking County 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.

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.

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

WHEREAS, it is necessary to annually execute a new agreement between the City of Newark and the Licking County Board of Commissioners regarding such reimbursement; and,

WHEREAS, the contract must be executed on or before December 31, 2022 and therefore this Resolution must be effective ahead of that date to ensure the continuation of the required contractual reimbursement process; and,

WHEREAS, the Service Committee of the Newark City Council has considered this matter and forwards the same to the full Council for its consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION 1: The Director of Public Service is hereby authorized and directed to enter into and execute a Contract for Legal Representation of Indigent Persons in the Licking County Municipal Court with the Licking County Board of Commissioners regarding the

reimbursement of counsel fees for indigents charged with violations of Municipal Ordinances for which the penalty or any possible adjudication includes potential loss of liberty.

SECTION 2: This Resolution shall become effective immediately for the reasons as set forth herein and to protect the public peace, health, safety or welfare pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED:

\_\_\_\_\_  
DIRECTOR OF LAW