

BY: Mickelson

RESOLUTION NO. 2023-49

**A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR INDIGENT DEFENSE SERVICES IN MUNICIPAL COURT WITH THE LICKING COUNTY COMMISSIONERS AND THE VILLAGE OF GRANVILLE**

**WHEREAS**, this Agreement is entered into by and between the Licking County Commissioners, with a mailing address of 20 South Second Street, Newark, Ohio 43055, hereinafter referred to as the "COUNTY" and the Village of Granville, with a mailing address of PO Box 514, Granville, OH 43023, hereinafter referred to as the "VILLAGE"; and

**WHEREAS**, the VILLAGE recognizes its responsibility under the laws of the state of Ohio and of the United States of American to provide legal counsel to indigent persons charged with a violation of a VILLAGE ordinance for which the penalty or any possible adjudication includes the potential loss of liberty; 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 quality, 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,

**WHEREAS**, this Agreement has been authorized by the VILLAGE by Resolution No. 2023-49 passed by the Granville Village Council on November 15, 2023 and by COUNTY resolution, by the Board of Commissioners of Licking County.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GRANVILLE, OHIO, THAT:**

**Section I:** 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 an ordinance of the VILLAGE, for which the penalty or any possible adjudication includes potential loss of liberty.

**Section II:** Pursuant to Section 2 of the Contract for Legal Representation of Indigent Persons, adopted on April 5, 2017 by Resolution No. 2017-25, the Village of Granville agrees to reimburse the COUNTY for all legal fees and expenses, which are paid by the COUNTY, pursuant to ORC 120.33, within thirty (30) business days of receipt of an invoice for such fees and expenses.

**Section III:** This Resolution shall take effect immediately upon passage.

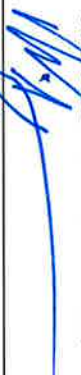
Passed this 15<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Mayor Melissa Hartfield

ATTEST:

  
Clerk of Council

APPROVED AS TO FORM:



William Mattes, Law Director