

CITY OF TWINSBURG

RESOLUTION 32-2010

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LEGAL DEFENDER'S OFFICE OF SUMMIT COUNTY, OHIO TO PROVIDE FOR REPRESENTATION OF INDIGENT DEFENDANTS

WHEREAS, the Supreme Court of the United States has determined that the Constitution of the United States entitles indigent persons charged with certain criminal offenses to counsel at no expense to themselves; and

WHEREAS, the Ohio Rule of Criminal Procedure require that indigent persons charged with offenses punishable by confinement be represented by counsel appointed by the Court in which they are charges; and

WHEREAS, Council is desirous of providing appointed counsel as required by law to indigent persons charged by the City of Twinsburg with criminal offenses in the Stow Municipal Court; and

WHEREAS, Council has determined that an offer by the Legal Defenders Office of Summit County, Ohio, Inc. to provide such representation provides the fairest, most efficient and most economical means of providing representation as required by law; and

WHEREAS, legal representation of indigent defendants is a personal, professional services not subject to the bidding requirements, of Ohio law and the Charter of the City.

NOW, THEREFORE, BE IT RESOLVED by Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: That the Mayor be and hereby is authorized to enter into and execute on behalf of the City the contract with the Legal Defenders Office if Summit County, Ohio, Inc. attached hereto as Exhibit "A", incorporated by references herein, and providing for representation of indigent defendants for a period of one year at a cost of \$160.00 per case.

SECTION II: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting or to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION III: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

Sam Scaffide, President of Council

Submitted to the Mayor for approval this
_____ day of _____, 2010

Approved by the Mayor _____, 2010

Katherine A. Procop, Mayor

ATTEST:

Lisa Spraggins
Clerk of Council

1st Rdg. _____
2nd Rdg. _____
3rd Rdg. _____

Passed: _____

Yes ____ No ____

CERTIFICATE OF POSTING

I, Lisa Spraggins, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the _____ day of _____, 2010

Lisa Spraggins
Clerk of Council
City of Twinsburg