City of Dublin

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: January 21, 2016

Re: Resolution No. 01-16 – Franklin County Public Defender Contract

Summary

The City has a constitutional duty to provide a mechanism whereby indigent defendants may obtain court-appointed counsel, and the Franklin County Public Defender's office is willing to provide these services.

Attached is the 2016 contract for services from the Franklin County Public Defender Commission at a cost per case of $77.64. This contract reflects a decrease of .6 percent per case over the 2015 cost and is based upon the agency's analysis of cost efficiencies for 2016 and an anticipated 2016 state reimbursement rate of 48 percent. The total amount paid in 2015 for these services was $1509.32 and $1400.00 has been budgeted for 2016.

Recommendation

Staff recommends adoption of Resolution 01-16 at the January 25, 2016 Council meeting.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 01-16 Passed _____, 20____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE FRANKLIN COUNTY PUBLIC DEFENDER COMMISSION FOR THE DEFENSE OF INDIGENT DEFENDANTS

WHEREAS, the City of Dublin has a constitutional duty to provide some mechanism whereby indigent defendants may obtain court-appointed counsel; and

WHEREAS, the Public Defender's office is willing to enter into a contract with the City to provide defense services to indigent defendants who are charged under the City of Dublin Codified Ordinances for offenses that occur in the City that will be heard in Franklin County Municipal Court, Criminal Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, _____ of its elected members concurring, that:

Section 1. The City Manager is hereby authorized to execute the contract attached hereto as Exhibit "A" with the Franklin County Public Defender Commission in order that the Commission will provide legal defense services to defendants whose cases are charged under the City of Dublin Codified Ordinances for offenses that occur in the City that will be heard in Franklin County Municipal Court, Criminal Division.

Section 2. This Resolution shall be effective upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2016.

_____
Mayor - Presiding Officer

ATTEST:

_____
Clerk of Council

FRANKLIN COUNTY PUBLIC DEFENDER

373 South High Street
(614) 645-8980

12th Floor
(614) 525-3194

Columbus, Ohio 43215
Fax (614) 461-6470

January 4, 2016

Honorable Michael Keenan
Mayor of Dublin
5200 Emerald Parkway
Dublin, Ohio 43017-1090

Dear Mr. Mayor:

The existing contract for indigent defense representation with your city is scheduled to expire January 1, 2016.

Enclosed please find a copy of a new contract for your review and hopefully your signature. Based upon an analysis of our cost efficiencies for the year 2016, the charge per case will be $77.64. The total amount charged per case is also based upon an anticipated 2016 state reimbursement rate of 48%.

Please contact me if you have any questions concerning the above.

Respectfully,

Yeura R. Venters
Director

/agl

Enclosure

FRANKLIN COUNTY PUBLIC DEFENDER

373 South High Street | 12th Floor | Columbus, Ohio 43215
(614) 645-8980 | (614) 525-3194 | Fax (614) 461-6470

CONTRACT

This Agreement, beginning on January 1, 2016, by and between the Franklin County Public Defender Commission, pursuant to Ohio Rev. Code, section 120.14(E), and the City of Dublin, for the defense of indigent defendants before the Franklin County Municipal Court; the parties agree as follows:

The Franklin County Public Defender Commission hereby agrees to represent, through the personnel employed by the Franklin County Public Defender Commission, all indigent persons, coming before the Franklin County Municipal Court, Criminal Division, charged with a violation of an ordinance of the City of Dublin, which occur within the limits of Dublin, Ohio; provided that the Franklin County Public Defender Commission, reserves the right to decline representation if a conflict of interest exists in any specific case filed in or coming before the Franklin County Municipal Court; and, provided further, that the Mayor of Dublin, Ohio, reserves the right to appoint other counsel to represent defendants charged with a violation of an ordinance of Dublin, Ohio, or traffic and/or criminal statutes of the State of Ohio, which occur within the jurisdictional limits of Dublin, Ohio in any specific case filed in or coming before the Franklin County Municipal Court.

The City of Dublin agrees to pay the sum of $77.64 per case. Said sum due to be stated by invoice from the Franklin County Public Defender at quarterly intervals. Checks or warrants should be made payable to the Columbus City Treasurer - Public Defender Service.

This contract may be terminated by either party at any time before the expiration of the contract, by giving thirty (30) days written notice to the other party, of its intention to terminate.

The parties further agree that this Contract shall be in full force and effect from the date first written above through December 31, 2016, unless terminated earlier, as provided herein.

IN WITNESS WHEREOF, the parties have executed this Contract, this ____day of _____, 20___.

City of Dublin

BY: _____
City Manager of Dublin

Franklin County Public Defender Commission

BY: _____
Richard F. Swope
Chairman