



Legislation Text

File #: O-005-21, Version: 1

CLAS PROGRAM

Department of Law

John E. Bibish IV (x1243)

Revised

Authorizing the Mayor to enter into a Civil Legal Assistance Services agreement with Legal Aid of Western Ohio, Inc. (LAWO) for the provision of indigent civil legal services for a term of two years; authorizing the annual expenditure of funds estimated at \$200,000 from the Expendable Trust Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Ordinance 632-05, passed on September 6, 2005, established and authorized the Civil Legal Assistance Services (“**CLAS**”) program through October 31, 2008. The City of Toledo extended the program in 2007 to assist indigent persons who have been sued in a civil action in Toledo Municipal Court in cases involving eviction and consumer collections. Legal Aid of Western Ohio, Inc. (“LAWO”) has been providing CLAS. The current program is funded through the collection of an additional \$10.00 per case civil filing fee approved by the Judges of the Toledo Municipal Court and will expire on December 31, 2020 unless renewed. Staff attorneys are made available daily in Municipal Court to represent indigent defendants. The agreement was extended for an additional two years in 2010 (see Ord. 481-10), in 2013 (see Ord. 40-13), in 2014 (see Ord. 499-14), in 2016 (see ord. 422-16) and again in 2018 (see Ord. 535-18) The City of Toledo and LAWO desire to extend this program for another two years.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to accept and deposit into Account Code 2090-12000-3T19516STDSTD (Indigent Civil Defense) funds received as part of the Civil Legal Assistance Services (CLAS) program.

SECTION 2. That the appropriation of the unappropriated balance of the Indigent Civil Defense Account is authorized to 2090-12000-3T19516STDSTD and the expenditure of same, estimated at \$200,000 annually, is authorized for the Civil Legal Assistance Services (CLAS) program.

SECTION 3. That the Mayor is authorized to enter into an Agreement with Legal Aid of Western Ohio, Inc. (LAWO) for the purposes listed, for two (2) years commencing January 1, 2021 through December 31, 2022, upon agreement of the parties, subject to terms and conditions deemed proper and requisite according to the Director of Law.

SECTION 4. That the Director of Finance is authorized to draw a warrant or warrants against the accounting code identified above in payment of the above authorized obligations upon presentation of proper vouchers.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this ordinance must be immediately effective in order that payments for legal defense services can be made in a timely manner.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council