



Legislation Details (With Text)

File #: O-535-18 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 12/3/2018 **In control:** Law Department
On agenda: 1/22/2019 **Final action:** 12/18/2018
Title: Authorizing the mayor to collect revenue and expend funds estimated at \$200,000 annually in the Expendable Trust Fund to provide for the Civil Legal Assistance Services (CLAS) program through December 31, 2020; authorizing the mayor to enter into any necessary agreements to expend these funds which have been appropriated; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: O-535-18 Council Meeting 12/18/2018

Date	Ver.	Action By	Action	Result
12/18/2018	1	City Council	Dispense with the rules of Council requiring...	Pass
12/18/2018	1	City Council	declare emergency	Pass
12/18/2018	1	City Council	passage	Pass

CLAS PROGRAM

Department of Law

D. Emch (x1020)

(Revised)

Authorizing the mayor to collect revenue and expend funds estimated at \$200,000 annually in the Expendable Trust Fund to provide for the Civil Legal Assistance Services (CLAS) program through December 31, 2020; authorizing the mayor to enter into any necessary agreements to expend these funds which have been appropriated; 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 the Civil Legal Assistance Services (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, 2018 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), and again in 2016 (see ord. 422-16). 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 mayor is authorized to appropriate the unappropriated balance of the Indigent Civil Defense account to 2090-12000-3T19516STDSTD and the appropriated amount, estimated at \$200,000 annually, is authorized for expenditure.

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, 2019 through December 31, 2020, 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 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