



Legislation Details (With Text)

**File #:** 20-1060      **Version:** 1      **Name:** 8/6/20 Resolution to Approve a Professional Legal Services Agreement with Washtenaw County on behalf of the Washtenaw County Office of Public Defender to Provide Legal Representation at Arraignment to Indigent Defendants (\$35,000.00)

**Type:** Resolution      **Status:** Passed

**File created:** 8/6/2020      **In control:** City Council

**On agenda:** 8/6/2020      **Final action:** 8/6/2020

**Enactment date:** 8/6/2020      **Enactment #:** R-20-296

**Title:** Resolution to Approve a Professional Legal Services Agreement with Washtenaw County on behalf of the Washtenaw County Office of Public Defender to Provide Legal Representation at Arraignment to Indigent Defendants. (\$35,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. PublicDefender-PSA-Over\$25k.pdf

Date	Ver.	Action By	Action	Result
8/6/2020	1	City Council	Approved	Pass

Resolution to Approve a Professional Legal Services Agreement with Washtenaw County on behalf of the Washtenaw County Office of Public Defender to Provide Legal Representation at Arraignment to Indigent Defendants. (\$35,000.00)

Attached for your review and approval is a resolution to approve a Professional Legal Services Agreement with Washtenaw County on behalf of the Washtenaw County Office of Public Defender to provide legal representation to indigent persons charged with misdemeanor offenses, who appear in the 15th Judicial District Court magistrate’s courtroom for arraignment.

Budget/Fiscal Impact: Services provided under this Agreement will be funded by a grant from the Michigan Indigent Defense Commission. The grant award was accepted by City Council on April 6, 2020 (R-20-104).

The City of Ann Arbor / 15th Judicial District Court is required by law to provide legal representation for indigent defendants at first appearance (arraignment) and other critical stages of the court process when potential sanctions include incarceration. The Washtenaw County Office of Public Defender has experience providing legal representation, including representation at arraignment.

The proposed Agreement is for a three-month term, July 1, 2020, through September 30, 2020. This Agreement covers the timeframe between the start of City FY21 and the end of the current Michigan Indigent Defense Commission grant.

Prepared by: Shryl Samborn, Court Administrator, 15th Judicial District Court

Approved by: Tom Crawford, Interim City Administrator

Whereas, Persons charged with misdemeanor violations for which incarceration may be imposed are entitled to legal representation at first appearance and other critical stages;

Whereas, Persons who are determined by the 15th Judicial District Court to be indigent have the right to legal counsel to represent them at public expense;

Whereas, the Michigan Indigent Defense Commission has awarded grant funds to the City of Ann Arbor / 15th District Court to provide for legal counsel at arraignment for indigent persons and such funds will be used to fund the attached agreement; and

Whereas, the Washtenaw County Office of Public Defender is an appropriate and skilled provider of such services;

RESOLVED, That City Council approve the attached Professional Legal Services Agreement in the amount of \$35,000.00 with the Washtenaw County Office of Public Defender to provide legal representation for indigent defendants appearing in the 15th Judicial District Court magistrate's courtroom for arraignment;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the Agreement following approval as to form by the City Attorney and as to substance by the City Administrator; and

RESOLVED, That the City Administrator take all necessary administrative actions to implement this resolution including execution of any documentation or amendment(s) that do not exceed the amounts authorized herein.