



Legislation Text

File #: 171162, **Version:** 1

171162 SUBSTITUTE 1

ALD. MURPHY, RAINEY, COGGS, JOHNSON, KOVAC, LEWIS, BAUMAN, STAMPER, II, PEREZ, ZIELINSKI AND HAMILTON

Substitute resolution relating to an agreement between the City of Milwaukee and Legal Action of Wisconsin for the purpose of providing legal services to indigent defendants in the Municipal Court. This resolution approves the implementation plan for the Counsel for Indigent Court Defendants Special Purpose Account (SPA), directs the appropriate City officials to negotiate an agreement with Legal Action of Wisconsin for the provision of legal services to indigent Municipal Court defendants, and approves the expenditure of funds from the SPA in an amount not to exceed \$45,000.

Whereas, The Milwaukee Municipal Court has limited jurisdiction and exclusively administers cases involving City ordinance violations; and

Whereas, In such cases, defendants do not have the right to a publicly-funded lawyer or other advocate; and

Whereas, The 2017 Budget created and funded a Counsel for Indigent Court Defendants Special Purpose Account (SPA) in the Common Council - City Clerk's Office in the amount of \$45,000 to pay for a citizens' advocate for potentially indigent defendants who appear at the Municipal Court; and

Whereas, The City issued a request for proposals for the provision of legal services to potentially indigent defendants who appear at the Municipal Court; and

Whereas, Legal Action of Wisconsin was the sole respondent to the request for proposals; and

Whereas, Legal Action of Wisconsin was founded in 1968 and has offices in downtown Milwaukee near the Municipal Court and additional staff at the Center for Driver's License Recovery and Employability at the downtown Milwaukee Area Technical College; and

Whereas, Each year, Legal Action of Wisconsin provides free legal services to Milwaukee's low-income community on a broad spectrum of issues including housing, driver's license restoration, elder law, criminal record problems, child support and public benefits; and

Whereas, Legal Action of Wisconsin has experience in providing legal services for potentially indigent defendants, and is therefore an appropriate organization to receive funds from the Counsel of Indigent Court Defendants SPA for that purpose; and

Whereas, Expenditure of funds from the Counsel for Indigent Court Defendants SPA requires Common Council approval, by resolution, of an implementation plan developed by the Presiding

Judge, City Attorney and Chair of the Judiciary and Legislation Committee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proposal from Legal Action of Wisconsin for the provision of legal services to potentially indigent defendants who appear at Municipal Court, in substantially the same form as is attached to this file, is approved; and, be it

Further Resolved, That this proposal shall serve as an implementation plan for the expenditure of funds from the Counsel for Indigent Court Defendants Special Purpose Account; and, be it

Further Resolved, That the appropriate City officials are directed to take the steps necessary to negotiate an agreement between the City and Legal Action of Wisconsin for the provision of legal services to potentially indigent defendants who appear at Municipal Court; and, be it

Further Resolved, That the expenditure of funds from the Counsel for Indigent Court Defendants Special Purpose Account, Acct. 0001-1310-S238-006300, is approved for an amount not to exceed \$45,000 for the purpose described in this resolution.

LRB170322-2
Dana J. Zelazny
November 16, 2017