

GENERAL

Ordinance Fact Sheet

220546

Ordinance Number

Brief Title

Authorizing five-year Legal Aid indigent defense contract

Approval Deadline

Reason

Details

Reason for Legislation

Authorizing the Administrator of the Municipal Court to execute a five-year \$7,171,501.00 contract with Legal Aid of Western Missouri for the legal representation of indigent defendants in Kansas City Municipal Court to begin May 1 2022 through April 30, 2027.

Discussion

For more than 20 years, the City has had a contract with Legal Aid of Western Missouri to represent low-income people who are charged with jailable offenses in Municipal Court . The City is required to provide free counsel to these defendants under the U.S. Supreme Court's decision in Gideon v. Wainright.

Legal Aid represented 8,834 defendants in FY 2022.

This ordinance will authorize the Municipal Court to execute a five-year contract with Legal Aid of Western Missouri for the legal representation of indigent defendants in the Kansas City Municipal Court in an amount not to exceed \$7,171,501.00; and make the following appropriations from the general fund: \$1,378,064.00 for the period from May 1, 2022 through April 30, 2023; \$1,405,625.00 for the period from May 1, 2023 through April 30, 2024; and \$1,433,738.00 for the period from May 1, 2024 through April 30, 2025, \$1,462,413.00 for the period from May 1, 2025 through April 30, 2026; and \$1,491,661.00 for the period from May 1, 2026 through April 30, 2027.

The contract will include that Legal Aid will agree to represent any defendant the Court deems necessary to have legal counsel appointed, including possession of marijuana cases.

Is it good for the children?

Yes, public safety is good for the entire community, including children. It is also important that parents of children are provided with legal defense on jailable offenses if they are found to be indigent to ensure the parents' rights are safeguarded.

How will this contribute to a sustainable Kansas City?

This contract fulfills the City's legal obligation to provide legal defense to those who qualify, and ensures that those who cannot afford defense counsel will be appointed counsel and that justice can be carried out in a timely manner.

Positions/Recommendations

Sponsor	<u>Municipal Court</u>
Programs, Departments, or Groups Affected	_____ Department
Applicants / Proponents	Applicant _____ Department City Department _____ Department _____ Department Other
Opponents	Groups or Individuals None Known Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

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Details

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Policy/Program Impact

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
	Funds of 7,171,501.00 to be appropriated with City Council approval from the general fund over 5 years through April 30, 2020.
Fund Source (s) and Appropriation Account Codes	1000-272005-B \$7,171,501.00
	Total \$7,171,501.00

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

Name _____ Date _____
 Title _____

Reviewed by:

Name _____ Date _____
 Title _____

Reference Numbers