

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0029

Sponsored by: **County Executive
FitzGerald/Department of Law**

An Ordinance amending Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law.

WHEREAS, the County Council established the Department of Law in Ordinance No. O2011-0016; and

WHEREAS, Ordinance No. O2011-0016 provides that “[p]ursuant to Section 3.09(2) of the Cuyahoga County Charter, Council shall establish, with input from the County Executive and the Director of Law, such divisions and sections within the Department of Law as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this Ordinance;” and,

WHEREAS, it is necessary to amend Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Section 1 of Ordinance No. O2011-0016 establishing the Department of Law shall be amended as follows (language additions are shaded and boldfaced, deleted language is stricken out):

SECTION 1. The Cuyahoga County Department of Law.

- (a) There is hereby established the Department of Law for Cuyahoga County, to be officially called “The Cuyahoga County Department of Law.”
- (b) For convenience, the Cuyahoga County Department of Law may also be referred to as the “Cuyahoga County Law Department” or the County’s “Law Department” in correspondence, legislation, or as is otherwise necessary or convenient.
- (c) For convenience, the Director of Law may also be referred to as the County’s “Law Director” in correspondence, legislation, or as is otherwise necessary or convenient, and the term “Law Director” shall be accorded the same meaning as “Director of Law.”

- (d) The Director of Law shall exercise all powers, duties, and responsibilities that s/he may exercise under the Cuyahoga County Charter, and s/he shall have all powers, duties, and responsibilities to advise and represent the County in all legal matters and proceedings. The Director of Law and, as the Director of Law deems appropriate, his/her designee(s) within the Department of Law shall have the power to waive conflicts of interest relating to the retention of outside counsel and Department attorneys and staff. If the Director of Law and all of his/her designee(s) are unable to grant such a waiver because they have a conflict of interest pursuant to the Ohio Code of Professional Conduct, the Inspector General or, as the Inspector General deems appropriate, his/her designee(s) shall have the power to waive such conflicts.
- (e) The powers, duties, and responsibilities of the Director of Law shall be broadly construed, and the listing of any specific powers, duties, or responsibilities of the Director of Law in this Ordinance or any other ordinance or resolution shall not be construed to exclude any other powers, duties, or responsibilities of the Director of Law existent under the County Charter, its home rule powers, or the general law of the State of Ohio.
- (f) The Director of Law shall supervise and manage the Department of Law and may employ such number of deputies, assistants, and employees as s/he determines to be reasonably necessary to assist him/her in carrying out his/her powers and duties and as is consistent with approved budgetary parameters determined by Council.
- (g) ~~Pursuant to Section 3.09(2) of the Cuyahoga County Charter, Council shall establish, with input from the County Executive and the Director of Law, such divisions and sections within the Department of Law as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this Ordinance.~~ **The Cuyahoga County Department of Law shall be composed of the Director of Law, a Deputy Chief Director of Law, Assistant Law Directors, and, as deemed necessary by the Director of Law, such other assistants and other staff, including paralegals and executive and administrative assistants to serve the Director, Deputy Director, and the Assistant Law Directors.**

SECTION 2. Open Meetings. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the

public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Ms. Simon, seconded by Mr. Jones, the foregoing Ordinance was duly enacted.

Yeas: Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell and Connally


Nays: None


County Council President

7-25-11
Date


County Executive

7/29/11
Date


Clerk of Council

7/26/2011
Date

First Reading/Referred to Committee: July 12, 2011

Committee(s) Assigned: Justice Affairs

Journal CC003
July 26, 2011