

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0042

Sponsored by: Councilman Miller Co-sponsored by: Councilmembers Conwell, Simon, Brown, Tuma, Stephens, Sweeney, Gallagher and Jones	A Resolution approving a revised Guardian Ad Litem Fee Schedule for the Cuyahoga County Court of Common Pleas, Juvenile Division; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Hourly Rates and Maximum Case Fees for Guardian Ad Litem work in the Cuyahoga County Court of Common Pleas, Juvenile Division, were last raised in 2008; and

WHEREAS, the work of the Guardians Ad Litem is essential to the operation of the Cuyahoga County Court of Common Pleas, Juvenile Division, and further the purpose of ensuring effective and efficient resolution of issues while protecting the rights of children in all aspects of court proceedings; and

WHEREAS, the number of local attorneys willing to serve as court-appointed Guardians has lowered significantly in recent years leading to a lack of effective representation and/or a delay in court proceedings and resolution; and

WHEREAS, in anticipation of the most recent County budget cycle, the Cuyahoga County Court of Common Pleas, Juvenile Division, recommended rate increases in the Guardian Ad Litem fees for in-court and out-of-court work, as well as for the maximum fee per case. These proposed fee increases were incorporated into the budget passed by the County Council and signed by the Cuyahoga County Executive; and

WHEREAS, in accordance with Cuyahoga County Common Pleas Local Rule 33, Part II (B), appointed Guardians Ad Litem at the Cuyahoga County Court of Common Pleas, Juvenile Division, shall receive compensation for professional services and shall be reimbursed for expenses in accordance with the Fee Schedule. In all cases, upon completion of the service, it shall be the duty of such appointed Guardian Ad Litem to submit a completed affidavit and entry for fees. The trial Judge, after due consideration, shall determine the amount of compensation in accordance with the Fee Schedule, attached hereto as Exhibit A; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County may continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. The Cuyahoga County Council hereby approves the revised Assigned Counsel Fee Schedule for the Cuyahoga County Court of Common Pleas, Juvenile Division, attached hereto as Exhibit A, effective for assignments commencing immediately and thereafter.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 Mr. Miller, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

Yeas: Gallagher, Schron, Conwell, Brown, Stephens, Simon, Baker, Miller, Sweeney, Tuma and Jones

Nays: None

County Council President

2/23/2021

Date

County Executive

2/23/2021

Date

Clerk of Council

2/23/2021

Date

First Reading/Referred to Committee: February 9, 2021

Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: February 23, 2021

Additional Sponsorships Requested on the Floor: February 23, 2021

[Clerk's Note: Electronic signatures affixed in accordance with Cuyahoga County Code Chapter 110]

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February 23, 2021