



Legislation Text

File #: 1223-2018, **Version:** 1

This ordinance authorizes an appropriation to the Municipal Court Clerk within the Job Growth subfund in support of the Expedited Record Service Program.

The purpose of the appropriation is to assist indigent defendants who file applications for sealing or expungement of records and who wish to participate in a pilot program administered by the Ohio Attorney General. The program is an electronic notification service providing updated record information to background check companies operating on websites and through electronic publications.

Applicants applying to have his/her record sealed or expunged must be notified in writing of said program by the Clerk of Courts, at which time the applicant may opt in or out of the program. If applicant opts in, a fee of \$45 per application must be paid to the clerk (in addition to the filing fee of \$50) for this service. The clerk will then hold the funds until an order is issued by the court. Upon order of the court to approve the sealing or expungement of records, the clerk is responsible for sending the full \$45 to the third party vendor selected by the Ohio Attorney General to perform background expungement services.

At this time, the fee cannot be waived by the court by reason of the indigence of a defendant. Without access to this service, indigent defendants that are approved for expungement may be at risk for adverse information appearing on background checks, and may thus be denied employment opportunities. The Clerk of Courts would appropriate and maintain grant funds based on approval of an Affidavit of Indigency (or permission of the Court).

Fiscal Impact: Funding is available within the Job Growth subfund.

Emergency action is requested in order to avoid any delay in implementing the Expedited Record Service Program and to immediately provide services to indigent defendants seeking expungements.

To authorize an appropriation to the Municipal Court Clerk within the Job Growth subfund in support of the Expedited Record Service Program; and to declare an emergency. (\$9,000.00)

WHEREAS, this appropriation will assist indigent defendants who file applications for sealing or expungement of records and who wish to participate in a fee-based pilot program administered by the Ohio Attorney General; and

WHEREAS, without access to this service, indigent defendants that are approved for expungement may be at risk for adverse information appearing on background checks, and may thus be denied employment opportunities; and

WHEREAS, an emergency exists in the usual daily business of the city in that it is immediately necessary to authorize an appropriation in support of the Expedited Record Service Program to provide immediate access to the background service program for indigent defendants; **now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor is hereby authorized and directed to appropriate \$9,000.00 in the Job Growth subfund, fund 1000, subfund 100015, to the Municipal Court Clerk per the accounting codes in the attachment to this ordinance.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.