

RESOLUTION NO. 2004- 134

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY APPROVING AND FUNDING A CONTINUATION OF LEGAL AID SERVICES IN ST. JOHNS COUNTY PROVIDED BY JACKSONVILLE LEGAL AID EFFECTIVE 1 JULY, 2004.

WHEREAS, legal aid services are now provided in St. Johns County by Jacksonville Legal Aid ("JALA") pursuant to a contract with the Board of Count Commissioners of St. Johns County (copy attached as Exhibit A); and

WHEREAS, said contract services are funded January 1, 2004 through June 30, 2004 from previously authorized legal aid funding fees collected on civil case filings which funding has been repealed by the State legislature effective June 30, 2004; and

WHEREAS, such contract may be extended from July 1, 2004 through September 30, 2004 by agreement of the parties with funding therefore provided from County general fund reserves; and

WHEREAS, \$18,000 has been estimated as the quarterly equivalent of previous funding of this program.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, that the County Administrator is authorized to extend the existing contract with JALA for legal aid service in St. Johns County from July 1, 2004 through September 30, 2004 for the sum of \$18,000 paid in the manner provided in said contract.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 15th day of June, 2004.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Karen R. Stern
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Deputy Clerk

Effective Date: 6-15-04

RENDITION DATE 6-21-04

03 DEC 30 PM 1:37

**CONTRACT BETWEEN ST. JOHNS COUNTY
AND JACKSONVILLE LEGAL AID, INC.** CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

1. The Agreement between St. John's County , Florida (the "County") and Jacksonville Legal Aid, Inc. ("JALA") implements St. John's County Ordinance No. 96-26 which was enacted pursuant to Florida Statutes 28.2401(3), 28.241(1) and 34.041.
2. JALA is a Florida non-profit corporation established in 1974 for the purpose of providing legal services to indigent persons in Florida, including St. Johns County, who would not otherwise have the means to obtain legal assistance.
3. In return for payment set out in Section 4, JALA shall provide civil legal services for qualified low income persons and indigents in St. Johns County by providing and advertising in St. Johns County an active toll free phone number that such persons may call 24 hours a day seven days each week to request or apply for such services, which services shall thereafter be provided by properly qualified persons meeting with prospective clients by appointment. JALA shall also promptly provide quarterly reports to the Clerk of Court or his/her designee, the St. John's County Health and Human Services Advisory Council, that (i) accurately identify each case in which JALA has provided civil legal services to or for indigent residents, of St. Johns County, Florida during the subject quarter; (ii) describe the type of legal problems pertaining to each such case and the legal services provided for each such case during the subject quarter; and (iii) describe the pro bono activity during such quarter. Such reports shall provide evidence sufficient to establishing whether JALA has provided civil legal services to indigents in the St. Johns County equivalent in value to at least 100% of the sum of the filing fees disbursed by the County to JALA during such quarter. Additionally, JALA shall within 30 days of implementation of this Contract provide the Clerk of the Court or his/her designee, the St. Johns County Health and Human Services Advisory Council, with a true copy of its annual line item budget for legal aid services in St. Johns County for the term of this Contract.
4. During the term of this Contract, St. Johns County, through the Clerk of the Court's office, shall collect and disburse to JALA filing fees generated as result of Ordinance No. 96-26 to JALA on a monthly basis to pay JALA invoices for legal aid services it provides in St. Johns County and which are billed in accordance with reimbursement provisions set out in JALA's December 9, 2003 response to the County's Request For Proposals for this service dated November 20, 2003; provided that, St. Johns County shall not be responsible for or owe any reimbursement to JALA for such services in excess of said court filing fees actually collected by the Clerk of Court.
5. The term of this contract shall run from January 1, 2004 until June 30, 2004; however, the County is hereby granted an option to extend this contract for the three months immediately thereafter in return for the payment of proper invoices from JALA (as described in Section 4 above) of monies from sources other than said filing fees, not to exceed an amount reasonably estimated to be equivalent to an amount said filing fees would have provided for this service if their collection and disbursement for this purpose had been continued from July 1 to September 30, 2004.

6. Neither JALA nor its employees shall represent any person or entity as a plaintiff in litigation in which St. Johns County is a defendant. Furthermore, none of these monies paid to JALA pursuant to this agreement shall be used in any way to support litigation against St. Johns County. Upon its request, the County shall be entitled to reasonably audit the records of JALA to confirm compliance with this requirement.

7. Either party may terminate this contact by giving 30 (thirty) days prior notice of such termination to the other party except that if the requirement of Section 6 is violated by JALA the County may terminate the contract immediately and shall be reimbursed any funds used contrary to Section 6.

IN WITNESS WHEREOF, the parties hereto have made and executed this contract on the respective dates under each signature: St. Johns County through its Board of County Commissioners, signing by and through its County Administrator; and Jacksonville Area Legal Aid, Inc. by and through its Executive Director, Michael G. Figgins duly authorized to execute the same.

ST. JOHNS COUNTY

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]
Ass't. County Administrator

Date: December 30, 2003

CHERYL STRICKLAND, CLERK

By: [Signature]
Clerk

JACKSONVILLE AREA, LEGAL AID,

By: [Signature]
Michael G. Figgins, Executive Director

INC.
WITNESSES:
[Signature]
[Signature]

