

Section 1. That Resolution No. R84-128 is hereby repealed in its entirety.

Section 2. That this resolution shall take effect after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution repeals Resolution No. R84-128 pertaining to the indigent defense fee. Tenn. Code Ann. § 40-14-210 authorizes the Metropolitan Government, upon approval by a 2/3 vote of the Council, to collect a fee in the amount of \$12.50 for the purpose of defraying the costs of legal representation and support services provided indigent defendants in criminal proceedings. The Council approved this fee in 1984, and it has been collected on every felony and misdemeanor criminal case since then.

A 2020 fee study prepared for Metro by PFM's Center for Justice & Safety Finance recommended that the Council eliminate this fee to ease the financial burden on criminal defendants, many of whom lack the ability to pay such fines and fees. This study is attached to the end of this analysis.