



Request for Qualifications

ATTORNEY REPRESENTATION FOR INDIVIDUALS CHARGED WITH DRUG POSSESSION OFFENSES IN COURTS OF LIMITED JURISDICTION IN THE CITY OF KENNEWICK, THE CITY OF WEST RICHLAND, and the CITY OF RICHLAND

Title: SPAR Attorney, RFQ25002

Expected Contract Period: July 1, 2024 through June 30, 2025

Application Due Date: Rolling. Applications will be reviewed as they are received.

Submit Applications by Email To: Nicole Dodge, Program Analyst—Simple Possession and Advocacy Program (SPAR) spar@opd.wa.gov

Background: The 2023 Washington State Legislature appropriated funding to the Washington State Office of Public Defense (OPD) to help counties and cities provide public defense services for individuals charged under the offenses created in [Second Engrossed Second Substitute Senate Bill \(2E2SSB\) 5536](#). Our Simple Possession Advocacy and Representation (SPAR) Program administers and disburses these funds. The legislature limited these funds to counties with a population of 500,000 or less, or to cities with a population of 200,000 or less.

Under RCW 2.70.200, OPD may provide reimbursement of eligible expenses to qualifying jurisdictions or, at the election of the jurisdiction, contract directly with indigent defense providers for consultation and representation services for indigent adults facing drug possession charges. OPD is piloting the direct client services piece of the SPAR program in two regions. Within those two regions, four municipal jurisdictions elected to designate OPD to directly contract with indigent defense providers: the City of Vancouver, the City of Kennewick, the City of Richland, and the City of West Richland.

SPAR Purpose: To promote consistent, quality defense representation in courts of limited jurisdiction for every indigent client facing or charged with possession offenses

Position Summary:

OPD will enter into contracts with solo practice attorneys and/or multi-attorney organizations to provide indigent defense consultation and representation services for individuals facing drug possession or public use charges in a court of limited jurisdiction. For the purposes of representation on filed cases, an individual may be charged with misdemeanor or gross misdemeanor offenses other than drug possession or public use; the cause number need not be limited to drug possession or public use charges.

Work & Compensation:

The City of Kennewick, the City of West Richland, and the City of Richland: OPD is recruiting for **two** contracts of up to 100% full-time SPAR caseload (300 open and active misdemeanor or gross misdemeanor cases that include a drug possession or public use charge) filed in Benton County District Court, stemming from charges in one of these municipalities, and non-caseload related work. OPD's preference is for one attorney/firm to contract to take all three jurisdictions under one contract; charging data indicates the majority of charges come from Kennewick. However, OPD will also accept applications per jurisdiction, or applications for part-time work covering all three jurisdictions, but the caseload would be reduced in that event, and compensation may be reduced accordingly. Position is open until filled. Start date is negotiable.

The approximate caseload for a full-time SPAR attorney is 300 cases. The current annual compensation for a full-time contract is \$130,000. Part-time attorney position compensation is pro-rated based on a percentage of a full-time case load. Compensation includes all overhead such as support staff, rent, and other costs of doing business. PFML often is available to employees of our contractors (including private law firms). PFML program includes an opt-in for self-employed people such as our solo practice contractors. More information can be found at the following link <https://paidleave.wa.gov/elective-coverage/>

Support:

OPD provides contracted attorneys access to funds for expert services pursuant to SPAR's expert services policy, as well as access to technical support. OPD also provides training opportunities and training materials.

Required Qualifications:

OPD is seeking attorneys with the following qualifications:

- Licensed member in good standing with the Washington State Bar;
- Carries malpractice insurance;
- At least 2 years of criminal defense practice in Washington state;
- Knowledge of Washington State criminal law;
- Knowledge of criminal practice and procedure in Washington State.
- Ability to meet Washington State Supreme Court Standards for Indigent Defense.

- Ability to be responsive to, and communicate clearly with, clients who are often under a great deal of stress.
- Experience or interest in how race, gender, national origin, disability, and class intersect to create disparities for individuals in the criminal legal system and a willingness to challenge these disparities

Desired Qualifications:

In addition, the following qualifications are preferred:

- Experience practicing law as a public defense attorney;
- Experience working with people from marginalized communities.
- Experience in the court for which you are interested.

How to Apply:

Please send the following information as soon as possible. Questions regarding applications and completed applications can be sent to spar@opd.wa.gov

1. **Cover Letter** describing how you meet the qualifications listed above and why you are interested in the contract;
2. Your **Resume** or Resume of Attorneys in your firm who would participate in delivery of these services;
3. Two Professional **References**; and,
4. Information about the following (can be included in your cover letter):
 - a. Whether you hold any other current contracts for public defense, and with whom.
 - b. Other representation obligations, such as private practice clients.
 - c. Existing caseload.
 - d. How you plan to balance this contract, if awarded, with your other professional commitments.

This is a contract position and is not eligible for state benefits or considered employment through OPD.

OPD reserves the right to amend this Request for Qualifications and reserves the right to refrain from contracting with any and all applicants. This Request for Qualifications does not obligate the state of Washington or OPD to contract for the services specified here.

The Washington State Office of Public Defense vigorously pursues diversity in the work force. Women, racial and ethnic minorities, LGBTQ, persons with disabilities, formerly incarcerated individuals, people with lived experience in the juvenile/criminal legal system, and military veterans are encouraged to apply.