



CITY OF YELM MUNICIPAL COURT
206 McKENZIE AVENUE SE
YELM, WA 98597

OPENING DATE: August 1, 2023
CLOSING DATE: Open Until Filled

Request for Proposals - Contract Public Defender

The City of Yelm is seeking a qualified individual to provide public defense services for the City's indigent population. The selected individual will be responsible for representing individuals in criminal delinquency cases in the City's court. The ideal candidate will provide coverage for conflict cases and any over caseload of the primary public defender. In some cases, both in-custody and out-of-custody clients will be assigned for representation from Pre Trial through Trial. Yelm Municipal Court will not guarantee any specific number of case assignments.

Note: Currently, the Court is in session every other Thursday (2-3 calendars per month).

Term

The City is interested in establishing and maintaining a long-term, stable relationship with its public defense attorney and intends to enter into a 2-year agreement with the possibility of extending the agreement; however, either party may terminate the Agreement by giving sufficient notice to the Court in writing of at least 60 days.

Scope of Services and Compensation

The selected public defender will provide legal representation for defendants assigned at all pre-trial hearings, motions, trials, sentencing, reviews, and appeals to the point of filing. The attorney will provide criminal defense services and will be available to talk and meet with indigent defendants in the Nisqually Tribal Jail. Legal services provided will include, but not be limited to, interviews of clients and potential witnesses, legal research, preparation and filing of pleadings, negotiations with the appropriate prosecutor or other agency and court regarding possible dispositions, and preparation for and appearance at court proceedings. Performance of services shall comply with the Standards adopted by the Washington State Supreme Court and the City (collectively, "Standards"), whichever is more restrictive.

The City proposes to compensate the public defender \$250 per assigned case, compensation for representing a defendant at a jury trial shall be \$750.00 per day. Bench trials and any CrR 3.6 Suppression Motions are compensated at \$375.00. The Attorney shall be solely responsible for payment of applicable federal and state taxes and shall be responsible for his own medical insurance, dental insurance, retirement, and business license with the city.

The public defender is considered an independent contractor who shall at all times perform the criminal defense duties and responsibilities and carry out all services as an independent contractor and shall never represent or construe its status to be that of an employee of the City, nor shall the public defender be eligible for any employee benefits.

Qualifications and Required Proposal Content

- Must be licensed to practice law in the State of Washington and be in good standing with the state bar association.
- Must have experience in criminal law, with a demonstrated ability to work with diverse client base who may be experiencing traumatic mental illness, drug addiction or other systemic issues
- Must have a proven record of accomplishment of providing effective representation to clients, including a history of favorable verdicts and settlements.
- Must have a staff with sufficient capacity to handle the caseload and provide quality representation.
- Must have experience working with indigent clients and be committed to providing quality representation to all clients, regardless of their ability to pay.
- Provide a statement regarding whether any attorney proposed to provide services under the contract has ever been disciplined by any bar association, been the subject of a court finding or determination of ineffective assistance of counsel, been monetarily sanctioned by a court for any reason, or been involved in an action for malpractice. If so, provide information that is more detailed.
- Provide a statement of how the workload responsibilities of the City will be accommodated and what kind of priority it will be given in relationship to other contracts and obligations.

Instructions to Proposers

The City will evaluate responses based on the qualifications outlined in this RFP and may request additional information. The City reserves the right to reject any and all responses and to waive any irregularities in the responses received.

All proposals that are mailed or delivered must be in a sealed envelope and clearly marked in the upper left hand corner "RFP - Public Defender." Emailed proposals must be contained in one PDF file attached to the message and the subject line must state "RFP - Public Defender."

Submit proposals to:

City of Yelm
Shelby Denny, HR Specialist
shelbyd@yelmwa.gov or at 106 2nd ST SE, Yelm, WA 98597

Public Defender - RFQ Supplemental Questionnaire

1. Are you admitted to practice law in Washington State?

- ☐ Yes, date admitted? _____
- ☐ No

2. WSBA#

3. Are you comfortable and willing to attend all court proceedings in person?

4. Are you familiar and experienced with OCourt System for electronic documents and court scheduling?

5. How many years of criminal and civil infractions law practice do you have?

6. Approximately how many criminal law CLE hours do you attend each year?

7. Who is your legal malpractice insurance carrier? (Proof of insurance coverage will be required upon selection as Public Defender)

8. Facilities, Support, and Reporting: Please select all that apply to you.

- ☐ I have access to a physical office that accommodates confidential meetings with clients.
- ☐ I have used criminal defense investigators in the past.
- ☐ I have an address at which I can receive mail.
- ☐ I have a local phone number that in custody clients may use to contact me without long distance charges.
- ☐ I am willing to comply with Yelm Municipal Court requirements for case reporting which will include completing a case closing form and submitting it with final invoices.
- ☐ I have completed CLE training within the past 12 months that are WSBA and Washington Office of Public Defense approved.

9. I have a written client complaint procedure, which includes escalating the complaint to City of Yelm Municipal Court if unresolved.

- ☐ Yes
- ☐ No