

**SKAMANIA COUNTY DISTRICT COURT  
REQUEST FOR QUALIFICATIONS  
FOR PUBLIC DEFENSE SERVICES**

**SUMMARY OF REQUEST**

Skamania County District Court ("County") is requesting qualifications from attorneys and/or law firms interested in contracting for public defense services for indigent defendants appearing on criminal charges in Skamania County District Court.

This contract is part-time. Caseload statistics place us below a .5 FTE for criminal cases. The District Court schedules cases only during the first and third full weeks of each month. Active court days for criminal cases are Mondays and Thursdays. Trials are currently scheduled for Wednesdays. For January-September of 2016 the PD received 137 appointments, of which 44 (32%) were for DWS 3. Overall case filings for prior years is available at the state court website.

The lead firm will be responsible for managing the inflow of cases, assuring appearances at arraignment, status and plea calendars and providing access to unassigned clients in police custody. The County will accept joint applications from attorneys or firms interested in apportioning the caseload (and arraignment calendars) among themselves. This RFQ also requests a list of firms which can take assignments on a case by case basis and/or who can provide conflict representation.

The successful applicant(s) will contract with the County for provisions of public defense services as independent contractors and shall not be entitled to any County benefits. The successful applicants will be responsible for performance of all of the obligations under contract in conformance with the Standards for Indigent Defense (SID), the Rules of Professional Responsibility, and the Washington State Bar Association.

The term of the contract(s) would preferably be for twenty four (24) months, beginning January 1, 2017, and concluding December 31, 2018.

**RFQ SCHEDULE**

Requests for Qualifications will be accepted until 5:00 p.m., Friday, November 28, 2016. Faxed applications will not be accepted.

**RFQ REQUIREMENTS:**

All RFQ's must include the following information:

1. The names, bar number(s) and qualifications of the attorney(s) who will be providing public defense services and their areas of responsibility.
2. Specific experience of the attorney(s) in courts of limited jurisdiction, with emphasis on criminal cases.
3. Description of how the attorney(s) and/or firms who will be providing public defense services meet the Bar Association's Standards for Indigent Defense Services.

4. Description of any criminal or professional disciplinary findings that have been entered against any of the attorneys who will be providing public defense services, regardless of originating jurisdiction.

RFQ's must be clearly marked "RFQ-Public Defender" and submitted to:

Skamania County District Court

Karen Wyninger

P.O. Box 790

Stevenson, WA 98648

Or via email to:

[karenw@co.skamania.wa.us](mailto:karenw@co.skamania.wa.us)

Please call to confirm receipt of your email if submitted electronically.

#### **TERMS AND CONDITIONS**

1. The County reserves the right to reject any or all applications and to waive minor irregularities in any proposal.
2. The County reserves the right to request clarification of information submitted and to request additional information from any applicant.
3. The County reserves the right to award any contract to the next most qualified applicant if contract negotiations are unsuccessful.
4. The County shall not be responsible for any costs incurred by the firm in preparing, submitting or presenting its response to the RFQ.

#### **SCOPE OF SERVICES**

- A. General Description. Pursuant to Chapter 10.101 RCW, all indigent criminal defendants must be provided with effective legal representation. Proposers are alerted that service standards may be adjusted throughout the contract term in order to comply with state law and changes in court rules. The Public Defender will provide legal representation for eligible defendants for critical stages of the criminal proceedings and continue through giving the Notice of Appeal of the District Court's ruling or rulings.

The Public Defender will:

- (A) Attend all court hearings required by the Washington Court or Local Court Rules now or hereafter adopted;
- (B) Attend all hearings and trials involving defendants on whose behalf the Public Defender has been appointed; and
- (C) Be available to talk with and meet, in person, eligible indigent defendants that may be in jail or at an office location in or near the County.

- B. Term. Public Defender services will commence on January 1, 2017, for a term of twenty-four (24) months; terminating on December 31, 2018. Cases assigned in 2018 will require service under this contract through March, 2019.
- C. Screening. Determination of indigency for eligibility for appointed counsel for this contract is determined by Skamania County District Court Judge or Administrator.
- D. Reporting. The Public Defender shall file reports as requested including the name(s), charge(s), cause number(s), disposition, bench or jury trial (as applicable), and whether an appeal was filed.
- E. Associated Counsel. All attorneys who provide public defense services under the contract with the County must be acceptable to the County and must be approved in advance by the County to perform public defense services under the County's agreement. No legal interns shall be used unless agreed to in advance by the County.
- F. Attorney Conflict. In the event the Public Defender must withdraw from a case because of a conflict of interest, the Public Defender shall refer the defendant to another attorney under contract with the County as a conflict attorney to provide legal services to indigents.
- G. Arraignments. The Public Defender assigned shall be responsible for assuring that a defense attorney is present at all arraignments, now typically held twice monthly on Monday afternoons.
- H. Professional Liability Coverage. During the term of the Contract, the Public Defender shall have professional liability coverage in a minimum amount of Three Hundred Thousand Dollars (\$300,000) each occurrence. The successful applicants will be required to provide proof of insurance to the County.
- I. Assignment or Subcontractors. The contract for public defense services may not be assigned or subcontracted without the prior written consent of the County.
- J. Standards for Public Defense Services. The Public Defenders will be required to comply with the standards for public defense services and the Standards for Indigent Defense.
- K. Readiness. The Public Defenders are expected to be prepared to proceed at every stage of the criminal proceedings, unless restricted by circumstances outside of the Public Defender's control. The Public Defenders will be expected to make every effort to come to scheduled court hearings and calendars prepared to proceed on all assigned cases.

#### **COMPENSATION**

- A. Applicants must submit detailed information on the firm's proposed fee schedule. The fee schedule should spell out any variations for non-routine services.

- B. Payment by the County for the services will only be made after the services have been performed and an itemized billing statement is submitted in the form specified by the County and approved by the appropriate County representative. Payment shall be made on a monthly basis, within thirty (30) days after receipt of such billing statement.

**TERMINATION**

- A. The County may terminate its contract with a Public Defender without cause on one hundred twenty (120) days' notice or on sixty (60) days' notice only for violation of the terms of the contract, violation of the Standards for Indigent Defense, the Rules of Professional Conduct (including initiation of disciplinary proceedings by the Washington State Bar Association), or for failure to comply with the Standards for Indigent Defense Services. A termination for cause shall be effective immediately where the nature of the cause for termination presents an immediate threat of harm or liability to the County or a Defendant.
- B. The Public Defender will not terminate its contract with the County unless the Public Defender is unable to carry out the terms of the contract. If the Public Defender determines that they are not able to carry out the terms of the contract, they shall provide the County with not less than one hundred twenty (120) days' written notice so that the County may obtain another contractor.